

This SARS tax pocket guide provides a synopsis of the most important tax duty and levy-related information for 2022/23.

## INCOME TAX: INDIVIDUALS AND TRUSTS

### Tax rates from 1 March 2022 to 28 February 2023:

#### Individuals and special trusts

Taxable income (R)	Rate of Tax (%)
1 – 200 000	18% of taxable income
200 000 – 300 000	40 000 + 27% of taxable income above 200 000
300 000 – 600 000	70 700 + 27% of taxable income above 300 000
600 000 – 840 000	170 700 + 26% of taxable income above 600 000
840 000 – 1 070 000	170 700 + 26% of taxable income above 840 000
1 070 000 – 1 770 000	209 600 + 21% of taxable income above 1 070 000
1 770 000 and above	310 670 + 21% of taxable income above 1 770 000

#### Trusts other than special benefit trusts: rate of tax 45%

#### Deductions

Primary R14 425

Secondary (Persons 65 and older) R9 000

Tertiary (Persons 75 and older) R2 997

Age Tax Threshold

Below age 65 R19 230

Age 65 to below 75 R145 250

Age 75 and over R157 900

#### Provisional Tax

A provisional taxpayer is any person who earns income by way of remuneration from an unincorporated employer, or income that is not remuneration, or an allowance or advance payable by the person's principal. An individual is not required to pay provisional tax if he or she does not carry on any business, and the individual's taxable income:

- Will not exceed the tax threshold for the tax year; or
- From interest, dividends, foreign dividends, rental from the letting of fixed property, and remuneration from an unincorporated employer will be R20 000 or less for the tax year.

Provisional tax returns showing an estimation of total taxable income for the year of assessment are required from provisional taxpayers.

#### Deceased estates are not provisional taxpayers.

#### Retirement fund lump-sum withdrawals: benefits

Taxable income (R)	Rate of tax (%)
1 – 20 000	18% of taxable income
20 000 – 440 000	30% of taxable income above 20 000
440 000 – 900 000	134 000 + 27% of taxable income above 440 000
900 000 and above	202 400 + 26% of taxable income above 900 000

Retirement fund lump-sum withdrawals benefit consists of lump sums from a pension, pension preservation, provident, provident preservation or retirement annuity fund on withdrawal (including assignment in terms of a divorce order).

Tax on a specific retirement fund lump-sum withdrawal benefit: lump-sum (X) is equal to:

- The tax determined by the application of the tax table to the aggregate of lump-sum X, plus all other retirement fund lump-sum-withdrawal benefits accruing from March 2009; all retirement fund lump-sum benefits accruing from October 2009; and all severance benefits accruing from March 2011; less
- The tax determined by the application of the tax table to the aggregate of all retirement fund lump-sum-withdrawal benefits accruing before lump-sum X from March 2009; all retirement fund lump-sum benefits accruing from October 2009; and all severance benefits accruing from March 2011.

#### Retirement fund lump-sum benefits or severance benefits

Taxable income (R)	Rate of tax (%)
1 – 500 000	18% of taxable income
500 000 – 700 000	90 000 + 27% of taxable income above 500 000
700 000 – 1 000 000	162 000 + 27% of taxable income above 700 000
1 000 000 and above	130 000 + 26% of taxable income above 1 000 000

Retirement fund lump-sum benefits consist of lump sums from a pension, pension preservation, provident, provident preservation or retirement annuity fund on death, retirement or termination of employment due to attaining the age of 55 years, sickness, accident, injury, incapacity, redundancy or termination of the employer's trade.

Severance benefits consist of lump-sums from or by arrangement with an employer due to relinquishment, termination, loss, repudiation, cancellation or variation of a person's office or employment.

Tax on a specific retirement fund lump-sum benefit or a severance benefit (lump-sum or severance benefit Y) is equal to:

- The tax determined by the application of the tax table to the aggregate of amount Y plus all other retirement fund lump-sum benefits accruing from October 2009 and all retirement fund lump-sum-withdrawal benefits accruing from March 2009 and all other severance benefits accruing from March 2011; less
- The tax determined by the application of the tax table to the aggregate of all retirement fund lump-sum benefits accruing before lump-sum Y from October 2009 and all retirement fund lump-sum-withdrawal benefits accruing from March 2009 and all severance benefits accruing before severance benefit Y from March 2011.

#### Dividends

- Dividends received by individuals from South African companies are generally exempt from income tax, but dividends tax, at a rate of 20%, is withheld by the entities paying the dividends to the individuals. Dividends received by South African resident individuals from REITs (listed and regulated property owning companies) are subject to income tax, and non-residents in receipt of these dividends are only subject to dividends tax.

#### Foreign Dividends

- Most foreign dividends received by individuals from foreign companies (withholding of less than 20% in the foreign company) are taxable at a maximum effective rate of 20%. No deductions are allowed for expenditure to produce foreign dividends.

#### Interest exemptions

- Interest from a South African source, earned by any natural person under 65 years of age, up to R215 000 per annum, and persons 65 and older, up to R24 500 per annum, is exempt from income tax.
- Interest earned by non-residents, who are physically absent from South Africa for at least 362 days during the 12 month period, before the interest accrues and the interest-bearing debt is not effectively connected to a fixed place of business in South Africa, is exempt from income tax.

#### Deductions

##### Retirement fund contributions

- Amounts contributed to pension, provident and retirement annuity funds during a year of assessment are deductible by members of those funds. Amounts contributed by employers and taxed as fringe benefits are treated as contributions by the individual employees. The deduction is limited to 27.5% of the greater of the amount of remuneration for IRP6E purposes or taxable income (both excluding retirement fund lump-sums and severance benefits). The deduction is further limited to the lower of R200 000 or 27.5% of taxable income before the inclusion of a taxable capital gain. Any contributions exceeding the limitations are carried forward to the immediately following year of assessment and are deemed to be contributed in that following year. The amounts carried forward are reduced by contributions set off against retirement fund lump-sums and retirement annuities.

##### Medical and disability expenses

In determining tax payable, individuals are allowed to deduct:

- Monthly contributions to medical schemes (a tax rebate referred to as a medical scheme from tax credits) by the individual who paid the contributions up to R2437 per month of the first two persons covered by those medical schemes, and R234 for each additional dependent; and
- In the case of:
  - An individual who is 65 years and older, or if an individual, his or her spouse, or his or her child is a person with a disability, 33.3% of the sum of qualifying medical expenses paid and borne by the individual, and an amount by which medical scheme contributions paid by the individual exceed three times the medical scheme from tax credits for the tax year; or
  - Any other individual, 27% of an amount equal to the sum of the qualifying medical expenses paid and borne by the individual, and an amount by which medical scheme contributions paid by the individual exceed four times the medical scheme from tax credits for the tax year, limited to the amount which exceeds 27.5% of taxable income (including retirement fund lump-sums and severance benefits).

#### Donations

- Deductions in respect of donations to certain public benefit organisations are limited to 10% of taxable income (including retirement fund lump-sums and severance benefits). The amount of donations exceeding 10% of the taxable income is treated as a donation to qualifying public benefit organisations in the following tax year.

#### Allowances

##### Subsistence allowances and advances

Where the recipient is obliged to spend at least one night away from his or her usual place of residence on business, and the accommodation to which that allowance or advance relates is

in the Republic of South Africa, and the allowance or advance is granted to pay for meals and incidental costs or incidental costs only, an amount, published on the SARS website [www.sars.gov.za](http://www.sars.gov.za), under Legal Counsel / Secondary Legislation / Income Tax Notices / Determination of the daily amount in respect of meals and incidental costs, is deemed to have been expended per day.

Where the accommodation to which that allowance or advance relates is outside the Republic of South Africa, a specific amount per country is deemed to have been expended. Details of these amounts are published on the SARS website [www.sars.gov.za](http://www.sars.gov.za), under Legal Counsel / Secondary Legislation / Income Tax Notices / Determination of the daily amount in respect of meals and incidental costs.

Where the recipient is by reason of the duties of his or her office or employment obliged to spend a part of a day away from his or her usual place of work or employment, a reimbursement or advance for expenditure actually incurred by the recipient is exempt if the recipient is allowed by his or her principal to incur expenditure on meals and other incidental costs for that part of a day and the amount of the expenditure does not exceed an amount published on the SARS website [www.sars.gov.za](http://www.sars.gov.za), under Legal Counsel / Secondary Legislation / Income Tax Notices / Determination of the daily amount in respect of meals and incidental costs.

##### Travelling allowance

Rates per kilometre, which may be used in determining the allowable deduction for business travel against an allowance or advance where actual costs are not claimed, are determined using the table published on the SARS website [www.sars.gov.za](http://www.sars.gov.za), under Legal Counsel / Secondary Legislation / Income Tax Notices / Filing of rate per kilometre in respect of motor vehicles.

#### Notes:

- 30% of the travelling allowance must be included in the employee's remuneration for the purposes of calculating PAYE. The percentage is reduced to 20% if the employer is satisfied that at least 80% of the use of the motor vehicle for the tax year will be for business purposes.
- No fuel cost may be claimed if the employee has not borne the full cost of fuel used in the vehicle, and no insurance cost may be claimed if the employee has not borne the full cost of maintaining the vehicle (e.g. if the vehicle is covered by a maintenance plan).
- The fixed cost must be reduced on a pro-rata basis if the vehicle is used for business purposes for less than a full year.
- The actual distance travelled during a tax year, and the distance travelled for business purposes substantiated by a log book, are used to determine the costs which may be claimed against a travelling allowance.

#### Alternatively:

Where an allowance or advance is based on the actual distance travelled by the employee for business purposes, no tax is payable on an allowance paid by an employer to an employee, up to the rate published on the SARS website [www.sars.gov.za](http://www.sars.gov.za), under Legal Counsel / Secondary Legislation / Income Tax Notices / Filing of rate per kilometre in respect of motor vehicles, regardless of the value of the vehicle.

However, this alternative is not available if other compensation in the form of an allowance or reimbursement is given for parking or toll fees incurred from the employer in respect of the vehicle.



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**Bryan, Valerie C., Bird, Jennifer Lynne**



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