# WITHHOLDING TAX ON INTEREST **EXEMPTION OR REDUCED RATE** DECLARATION



#### Instructions

- This form is to be completed by a foreign person and relates to: 1.
  - Exemptions from Withholding Tax on Interest referred to in section 50D(3) of the Income Tax Act, 1962 (Act No 58 of 1962) ("the Act"); а
  - The reduced rate of Withholding Tax on Interest referred to in section 50E(3) of the Act; b.
  - If section 50D(3) of the Act applies the foreign person must complete only the first declaration in section 3; c.
  - d. If section 50E(3) of the Act applies the foreign person must complete only the second declaration in section 3;
  - The provisions of the Agreement for the Avoidance of Double Taxation and Prevention of Fiscal Evasion (DTA) between the Republic of South Africa and the country of residence of the foreign person.
- This form is to be completed by a foreign person (ie a non-resident natural or corporate person) to or for the benefit of which an interest payment is to be 2. made. Please note that interest payments to foreign persons are exempt from Withholding Tax on Interest under the following circumstances, in which event no declaration needs be completed:
  - Interest paid by the government of the Republic in the national, provincial or local sphere;
  - Interest paid by any bank (as defined in section 1 of the Banks Act, No. 94 of 1990), the South African Reserve Bank, the Development Bank of b.
    - Southern Africa or the Industrial Development Corporation;
  - Interest paid by a headquarter company in respect of the granting of financial assistance as defined in section 31(1) to which section 31 of the Act does not apply as a result of the exclusions contained in section 31(5)(a) of the Act;
- Interest paid in respect of any listed debt. d 3.
  - Please email this form to instruct@ashburtoninvest.co.za.
- In order to quality for an exemption or reduced rate this declaration should be submitted to the Administrator before the payment of the interest. Failure to 4. do so will result in 15% being withheld from the interest payment as Withholding Tax on Interest in terms of section 50C of the Act.

FNB Investor Services Proprietary Limited ("Administrator"), Registration Number 2011/139123/07, is an authorised administrative financial services provider (FSP Number 44341) and is the administrator of this investment.

#### 1. Foreign person

Investor ID:				
Individual investors				
Title:		Surname:		
First name(s):				
Identity/Passport number:				
Country of residence for income tax	purposes:			
Legal entities Registered name:				
Registration number:				
Contact number:				
Type of entity				
Listed company		Unlisted company	Close corporation	Trust
Other (please specify):				

## 2. Exemption

Please indicate the reason why the foreign person is exempt from Withholding Tax on Interest:

- Section 50D(3)(a) The foreign person is a natural person who was physically present in the Republic for a period exceeding 183 days in aggregate during the twelve-month period preceding the date on which the interest is paid.
- Section 50D(3)(b) The debt claim in respect of which the interest is paid is effectively connected with a permanent establishment of that foreign person in the Republic if that foreign person is registered as a taxpayer in terms of Chapter 3 of the Tax Administration Act, 2011.

### 3. Declaration and undertaking - please refer to point 2 of the instructions

#### Declaration in terms of section 50E(2)(b) of the Act:

Ι		(full names in print),
	undersigned, hereby declare that the interest paid to the foreign person is exempt from the Withholding Tax on Interest in terms of the paragraph of so indicated above.	ection 50D(3) of the

#### Declaration in terms of section 50E(3)of the Act:

I	(full names in print),
the undersigned, hereby declare that all the relevant requirements in terms of the Agreement for the Avoidance of Double Taxation and Prevention of Fisc the relevant date between the Republic of South Africa and the country of residence of the foreign person above have been met, and that the interest pair	
from Withholding Tax on Interest is therefore subject to a reduced rate of%	
Country of tax residence of foreign person:	
Applicable Article of relevant Double Taxation Agreement:	
Undertaking in terms of sections 50E(2) or 50E(3) of the Act:	
1	(full names in print),

the undersigned undertake to forthwith inform FNB in writing should the circumstances of the foreign person referred to in the declaration above change.

## 4. Investor declaration

- I am aware that it is the sole responsibility of the foreign person to ensure the declaration and undertaking is filed timeously and warrant that all information 1. provided by me in this form is true and correct in every respect.
- 2. I have read, understood and agree to be bound by the relevant and latest Terms and Conditions available on www.ashburtoninvestments.com or from the Client Service Team on 0860 274 287.
- I confirm that the Administrator has not, in relation to this declaration, given me any advice. 3.
- 4. I agree that the Administrator will under no circumstances be liable for any costs, expenses or damages including, but not limited to, any direct, indirect, special, consequential or incidental damages caused by or arising from any late submission of declarations and/or omission to submit declarations and/or any incorrect or incomplete information provided by the foreign person in the declarations.
- I certify that I am authorised to sign this declaration and undertaking on behalf of the foreign person. 5.
- I agree that it remains at all times the sole responsibility of the foreign person to ensure that it complies with all requirements and obligations in relation to 6. Withholding Tax on Interest as set out in the Act from time to time.

Signature of Investor/Authorised person:

Date:

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