national treasury
Department:
National Treasury
REPUBLIC OF SOUTH AFRICA

DRAFT NOTICE RELEASED FOR PUBLIC COMMENT

14 November 2014

INCOME TAX ACT, 1962: PUBLICATION OF PROPOSED NOTICE IN TERMS OF SECTION 12T OF THE INCOME TAX ACT, 1962, IN RESPECT OF PERSONS OR ENTITIES THAT MAY ADMINISTER FINANCIAL INSTRUMENTS AS TAX FREE INVESTMENTS

Proposed notice in terms of section 12T of the Income Tax Act, 1962, in respect of persons or entities that may administer financial instruments as tax free investments is hereby published for public comment.

Please forward comments on the proposed notice in writing by the close of business on **3 December 2014** to:

Ms Janice Stoddart at janice.stoddart@treasury.gov.za

NOTICE IN TERMS OF SECTION 12T OF THE INCOME TAX ACT, 1962, IN RESPECT OF PERSONS OR ENTITIES THAT MAY ADMINISTER FINANCIAL INSTRUMENTS AS TAX FREE INVESTMENTS

In terms of paragraph *(c)* of the definition of "tax free savings investment" in section 12T(1) of the Income Tax Act, 1962 (Act No. 58 of 1962), the following persons or entities may administer financial instruments as a tax free investment for the purpose of section 12T of that Act:

(1) A bank as defined in the Banks Act, 1990 (Act No. 94 of 1990);
(2) A long-term insurer as defined in the Long-term Insurance Act,1998 (Act No.52 of 1998);
(3) A manager as defined in section 1 of the Collective Investment Schemes Act, 2002 (Act No.45 of 2002);
(4) The government of the Republic of South Africa in the national sphere;
(5) An authorised user as defined in section 1 of the Financial Markets Act, 2012 (Act No. 19 of 1012);
(6) An administrative FSP (Financial Service Provider) as defined in board notice 79 of 2003 issued in terms of section 15(1) of the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002).