

# STOCKBROKING

## DECLARATION AND UNDERTAKING FOR EXEMPTION AND/OR REDUCED RATE ON DIVIDENDS TAX



### WHAT YOU NEED TO KNOW

- Dividends Tax became effective on 01 April 2012.
- PART 1 is to be completed by the beneficial owner of dividends (including dividends *in specie*) in order for the exemptions from dividends tax referred to in section 64F read with sections 64FA(2), 64G(2) or 64H(2)(a) of the Income Tax Act No. 58 of 1962 (the Act) to apply.
- PART 2 is to be completed by the beneficial owner of dividends (including dividends *in specie*) who is **not a South African resident** and qualifies for the reduced rate of dividends tax referred to in sections 64FA, 64G or 64H of the Act on the basis of your country of residence having concluded an Agreement for the Avoidance of Double Taxation and Prevention of Fiscal Evasion (DTA) with South Africa.
- In order to qualify for an exemption or a reduced rate of dividends tax, this form should be submitted to the withholding agent (regulated intermediary) within the period required (and provided it is before payment of an affected dividend). Failure to do so will result in the default rate being applied.
- Please return this form to Nedgroup Private Wealth Stockbrokers (Pty) Ltd via email to [BNC@nedbankprivatewealth.co.za](mailto:BNC@nedbankprivatewealth.co.za)
- You are required to complete this form every 5 (five) years.

Please indicate which part is applicable to you: ☐ PART 1 ☐ PART 2

### WITHHOLDING AGENT

REGISTERED NAME	NEDGROUP PRIVATE WEALTH STOCKBROKERS (PTY) LTD									
DIVIDENDS TAX REFERENCE NUMBER	9	2	2	2	9	1	3	7	1	8

### BENEFICIAL OWNER (INVESTOR)

FULL NAMES AND SURNAME / REGISTERED NAME	
CLIENT ACCOUNT REFERENCE	
NATURE OF PERSON/ ENTITY	<input type="checkbox"/> Person / Individual <input type="checkbox"/> Listed Company <input type="checkbox"/> Unlisted Company <input type="checkbox"/> Retirement Fund <input type="checkbox"/> Trust <input type="checkbox"/> RSA Government, Provincial Administration, Municipalities <input type="checkbox"/> Other – Please Specify: _____
IDENTITY / PASSPORT NUMBER	
NATIONALITY	
DATE OF BIRTH / INCEPTION	
REGISTRATION NUMBER	
SOUTH AFRICAN INCOME TAX REF NUMBER	
PHYSICAL ADDRESS	
POSTAL ADDRESS	
COUNTRY IN WHICH RESIDENT (For tax purposes)	

INITIAL HERE

#### AUTHORISED CONTACT PERSON FOR LEGAL ENTITY

TITLE AND SURNAME			
INITIALS AND FIRST NAMES			
SA ID / PASSPORT NUMBER (if foreign national)			
TELEPHONE (WORK)		TELEPHONE (HOME)	
CELLPHONE NUMBER		EMAIL	

#### PART 1 – EXEMPTION FROM DIVIDENDS TAX

Please indicate why the beneficial owner is exempt from dividends tax.

- ☐ A company which is a resident in South Africa
- ☐ Government, a provincial administration or a municipality of South Africa
- ☐ A public benefit organisation approved by SARS in terms of Section 30(3)
- ☐ An institution, board or body contemplated in Section 10(1)(cA) (i.e. water board, tribal authority)
- ☐ A fund contemplated in Section 10(1)(d)(i) or (ii) (i.e. Pension/provident/RA/benefit fund)
- ☐ A person contemplated in section 10(1)(t) (i.e. CSIR, SANRAL, ARMSCO, Development Bank of SA)
- ☐ A person that is not a South African resident and the dividend is a dividend contemplated in paragraph (b) of the definition of 'dividend' in section 64D (i.e. A dividend on a non-resident company dual listed on JSE)
- ☐ Any person insofar as the dividend constitutes income of that person (i.e. falls into normal tax system, for example REITS)
- ☐ Fidelity and indemnity funds contemplated in section 10(1)(d)(iii) – i.e. only the two, not the other entities mentioned
- ☐ Other

#### DECLARATION IN TERMS OF SECTIONS 64FA(1)(a)(i), 64G(2)(a)(aa) OR 64H(2)(a)(aa) OF THE ACT:

I, the undersigned, hereby declare that dividends paid to the beneficial owner are exempt, or would have been exempt had it not been a distribution of an asset *in specie*, from dividends tax in terms of the paragraph of section 64F of the Act indicated above.

#### UNDERTAKING IN TERMS OF SECTIONS 64FA(1)(a)(ii), 64G(2)(a)(bb) OR 64H(2)(a)(bb) OF THE ACT:

I, the undersigned, undertake to forthwith inform the Withholding Agent in writing should the circumstances of the beneficial owner referred to in the declaration above change.

NAME			
CAPACITY		DATE (DD/MM/YYYY)	
SIGNATURE (Duly authorised)			

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## PART 2 – REDUCED RATE ON DIVIDENDS TAX

THE REDUCED RATE REQUESTED HEREIN IS APPLICABLE TO ALL SHARES IN YOUR PORTFOLIO

Please provide an explanation of the reason the beneficial owner meets the requirements of the DTA.

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### DECLARATION IN TERMS OF SECTIONS 64FA(2)(a), 64G(3)(i) OR 64H(3)(i) OF THE ACT:

I, the undersigned, hereby declare that all the relevant requirements in terms of Article \_\_\_\_\_ of the Agreement for the Avoidance of Double Taxation and Prevention of Fiscal Evasion (DTA) in force on the relevant date between the Republic of South Africa and the country of residence of the beneficial owner specified above, as well as section 64FA, 64G or 64H of the Act (whichever is applicable), have been met and that dividends paid on the shares specified above are therefore subject to a reduced rate of \_\_\_\_ %.

### UNDERTAKING IN TERMS OF SECTIONS 64FA(2)(b), 64G(3)(ii) OR 64H(3)(ii) OF THE ACT:

I, the undersigned, undertake to forthwith inform the Withholding Agent in writing should the circumstances of the beneficial owner referred to in the declaration above change.

NAME			
CAPACITY		DATE (DD/MM/YYYY)	
SIGNATURE (Duly authorised)			

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