

Purpose and SARS Vision

Purpose:

- This presentation is merely to provide information in an easily understandable format and is intended to make the provisions of the legislation more accessible
- The information therefore has no binding legal effect, and the relevant legislation must be consulted in the event of any doubt as to the meaning or application of any provision.

SARS Vision

To build a smart modern SARS with unquestionable integrity, trusted and admired by Government, the public, as well as our international peers.

We focus on the following strategic intents:

MAKE IT EASY & SIMPLE TO COMPLY

MODERNIZE SYSTEMS TO PROVIDE SEAMLESS ONLINE DIGITAL SERVICES

CREATE AWARENESS, CLARITY & CERTAINTY.

MAKE IT HARD TO NOT COMPLY







Points Of Discussion

Clarification of Terms

Additional Medical Expenses Tax Credit How to claim

Qualifying Disability Expenditure

Information about ITR-DD

MTC and AMTC Confirmation of disability (ITR-DD form

Tax Rates, Rebates and Medical Tax Credit Retention of

Audit Documentation







Qualifying Expenses for disability

- The expense must stem from the disability of either the taxpayer or their dependant.
- Dependants who are neither a spouse nor a child do not qualify for the AMTC.
- Individuals may claim 33.3% of the eligible medical and disability expenses they have incurred.







"Dependant"

A person's **spouse**;

A person's child and the child of his or her spouse;

Any other member of a **person's family** in respect of whom he or she is **liable for family care and support**; or

Any other person who is **recognised as a dependant** of that person in terms of the **rules of a medical scheme** or fund.









"Spouse"

Is a person who is in a:

marriage or customary union recognised in terms of the law of the Republic;

union recognised as a marriage in accordance with the tenets of any religion; or

same-sex or heterosexual union which the Commissioner is satisfied is intended to be permanent.









"Child"

- ✓ Is a child of a person or the child of a spouse, who was alive during any portion of the year of assessment, and who was unmarried
- ✓ under the age of 18 years;
- ✓ over the age of 18 years but under the age of 21 years;
- ✓ over the age of 21 years but was wholly or partially dependant for maintenance upon the person and has not become liable for the payment of Income Tax;

Important: A **foster** child ,a child who is **not legally adopted**; or a child who is **under your custodianship** is **does not** qualify as a child.







"Child" Cont...

over the age of 26 years and was wholly or partially dependent for maintenance upon the person and has not become liable for the payment of Income Tax and is a full-time student at an educational institution of a public character; or

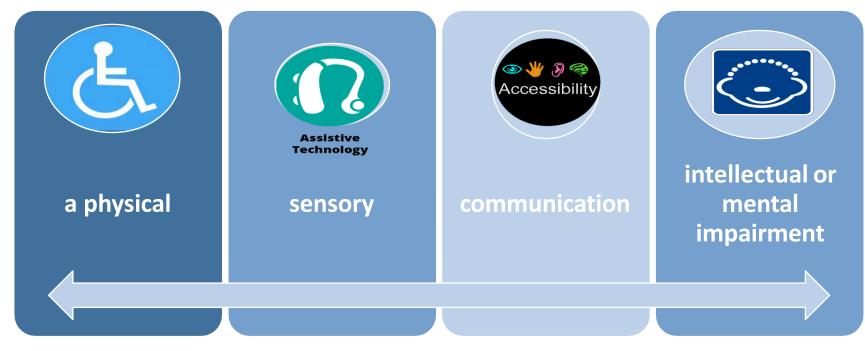
incapacitated by a disability unable to maintain himself/herself and wholly or partially dependent for maintenance upon the person and has not become liable for the payment of normal tax.







The term "disability" is defined in section 6B(1) of the Act as follows – means moderate to severe limitation of any person's ability to function or perform daily activities as a result of:



If the limitation has lasted or has a prognosis of lasting more than a year; and is diagnosed by a duly registered medical practitioner in accordance with criteria prescribed by the Commissioner.







"Physical Impairment"

- It has been interpreted as a disability that **is less restraining than a "disability"** as defined. This means the restriction on the person's ability to function or perform daily activities is mild.
- A person with a physical impairment may claim the expenses as listed in the List of Qualifying Physical Impairment or Disability Expenditure, but it will be limited to:
 - ✓ If the person is under 65 then the Additional Medical Expenses Tax Credit will be 25% of qualifying expense incurred and paid, which exceeds 7.5% of a taxpayer's taxable income







Medical Scheme Tax Credit



Medical tax credit (MTC) is a fixed amount that will be offset against tax payable and is applicable to a person or dependant with or without a disability.









Additional Medical Tax credit (AMTC) is an additional tax reduction that takes the following in consideration:

- excess medical aid contributions and
- out of pocket medical costs.
- Disability expenses (e.g. caregiver, wheelchair, crutches etc.)







Medical Tax Credit

MTC is a rebate which is non-refundable, but which is used to reduce the normal tax a person pays

Any portion that is not allowed in the current year (usually that amount which exceeds the normal tax payable) will be carried over to the next year of assessment if you are living with disability.







Qualifying Medical Expenses for Disability

In addition to the MTC, an individual may also claim an Additional Medical Expenses Tax Credit (AMTC) for certain qualifying medical expenses, subject to limitation

The AMTC depend on a person's age and whether the person, his or her spouse or his or her child has a disability







Qualifying Expenses for disability

- The expense must stem from the disability of either the taxpayer or their dependant.
- Dependants who are neither a spouse nor a child do not qualify for the AMTC.
- Individuals may claim 33.3% of the eligible medical and disability expenses they have incurred.







Qualifying medical expenses for a disability

- If a person with a disability, who has no visual impairment, purchases a handheld Global Positioning System (GPS), the cost of the hand-held GPS will not qualify for an AMTC even though the expense has been prescribed (listed) by the Commissioner.
 - In the case of a person who is, for example, visually impaired, the cost of the hand-held GPS may qualify for a deduction.







Prescribed confirmation criteria for a disability

• The criteria seek to assess the functional impact of the impairment on a person's ability to perform daily activities and not the diagnosis of a medical condition.

Criteria:

- Vision
- The minimum requirement for a person to be classified as a blind person is
 - visual acuity in the better eye with best possible correction, less than 6/18
 (0.3); and
 - visual field 10 degrees or less around central fixation.
- "6/18" means that, what a person with normal vision can read at 18 metres, the person being tested can only read at 6 metres.







Prescribed confirmation criteria for a disability

Communication

- If one or more of the following apply, the individual will be regarded as suffering from a moderate to severe communication disability:
 - ➤ Inability to make self-understood to familiar communication partners using speech in a quiet setting.
 - ➤ Inability to make self-understood to both familiar or non-familiar communication partners and incapability of meeting appropriate communication needs for his or her age by using speech, in less than 30 intelligible words.







Prescribed confirmation criteria for a disability

Communication

- Problems in understanding meaningful language by familiar communication partners that lead to substantial difficulty in communicating.
- The need to rely on augmentative or alternative communication (AAC), including unaided (for example, sign language or other manual signs) or aided means of communication (ranging from communication boards to speech generating devices).







Prescribed confirmation criteria for a disability

Physical

A person is regarded as a person with a disability if the impairment is such that the person is –

- > unable to walk, for example, a wheelchair user.
- > only able to walk with the use of assistive devices, for example, callipers, crutches, walking frames and other similar devices.







Prescribed confirmation criteria for a disability

Physical

- ➤ able to walk without the use of assistive devices, but with a degree of difficulty, for example, persons with Cerebral Palsy, Polio (that is, persons who require an inordinate amount of time to walk); and
- functionally limited in the use of the upper limbs.









Prescribed confirmation criteria for a disability

Mental

- A person is regarded as having a mental disability, if that person has been diagnosed by a mental health care practitioner who is authorised to make such diagnosis, and such diagnosis indicates a mental impairment that disrupts daily functioning and which moderately or severely interferes or limits the performance of major life activities, such as:
 - learning
 - thinking
 - > communicating
 - > sleeping









Prescribed confirmation criteria for a disability

Hearing

- Hearing impairment is a sensory impairment that will influence verbal communication between speaker and listener
- An adult is considered moderately to severely hearing impaired when the hearing loss, without the use of an amplification device, which is a:
 - bilateral hearing loss with a pure tone average equal to or greater than 25
 dBHL (Hearing loss in Decibels) in each ear
 - unilateral hearing loss with pure tone average equal to or greater than 40 dBHL in the affected ear







Prescribed confirmation criteria for a disability

Hearing

- A child is considered moderately to severely hearing impaired when the hearing loss, without the use of an amplification device, which is a:
 - ▶ bilateral hearing loss with a pure tone average greater than 15 dBHL in each ear
 - unilateral hearing loss with a pure tone average equal to or greater than
 20 dBHL in the affected ear
- Amplification devices include hearing aids, implantable devices and assistive listening devices







Prescribed confirmation criteria for a disability

Intellectual

Is a person who has a moderate to severe impairment in intellectual functioning that is accompanied by a significant limitation in adaptive functioning in at least two of the following skill areas:

- Communication
- Self-care
- Home living
- Social or interpersonal skills
- Use of community resources
- Self-direction
- Functional academic skills, work, leisure, health and safety







Expenses paid by a taxpayer during the year of assessment to any duly registered:

 Medical practitioner, dentist, optometrist, homeopath, naturopath, osteopath, herbalist, physiotherapist, chiropractor, pharmacist for medicines supplied on the prescription and or orthopaedist for professional services rendered

 Nursing home or hospital or any duly registered or enrolled nurse, midwife or nursing assistant (or to any nursing agency in respect of services of such nurse, midwife or nursing assistant) or pharmacist for medicines supplied on the prescription will be taken into account in determining the AMTC, provided these expenses have been paid for the taxpayer or any dependant of the taxpayer







Only expenditure prescribed by the Commissioner qualifies, defined under section 6B.

The expense must be in consequence of a disability suffered by the taxpayer or any dependant of the taxpayer.

The expense will only qualify if it was necessarily incurred and paid by the taxpayer.

There must be a direct link between the expenditure incurred and the disability.







What is Listed Expenses?

The prescribed expenditure was listed in the List of Qualifying Physical Impairment or Disability Expenditure (Revised on 29 October 2021, effective date: 1 March 2020).

The list category expenses as follows:

- personal care attendant expenses;
- travel and transportation;
- insurance, maintenance, repairs and supplies







| What is Listed Expenses | Expenses? | Listed | What is |
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aids and other devices;

services;

continence management products;

service animals; and

alterations or modifications to assets acquired or to be acquired

If an expense has **not** been listed it **cannot** be claimed!







Information about ITR-DD

This is a "Confirmation of Disability" form for an individual.

A person who has a disability, or whose spouse or child has a disability, needs to have their disability confirmed by a registered medical practitioner who can express his opinion on that disability.

This is done by way of the ITR-DD form which must be completed by both the individual claiming the expense and the medical practitioner.

Once the taxpayer has the ITR-DD, they can benefit from an additional medical expenses credit when they submit their Income Tax Return (ITR12).







The ITR-DD form is valid for a particular period, depending on the nature and permanency of the disability

If the disability is of a permanent nature

- If the person qualified as a person with a disability for the first time on or after 1 March 2019, the ITR-DD will be valid for 10 years, provided that the disability remains moderate to severe.
- If the person qualified as a person with a disability for the first time before 1 March 2019 and, on 1 March 2019, that person held a valid ITR-DD form expiring after that date, that ITR-DD form will be valid for a further five years from its date of expiry.
- There is no need to complete a new ITR-DD until date of expiry of that form, provided the disability remains moderate to severe.







This form can be obtained on SARS website www.sars.gov.za

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| Complete | This certificate must not be submitted with your tax return but must be retained and submitted to 8AR8 only on request. Complete Part A of this form. Remember to sign the authorisation area below. Take this form to a duly registered medical practitioner baland to diagnose the applicable disability or to express an opinion on it. art A - Details of the Person with a Disability (To be completed by a person with the disability or his or her parent / guardian / curator where applicable) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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This form can be obtained on SARS website www.sars.gov.za

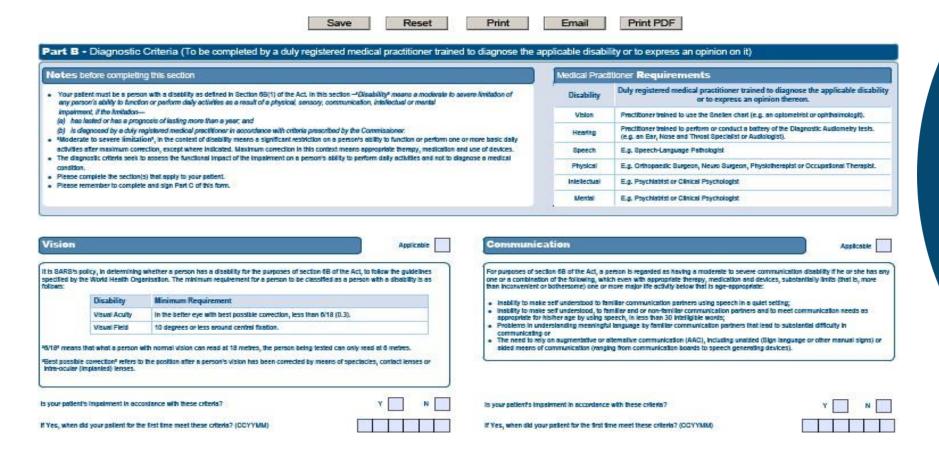
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| Part A | rt A - Details of the Person Claiming the Deduction (if different from page 1) rsonal Details | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Part B - Diagnostic Criteria (Continued) | |
|---|--|
| Applicable | Mental Applicable |
| person is regarded as a person with a disability if his or her impairment is to such an extent that he or she — Is unable to walk, for example, wheelchair user, Is able to walk only with the use of assistive devices, for example, callipers, crutches, walking frames and other such devices; Is able to walk without the use of assistive devices but with a degree of difficulty, for example, persons with Cerebral Palsy, Polio etc (that is, requires inordinate amount of time to walk); Is functionally limited in the use of their upper limbs. | With the exclusion of intellectual disability, a person is regarded to be a person with a mental disability if he or she has been diagnose in terms of accepted diagnostic criteria (Diagnostic and Statistical Manual (DSM V)) by a mental health care practitioner authorised to make such diagnosis, with a mental impairment that disrupts daily functioning and this impairment moderately or severely interferes o limits the performance of major life activities, such as learning, thinking, communicating and sleeping, among others. Notes: Moderate impairment means a Global Assessment Functioning Score (GAF-Score) between 31 and 60; and Severe impairment means GAF-Score of 30 and below. |
| our patient's impairment in accordance with these criteria? | Is your patient's impairment in accordance with these criteria? |
| es, when did your patient for the first time meet these criteria? (CCYYMM) | If Yes, when did your patient for the first time meet these criteria? (CCYYMM) |
| es, when did your patient for the first time meet these criteria? (CCYYMM) Applicable aring disability is defined as the functional limitations resulting from a hearing impairment. Hearing impairment is a sensory impairment it will influence verbal communication between speaker and listener. | Applicable Applicable Aperson is regarded to be a person with an intellectual disability if he or she has a moderate to severe impairment in intellectual |
| earing Applicable Applicable | Applicable A person is regarded to be a person with an intellectual disability if he or she has a moderate to severe impairment in intellectual functioning that is accompanied by a significant limitation in adaptive functioning in at least two of the following skill areas: Communication Self-care Home living Social/Interpersonal skills Use of community resources |
| Applicable aring disability is defined as the functional limitations resulting from a hearing impairment. Hearing impairment is a sensory impairment will influence verbal communication between speaker and listener. An adult is considered moderately to severely hearing impaired when the hearing loss is described as follows without the use of an amplification device/is: Bilateral hearing loss with a pure tone average equal to or greater than 25 dBHL in each ear. | Applicable A person is regarded to be a person with an intellectual disability if he or she has a moderate to severe impairment in intellectual functioning that is accompanied by a significant limitation in adaptive functioning in at least two of the following skill areas: Communication Self-care Home fiving Continuity resources Self-direction Functional academic skills, work, leisure, health and safety. Notes: |
| Applicable Applicable Applicable as the functional limitations resulting from a hearing impairment. Hearing impairment is a sensory impairment will influence verbal communication between speaker and listener. An adult is considered moderately to severely hearing impaired when the hearing loss is described as follows without the use of an amplification device/s: Bilateral hearing loss with a pure tone average equal to or greater than 25 dBHL in each ear. Child is considered moderately to severely hearing impaired when the hearing loss is described as follows without the use of an amplification device/s: Bilateral hearing loss with a pure tone average equal to or greater than 40 dBHL in the affected ear. A child is considered moderately to severely hearing impaired when the hearing loss is described as follows without the use of an amplification device/s: Bilateral hearing loss with a pure tone average greater than 15 dBHL in each ear, | Applicable A person is regarded to be a person with an intellectual disability if he or she has a moderate to severe impairment in intellectual functioning that is accompanied by a significant limitation in adaptive functioning in at least two of the following skill areas: Communication Self-care Home living Social/Interpersonal skills Use of community resources Self-direction Functional academic skills, work, leisure, health and safety. |





If Yes, when did your patient for the first time meet these criteria? (CCYYMM)



This form can be obtained on SARS website www.sars.gov.za

| Save Reset Print Email | Print PDF |
|--|---|
| Part C - Certification (To be completed by a duly registered medical practitioner trained to diagnose the applicable disability or to express | an opinion on it) |
| Considering the diagnostic criteria in Part B, do you consider the functional limitations of the applicable disability or disabilities on your patient's ability to perform activities of daily living, to be Mild Moderate to Severe 2. If the answer to the above question is 'moderate to severe', describe the functional impact of the impairment(s) on your patient's ability to perform activities of daily living. If more space is required. | |
| 3. Has your patient's disability lasted, or is it expected to last for a continuous period of more than 12 months? Yes No | |
| Note: if the impairment(s) are moderate to severe and has lasted or has a prognosis of lasting more than 12 months, your patient will be regarded as a person with disability as defined in section 6B(1) of the Act. | Declaration As a duly registered medical practitioner, I certify that to the best of my knowledge the |
| 4. If the answer to question 1 is 'moderate to severe' and the answer to question 3 is Yes, is the disability of a permanent nature? Yes No | information given in Part C of this form is correct and complete and I understand that this information will be used by the South African Revenue Service to to determine if my patient is a person with a disability as defined in section 6B(1) of the Act. |
| Note: a) If the answer to question 4 is Yes, please note: • If your patient qualified as a person with a disability for the first time on or after 1 March 2019, this certificate will be valid for ten (10) years, provided the disability remains moderate to severe. • If your patient qualified as a person with a disability for the first time before 1 March 2019 and if, on 1 March 2019, the person has a valid existing ITR-DD form which expires after this date, that ITR-DD form will be valid for a further period of five (5) years following the date of expiry of that form and it is therefore not necessary to complete a new ITR-DD until date of expiry of that form, provided the disability remains moderate to severe. b) If the answer to question 4 is No, please note: • If your patient qualified as a person with a disability for the first time in the 2020 year of assessment or years of assessment prior to 2020, this certificate will be valid for the period of 1 year from 1 March 2019. If your patient qualified as a person with a disability for the first time after the 2020 year of assessment, this certificate will be valid for the period of 1 year from 1 March of the year of assessment in which the duly registered medical practitioner signed this form. | Date of determination (CCYYMMDD) For enquiries go to www.sars.gov.za or call +27 800 00 SARS (7277) Practice Stamp |
| 5. Considering the above, as a duly registered medical practitioner, I certify that this person is (please select the applicable): Person with disability as defined in section 6B(1) of the Act Person without a disability | |







This form can be obtained on SARS website www.sars.gov.za

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| Part D | Part D - Details of Registered Practitioner | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| (e.g. an Opto | an Optometrist, Ophthalmologist, Ear, Nose and Throat Specialist, Audiologist, Speech-Language Pathologist, Orthopaedic Surgeon, Neuro Surgeon, Physiotherapist, Occupational Therapist, Psychiatrist, Clinical Psychologist etc.) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Physic | an Optometrist, Ophthalmologist, Ear, Nose and Throat Specialist, Audiologist, Speech-Language Pathologist, Orthopaedic Surgeon, Neuro Surgeon, Physiotherapist, Occupational Therapist, Psychiatrist, Clinical Psychologist etc.) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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How to claim MTC and AMTC

Documentation that must be retained when an MTC or AMTC is claimed:

- Proof of contributions paid to a registered medical scheme or to any other funds registered under similar provisions in the laws of any other country
- A statement from the medical scheme indicating the total amount of claims submitted to the fund that were not refunded to the taxpayer or paid by the scheme to the service provider
 (Medical Aid Certificate)
- A completed list of amounts not submitted to or recoverable from the taxpayer's medical scheme, together with proof of such amounts incurred and paid
- A duly completed and signed Confirmation of Disability (ITR-DD) form







Medical Tax credit

Medical Scheme fees tax credit: 2026

For the taxpayer:

R364

For the first dependant:

R364

For each additional dependant:

R246







Retention of Audit Documentation

In cases where receipts have been made out in the name of a dependant, or contributions or Fees in respect of a dependant and have been made to a different medical aid to the one to which the taxpayer belongs

Important
document to
claim
expenses for
intellectually
challenged for
example
School fees,
Transportation

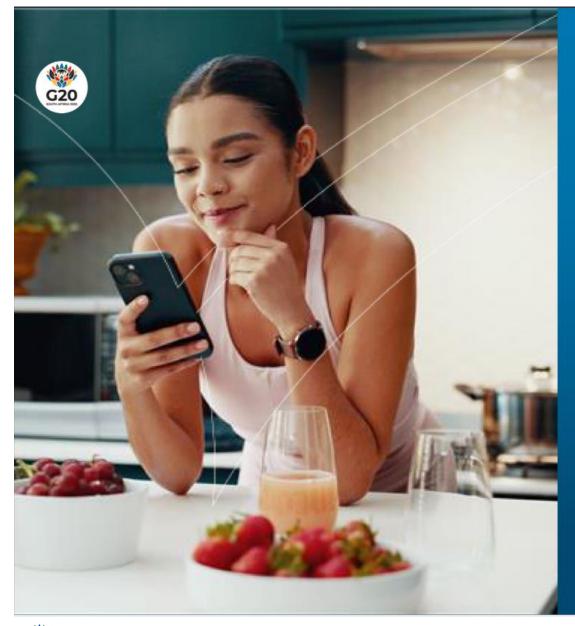
A duly completed and signed Confirmation of Disability (ITR-DD) form, if applicable A taxpayer is required to keep records such as receipts, paid cheques, bank statements, deposit slips and invoices for 5 years from the date of submission of the return

We will accept a sworn affidavit in which the taxpayer indicates that the contributions, fees or qualifying expenses claimed for the dependant, have actually been paid by the taxpayer (either directly or indirectly)









Manage tax matters on the go with SARS digital channels

Use these digital channels:

*# USSD *134*7277#



WhatsApp 0800 11 7277
Send "Hi or Hello"

SARS Online Query System (SOQS) at www.sars.gov.za



SARS MobiApp



Al Assistant on www.sars.gov.za

Say goodbye to queues. Go to







Tax matters, so does your time.











Thank you

Siyabulela

Siyabonga

Dankie

Rea leboga

Re a leboga

Ro Livhuma

Ndza Khenza





