

“Diamond Export Levy (Administration) Act” means the Diamond Export Levy (Administration) Act, 2007 (Act No. 14 of 2007);

“document” means anything that contains a written, sound or pictorial record, or other record of information, whether in physical or electronic form;

“effective date” is the date described in section 187(3), (4) and (5); 5

“Estate Duty Act” means the Estate Duty Act, 1955 (Act No. 45 of 1955);

“fair market value” means the price which could be obtained upon a sale of an asset between a willing buyer and a willing seller dealing at arm’s length in an open market;

“income tax” means normal tax referred to in section 5 of the Income Tax Act; 10

“Income Tax Act” means the Income Tax Act, 1962 (Act No. 58 of 1962);

“information” includes information generated, recorded, sent, received, stored or displayed by any means;

“international tax agreement” means an agreement entered into with the government of another country in accordance with a tax Act; 15

“jeopardy assessment” is an assessment referred to in section 94;

“judge” means a judge of the High Court of South Africa, whether in chambers or otherwise;

“magistrate” means a judicial officer as defined in section 1 of the Magistrates’ Courts Act, 1944 (Act No. 32 of 1944), whether in chambers or otherwise; 20

“Mineral and Petroleum Resources Royalty (Administration) Act” means the Mineral and Petroleum Resources Royalty (Administration) Act, 2008 (Act No. 29 of 2008);

“Minister” means the Minister of Finance;

“official publication” means a binding general ruling, interpretation note, practice note or public notice issued by a senior SARS official or the Commissioner; 25

“original assessment” is an assessment referred to in section 91;

“practice generally prevailing” has the meaning assigned in section 5;

“premises” includes a building, aircraft, vehicle, vessel or place;

“prescribed rate” has the meaning assigned in section 189(3); 30

“presiding officer” is the person referred to in section 50(1);

“Promotion of Access to Information Act” means the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);

“public notice” means a notice published in the Government Gazette;

“public officer” is an officer referred to in section 246(1), (2) and (3); 35

“reduced assessment” is an assessment referred to in section 93;

“relevant material” means any information, document or thing that is foreseeably relevant for tax risk assessment, assessing tax, collecting tax, showing non-compliance with an obligation under a tax Act or showing that a tax offence was committed; 40

“reportable arrangement” has the meaning assigned in section 35;

“representative taxpayer” has the meaning assigned in section 153(1);

“responsible third party” has the meaning assigned under section 158;

“return” means a form, declaration, document or other manner of submitting information to SARS that incorporates a self-assessment or is the basis on which an assessment is to be made by SARS; 45

“SARS” means the South African Revenue Service established under the SARS Act;

“SARS Act” means the South African Revenue Service Act, 1997 (Act No. 34 of 1997); 50

“SARS confidential information” has the meaning assigned under section 68(1);

“SARS official” means—

- (a) the Commissioner,
- (b) an employee of SARS; or
- (c) a person contracted by SARS for purposes of the administration of a tax Act and who carries out the provisions of a tax Act under the control, direction or supervision of the Commissioner; 55

“Securities Transfer Tax Act” means the Securities Transfer Tax Act, 2007 (Act No. 25 of 2007);

“Securities Transfer Tax Administration Act” means the Securities Transfer Tax Administration Act, 2007 (Act No. 26 of 2007); 60

“self-assessment” means a determination of the amount of tax payable under a tax Act by a taxpayer and—