

DRAFT
REPUBLIC OF SOUTH AFRICA

TAX ADMINISTRATION LAWS AMENDMENT BILL, 2021

SECOND BATCH

(As introduced in the National Assembly (proposed section 75); explanatory summary of Bill published in Government Gazette No. of) (The English text is the official text of the Bill)

(MINISTER OF FINANCE)

12 August 2021

[B - 2021]

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.
_____ Words underlined with a solid line indicate insertions in existing enactments.

BILL

To amend the Disaster Management Tax Relief Administration Act, 2020, so as to amend provisions and to insert new provisions; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 14 of 2020

x. (1) Section 1 of the Disaster Management Tax Relief Administration Act, 2020, is hereby amended by the substitution for paragraph (b) in the definition of “qualifying taxpayer” of the following paragraph:

“(b) that conducts a trade during the year of assessment ending on or after 1 April ~~[2020]~~2021 but before 1 April ~~[2021]~~2022 and has a gross income of R100 million or less during that year of assessment;”.

(2) Subsection (1) is deemed to have come into operation on 1 August 2021.

Amendment of section 2 of Act 14 of 2020

x. (1) Section 2 of the Disaster Management Tax Relief Administration Act, 2020, is hereby amended by the substitution for subsections (1) and (2) of the following subsections:

“(1) A qualifying taxpayer, that is a resident employer or representative employer as referred to in paragraph 2 of the Fourth Schedule to the Income Tax Act, that is registered as such an employer by ~~[25 March 2020]~~25 June 2021, may pay only 65 per cent of the employees’ tax payable in terms of paragraph 2(1) of the Fourth Schedule, with respect to amounts deducted or withheld during the period commencing on ~~[1 April 2020]~~1 August 2021 and ending on ~~[31 August 2020]~~31 October 2021.

(2) The remaining amount of 35 per cent of the employees’ tax payable in terms of paragraph 2(1) of the Fourth Schedule to the Income Tax Act, with respect to amounts deducted or withheld during the period in subsection (1),

must be included in the gross employees' tax due and payable by the employer in ~~[six]~~four equal monthly instalments, commencing on ~~[7 October 2020]~~December 2021 and ending on ~~[5 March 2021]~~7 March 2022.”.

(2) Subsection (1) is deemed to have come into operation on 1 August 2021.

