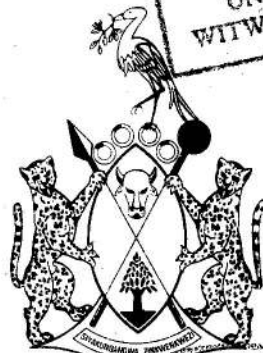


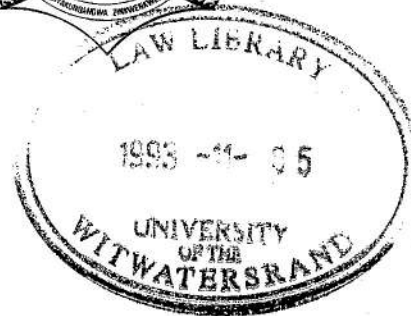
**IRIPHABLIKI
YECISKEI**

**REPUBLIC OF
CISKEI**



**IGAZETHI
YOBURHULUMENTE**

**GOVERNMENT
GAZETTE**



DIMHAZA PRINTERS - 45066

Price 30c

Umq. 21

**eBISHO
01/10/93**

No. 118

Vol. 21

**BISHO
01/10/93**

No. 118

DEPARTMENT OF THE COUNCIL OF STATE

GOVERNMENT NOTICE No. 85 OF 1993

It is hereby notified that the Deputy Chairman of the Council of State has assented to the following decree which is hereby published for general information:-

**TAXATION AMENDMENT DECREE, 1993
(Decree No. 24 of 1993)**

COUNCIL OF STATE — REPUBLIC OF CISKEI

TAXATION AMENDMENT DECREE, 1993

DECREE

To amend the Income Tax Act, 1984 and the Company Tax Amendment Decree, 1984.

[English text signed by the Deputy Chairman of the Council of State. Assented to on 22 September, 1993.]

BE IT DECREED by the Council of State of the Republic of Ciskei, as follows:-

1. Amendment of section 1 of Act 44 of 1984, as amended by section 1 of Act 13 of 1987 and section 2 of Act 7 of 1988. — Section 1 of the Income Tax Act, 1984 (hereinafter referred to as the principal Act) is hereby amended by the substitution for paragraph (a) of the definition of "company" of the following paragraph:

"(a) any association, corporation, company or close corporation incorporated or deemed to be incorporated by or under any law in force or previously in force in the Republic or in any part thereof or any body corporate formed or established or deemed to be formed or established by or under any such law;
or"

2. (1) Amendment of section 5 of Act 44 of 1984, as amended by section 1 of Decree 16 of 1991. - Section 5 of the principal Act is hereby amended by the substitution for paragraph (b) of the following paragraph:

"(b) Companies, other than companies with tax-free status as defined in section 1 of the Company Tax Amendment Act, 1984 (Act 16 of 1984), shall pay tax at the rate of 40 cents on each rand of chargeable income in respect of the year of assessment."

(2) Subsection (1) shall be deemed to have come into operation on 1 March 1993.

3. (1) Amendment of section 8 of Act 44 of 1984, as amended by section 6 of Act 11 of 1989 and section 2 of Decree 20 of 1992. - Section 8 of the principal Act is hereby amended -

(a) by the substitution for the second reference to paragraph "(i)" of a reference to paragraph "(j)"; and

(b) by the addition of the following paragraphs:

"(k) so much of any amount (being a lump sum) referred to in the definition of 'chargeable income' in section 1 as does not exceed R30000: Provided that the exemption under this paragraph shall not apply in respect of any amount received by or accrued to any person upon or because of the termination or impending termination of the services required to be rendered by that person as the holder of any office or employment or in respect of the relinquishment, termination, loss, repudiation, cancellation or variation of the office or employment or in respect of the appointment (or right or claim to be appointed) of such person to any office or employment, unless -

(i) such person has attained the age of fifty-five years in the case of a male or fifty years in the case of a female; or

(ii) the termination or impending termination of such person's services or the relinquishment, termination, loss, repudiation, cancellation or variation of the office or employment or of the appointment (or right or claim to be appointed) to any office or employment of such person is due to superannuation, ill-health or, other infirmity or to retrenchment;

TAXATION AMENDMENT DECREE, 1993

(l) any lump sum benefit received by or accrued to a person from any retirement annuity fund, pension fund or provident fund registered in terms of any law in force or previously in force in the Republic or in any country other than the Republic."

(2) Subsection (1) shall be deemed to have come into operation on 1 March 1993.

4. (1) Substitution of section 12 of Act 44 of 1984, as substituted by section 2 of Decree 16 of 1991. - The following section is hereby substituted for section 12 of the principal Act:

"12. Withholding tax - A tax, in this Act referred to as withholding tax, shall be paid -

(a) in respect of the amounts specified in paragraphs (a), (b), (c), (d) and (f) of section 13, calculated at the rate of 15 cents on each rand thereof; and

(b) in respect of the amounts specified in paragraph (e) of section 13, calculated at the rate of 20 cents on each rand thereof."

(2) Subsection (1) shall be deemed to have come into operation on 1 March 1993.

5. (1) Amendment of section 13 of Act 44 of 1984, as substituted by section 2 of Decree 2 of 1993. - Section 13 of the principal Act is hereby amended by the addition after paragraph (e) of the following paragraph:

"(f) any loan or advance made by a Ciskeian company in circumstances indicating that payment of such amount was not made in the course of normal trading activities but was intended to confer on the payee a benefit similar to the benefit which would have been received if the amount had been paid by way of a dividend."

(2) Subsection (1) shall be deemed to have come into operation on 1 March 1993.

6. (1) Amendment of section 14 of Act 44 of 1984, as amended by section 3 of Decree 16 of 1991 and section 3 of Decree 20 of 1992. - Section 14 of the principal Act is hereby amended by the insertion of the following paragraph:

"(d) any interest paid on a loan by a foreign bank or like institution which is a banking institution within the meaning of the law relating to banks and deposit-taking institutions;"

(2) Subsection (1) shall be deemed to have come into operation on 1 March 1993.

7. Amendment of section 49 of Act 44 of 1984, as amended by section 3 of Act of 1988. - Section 49 of the principal Act is hereby amended by the substitution in subsection (6) for the expression "50 cents" of the expression "40 cents".

8. Amendment of section 1 of Act 16 of 1984. - Section 1 of the Company Tax Amendment Act, 1984 is hereby amended by the substitution for paragraph (a) of the definition of "company" of the following paragraph:

"(a) any association, corporation, company or close corporation incorporated or deemed to be incorporated by or under any law in force or previously in force in the Republic of Ciskei or in any part thereof, or any body corporate formed or established or deemed to be formed or established by or under any such law; or"

9. Short title. - This decree shall be called the Taxation Amendment Decree, 1993.

OKUQULATHIWEYO			CONTENTS		
<i>ISaziso sika- Rhulumente No.</i>	<i>Inani leKhasi</i>	<i>Inani le Gazethi</i>	<i>Govt. Notice No.</i>	<i>Page No.</i>	<i>Gazette No.</i>
85		118	85		118
DEPARTMENT OF THE COUNCIL OF STATE			DEPARTMENT OF THE COUNCIL OF STATE		
GOVERNMENT NOTICE No. 85 OF 1993			GOVERNMENT NOTICE No. 85 OF 1993		
TAXATION AMENDMENT DECREE, 1993 (Decree 24 of 1993)			TAXATION AMENDMENT DECREE, 1993 (Decree 24 of 1993)		

NOTICE

The Ciskei Government Gazette Index provides quick and easy access to notices in the Government Gazettes. By means of a direct subject indexing the retrieval of information on any subject is facilitated. Subjects are arranged alphabetically and subdivisions within each subject range from the general to the specific. Thus the user may either be directed to an individual notice or obtain an overview of existing legislation on a particular subject.

The series of Indexes for the Ciskei Government Gazettes consists of a cumulative edition covering the period, 1972-1981, and annual volumes commencing in 1982.

The index is available from:

Publication Section

The State Library

PO Box 397

PRETORIA

0001

Contact Person:

Mrs C.M. Henning

Tel. (012) 386-1661

The price of publication is:

1972-1981.....R10,50

1982.....7,50

1983.....7,50

1984.....7,50

1984/85.....30,00

1986.....25,00

1987.....36,00

} plus G.S.T., postage and
handling charges

It is issued in a hard cover and microfiche editions of the Index are available at the same price as the printed ones.