



Deloitte School of Tax & Legal Fundamentals of Withholding Taxes

Doing business cross border creates a number of business and tax issues which are often very complex and interrelated. Planning for, and correctly implementing controls and processes on, the various **withholding taxes** which may impact your business is important, in terms of managing risk and identifying opportunity.

This workshop is designed to give you a basic and practical overview of the key areas to consider when dealing with **withholding taxes** in your business.

This workshop covers the **withholding taxes** from the perspective of South African taxpayers making payments to non-residents **as well as** the foreign withholding taxes on payments made by non-residents to South African taxpayers. The session will focus on the following income streams:

1. Royalties
2. Interest
3. Immovable property
4. Dividends

For each of the above income streams we work through a detailed practical example, which allows participants to apply the tax principles to the relevant income stream. In each example, we consider the related Double Tax Agreement, Transfer Pricing, and Exchange control principles relevant to the income stream. We also consider the related compliance obligations, and discuss the completion of the required forms/returns and how implement.

On the examples that consider payments made by non-residents to South African taxpayers we also consider and discuss the rebate available in respect of foreign taxes paid by the South African taxpayer.

In addition, we look at the interest limitation rules in sections 23M and 23N and their interaction with withholding tax on interest and the transfer pricing rules.

The agenda for this workshop is as follows:

Topic	Content	Timing
Registration		08:00 a.m. – 08:30 a.m.
Introduction	Contextualising the session: A high-level introduction on the taxation of income in South Africa based on residency and deemed source.	08:30 a.m. – 08:40 a.m.
Withholding taxes	<p>This session is a detailed discussion of the provisions in respect of withholding taxes on:</p> <ol style="list-style-type: none"> 1. Royalties 2. Interest 3. Immovable property 4. Dividends <p>For each type of income-flow, we will work through detailed practical examples for each type of withholding tax and apply the relevant section to determine the South African Income tax implications.</p> <p>In addition, we will work through the relevant forms to complete in respect of each type of withholding tax including the declaration from the non-resident party. We will also discuss the completion and filing of the relevant returns</p>	8:40 a.m. – 10:10 a.m.
Tea – 15 Minutes		
Double Tax Agreements	<p>This session will provide an overview of the way in which to apply Double Tax Agreements when determining the correct rate of withholding tax to apply to payments made out of South Africa.</p> <p>We will apply the principles covered in this session to the practical examples in this session that covers each of the key types of income stream out of South Africa.</p>	10:25 a.m. – 10:55 a.m.
Transfer pricing	This session will provide a high-level overview of the transfer pricing rules applicable to the types of income flows covered in this workshop, as well as the interaction with dividends withholding tax, and the interest limitation rules. We will apply these principles to the practical examples we cover later in the session.	10:55 a.m. – 11:20 a.m.
Exchange control	This session will cover the basic Exchange Control rules and procedures relating to the types of income flows covered in this workshop. We will apply the principles covered in this session to the practical examples we work through in the session below.	11:20 a.m. – 11:30 a.m.
Section 23M and 23N	We will discuss the provisions of section 23M and 23N and the interaction with withholding tax on interest.	11:30 a.m. – 11:45 a.m.
Introduction	Contextualising the session: A high-level introduction on the taxation of income in foreign countries.	11:45 a.m. – 11:50 a.m.

Foreign
country
withholding
taxes

In this session we will discuss withholding taxes of foreign countries. We will work through practical scenario fact patterns and discuss:

1. The application of the relevant section(s)
2. The application of double tax agreements
3. Foreign tax rebates (sections 6quat)
4. The tax accounting treatment

11:50 a.m. –
12:35 a.m.

Wrap-up and questions - 5 Minutes

Facilitator:

Catherine Wright has a Master's Degree in Taxation from the University of Pretoria. Catherine regularly coordinates and presents tax technical training to Deloitte clients and Deloitte staff. Catherine's focus is corporate and international tax.

Dates and Venues:

Durban 14 February 2019
Cape Town 21 February 2019
Johannesburg 22 February 2019

Cost:

R1 541 (inclusive of VAT), R1 340 (exclusive of VAT)

Payment is due after the seminar date.

Company Discount: 10% for 2 or more participants from the same company and region. The discount applies from participant 2 onwards.

Alumni Discount: 10% for Deloitte alumni. This applies if you are a former employee of Deloitte and have registered as Deloitte alumni. (Click here to register as an alumnus)

You will only qualify for one of the 10% discounts

Cancellation Policy:

Our standard cancellation policy is to invoice 50% of the cost of the workshop for attendance not cancelled within 2 business days from the date of the workshop. This is to recover the overhead costs incurred relating to your planned attendance and the cost of the course material.

Time:

8:30 a.m. – 12:30 p.m.

(Registration from 8:00)

The course will contribute to **4** hours CPD/CPE

RSVP:

Please complete the attached excel booking document and return it in excel format to dsot@deloitte.co.za

Course Material:

In the interests of the environment, and to move with technology, this will be a paperless course. We will email you the course material within 2 business days of the planned session date. You will then have the option to bring the course material on your laptop/tablet, or should you prefer, to print the material. We will have plug points in the venues for laptops/tablets.

Contact us:

Should you have any administrative questions regarding this workshop, please contact us at dsot@deloitte.co.za

Sincerely,

The Deloitte School of Tax & Legal Team



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