



**BRANCH STAKEHOLDER FORUM**

**MINUTES OF THE SARS BRANCH STAKEHOLDER FORUM HELD**

**ON 28 JUNE 2018 FROM 10:00 AT THE ROODEPOORT BRANCH OFFICE**

**MINUTES**

| STAKEHOLDERS           | SARS REPRESENTATIVES  | APOLOGIES                 |
|------------------------|-----------------------|---------------------------|
| Eileen Kovacs          | 1. Agnes Mokgatlhe    | 1. Tinty Mpye             |
| Laetitia Vosloo        | 2. Adele van den Berg | 2. Chantelle Faul         |
| Elmarie Potgieter      | 3. Linda Pienaar      | 3. Aakhil Hoosain         |
| Sam van der Merwe      | 4. HP Williams        | 4. Candica Willett        |
| Yvonne Jefferies       | 5. ME Ntimane         | 5. Chris Russell-Rockliff |
| Louise Fisher          |                       | 6. Victoria Ferreira      |
| Karin Nel              |                       | 7. Ian Smith              |
| Leanne van der Walt    |                       | 8. Stefan Weideman        |
| Sharon Fourie          |                       | 9. Andre Scholtz          |
| Barbara van Wyk        |                       |                           |
| Annamari Griffin       |                       |                           |
| Annesta Clarke         |                       |                           |
| S Maartens             |                       |                           |
| Trulene van den Heever |                       |                           |
| Suaad Willoughby       |                       |                           |
| Colette Gerber         |                       |                           |


| ITEM | DETAILS   | RESPONSIBLE |
|------|---|-------------|
| 1.   | <p><b><u>WELCOME:</u></b></p> <ul style="list-style-type: none"> <li>Agnes welcomed all to the meeting with a special word of thanks for the time they set aside to attend this meeting</li> </ul>  |             |
| 2.   | <p><b><u>CONFIRMATION OF AGENDA</u></b></p> <ul style="list-style-type: none"> <li>Agenda was confirmed without any additions</li> </ul>  |             |
| 3.   | <p><b><u>CONFIRMATION OF MINUTED</u></b></p> <ul style="list-style-type: none"> <li>Minutes as approved without any changes</li> </ul>  |             |
| 4.   | <p><b><u>DISCUSSIONS</u></b></p>  |             |
|      | <p>4.1 <b><u>VAT REGISTRATIONS</u></b></p> <p>Interview at Branch is time consuming<br/> Some members attending to VAT registration are not competent<br/> Can appointments not be made for VAT registrations<br/> Why was Tax Practitioners not informed of new VAT registration process</p> |             |

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|      | <ul style="list-style-type: none"> <li>• The VAT policy as amended requires a VAT interview to be conducted. This entails many business related questions that needs to be asked</li> <li>• In some cases the Tax Practitioners do not have the answers to these questions which results in calls being made while the interview is conducted thus resulting in long service times</li> <li>• As this is an enhanced process to be followed, we are in the process of training all our staff to efficiently deal with VAT registrations interviews</li> <li>• Roodepoort can accommodate appointments for VAT but it cannot be separate from the normal process of making/requesting appointments</li> <li>• These appointments will be scheduled for 1 hour going forward. Indicate on appointment request that this is for a VAT registration</li> <li>• Appointments already scheduled for VAT registrations will be amended</li> </ul>   |             |
| 4.2  | <p><b><u>COLLECTING APPROVED TAX DIRECTIVES TAKES TOO LONG</u></b></p> <ul style="list-style-type: none"> <li>• Express tickets will be issued but only for collecting an approved Tax Directive confirmed with the Call Centre</li> <li>• Queries or declined Tax Directives will be dealt with in another queue</li> </ul>   |             |
| 4.3  | <p><b><u>OBJECTIONS</u></b></p> <p><b>Takes too long to finalise</b></p> <p><b>Declined and cancelled objections, not sure why?</b></p> <p><b>Struggle to submit objections on e-filing</b></p> <ul style="list-style-type: none"> <li>• Notes are made by the Assessment Centre and Audit to explain why objections are declined or cancelled</li> <li>• Contact the Call Centre to enquire why disputes have been cancelled or declined</li> <li>• Explanatory letters are also issued which can be accessed via e-filing.</li> <li>• The system automatically cancel assessment disputes older than 3 years</li> <li>• Consult our dispute resolution guide which is available on the SARS website to ensure the correct procedure is followed and to familiarise yourself with the rules</li> <li>• There is currently a fault on e-filing and they are working on it. It will be up and running in July. If you cannot submit in time, keep screen-prints as proof</li> <li>• RFR Submissions – Additional information need to be submitted. The meeting sit only once a week therefore it is important to submit additional information as soon as possible</li> </ul> <p><b>Enhancements on disputes</b></p> <ul style="list-style-type: none"> <li>• Previously one source code was available when objecting to different types of additional taxes. Source codes have now been added to allow for each additional tax to be disputed as a separate item</li> <li>• Please consult our external guide “How to submit a dispute via eFiling”. The guide is also available on SARS website <a href="http://www.sars.gov.za">www.sars.gov.za</a></li> </ul> |             |

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| 4.4  | <p><b><u>TAX PRACTITIONERS AGENTS ARE NOT ASSISTED IF THEY ARE NOT REGISTERED FOR TAX</u></b></p> <ul style="list-style-type: none"> <li>• Anybody who is employed needs to have a tax number and for this reason Tax Practitioner agents cannot be assisted if they are not registered</li> <li>• The Tax Practitioners explained that in some cases it is students assisting during holidays and therefore they do not have a tax number</li> </ul>  |             |
| 4.5  | <p><b><u>INCONSISTENCY ON SUPPORTING DOCUMENTS FOR UPDATE OF PUBLIC OFFICER (e.g. proof of address submitted for companies are not always accepted)</u></b></p> <p>If more than one registered representative is recorded/listed, for registration at SARS one person must be nominated as the “official” representative to be updated on the system.</p> <p><b>Supporting documents required for updating Public Officer is the following;</b></p> <ul style="list-style-type: none"> <li>• The original and a copy of an Identity document (ID)/temporary ID/passport/driver’s licence for the registered representative</li> <li>• Copy of proof of residential address of the registered representative</li> <li>• Letter of appointment authorising the appointed representative to act as a Public Officer on behalf of the company or minutes of the meeting where the resolution was made that the appointed representative should act as the Public Officer of the company and; <ul style="list-style-type: none"> <li>• Certificate of Registration of the Company; or</li> <li>• Company’s Memorandum of Incorporation (MOI); or</li> <li>• CK1/CK2</li> </ul> </li> <li>• This is required only on the first visit, once registered with SARS, this will not be required upon every visit.</li> <li>• Based on the Tax Administration Act an Individual &amp; Company /Trust may only have a single representative listed across taxes</li> <li>• The Registered Representative may however delegate his rights, but such an engagement with SARS will require a Power of Attorney with every visit and will be recorded as a “Once off Mandate”</li> <li>• Proof of address for the company in this instance is not required</li> <li>• Where a company has one director and a Public Officer has not been appointed, SARS can appoint the director automatically</li> <li>• Consult with an Operational Manager if inconsistencies are experienced in the Branch</li> <li>• The inconsistencies will be discussed at our Branch meetings to determine the depth of the matter and correct it with-in the team</li> </ul> |             |
| 4.6  | <p><b><u>SOME MEMBERS ARE VERY SLOW AND ONLY DO ONE QUERY PER TAX PRACTITIONER APPOINTMENT</u></b></p> <ul style="list-style-type: none"> <li>• The amount of queries dealt with during an appointment will depend on the complexity of the query</li> </ul>   |             |

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|      | <ul style="list-style-type: none"> <li>It is also dependant on the competency of the member.</li> <li>Tax Practitioners requested if it is possible to have two 30 minute appointments per week – This is not possible due to the high number of Tax Practitioners the Roodepoort Branch is servicing</li> </ul>  |             |
| 4.7  | <p><b><u>HOW WILL SARS ASSIST TAX PRACTITIONERS IN FILING SEASON WHEN THEY NEED TO GO BACK IN THE QUEUE IF ALL THEIR QUERIES COULD NOT BE RESOLVED WITHIN AN APPOINTMENT</u></b></p> <ul style="list-style-type: none"> <li>Tax Practitioners are allowed to fetch another ticket at reception without having to fall into the back of the queue</li> </ul>   |             |
| 4.8  | <p><b><u>CERTIFICATION OF ID COPIES - NOT ALL MEMBERS AND MANAGERS ARE CONSISTENT WHEN IT COMES TO ACCEPTING ID COPIES</u></b></p> <p>ID copies should be originally certified (copies of certified ID's are not acceptable) and the image should be clear</p> <ul style="list-style-type: none"> <li>The stamp irrespective of the colour of the ink, must bear the following wording <i>"I certify that this document is a true copy of the original which was examined by me and that, from my observations, the original has not been altered in any manner"</i> or <i>"Certified a true copy of the original"</i></li> <li>Copies certified by other Authorised persons (e.g. South African Post Office, South African Police Station, Attorneys, etc.) are acceptable.</li> <li>The legibility of the scanned image will determine whether we can accept a certified ID copy</li> <li>We do experience that <u>red ink stamps do not scan clearly</u>, thus resulting in unnecessary reworks</li> </ul> |             |
| 4.9  | <p><b><u>DUPLICATION OF LUMP SUM'S ON INDIVIDUALS</u></b></p> <ul style="list-style-type: none"> <li>Duplication of lump sum payments on assessment is highly unlikely as SARS is raising assessments in accordance with information supplied by third parties e.g. directive application done by fund administrators</li> <li>Fund administrators should cancel duplicate directives from their side to avoid lump sums from being taxed more than once on assessment</li> <li>Provide details on the cases referred too, to enable investigation</li> </ul>   |             |
| 4.10 | <p><b><u>PAYE JOURNALS ON OLD YEAR'S STILL NOT BEING DONE</u></b></p> <ul style="list-style-type: none"> <li>Escalate long overdue queries as per point 4.11</li> <li>PAYE journals older than 5 years need to be escalated with full details to the Branch Manager for assistance</li> <li>Tax Practitioners indicated that the system generate journals – Account Maintenance requested detailed case information to be submitted via the Branch Manager for them to investigate the matter</li> </ul>  |             |
| 4.11 | <p><b><u>CASE ESCALATION</u></b></p> <p>Cases can be escalated via the following e-mail addresses:</p> <ul style="list-style-type: none"> <li><a href="mailto:pcc.central@sars.gov.za">pcc.central@sars.gov.za</a> – Taxpayers residing in Gauteng South; the Greater Johannesburg area; East Rand; West Rand and Mpumalanga</li> </ul>   |             |

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|      | <ul style="list-style-type: none"> <li>• <a href="mailto:pcc.north@sars.gov.za">pcc.north@sars.gov.za</a> – Taxpayers residing in Gauteng North (including Centurion and Pretoria); North West and Limpopo</li> </ul> <p><b>For long overdue cases the escalation process must be followed as detailed below</b></p> <p><b>When escalating a case include the following information:</b></p> <ul style="list-style-type: none"> <li>• Case number(s) – if available</li> <li>• Name and Surname</li> <li>• Subject of correspondence – clearly state what the correspondence is about</li> <li>• Cases can be escalated to the Branch Manager’s office after all other avenues have been exhausted and the case is outside the agreed timeline</li> <li>• Exceptional cases will need special attention especially very old cases. These can be escalated to the Branch Manager for assistance who will request that a dedicated person be allocated to the case</li> </ul> |             |
| 4.12 | <p><b><u>TCC/TCS - EMP501 NON-COMPLIANCE STATUS</u></b></p> <ul style="list-style-type: none"> <li>• Efiling profile indicates the EMP501 as outstanding even though the original EMP 501 has been submitted resulting in TCC/TCS being declined</li> <li>• When a reconciliation is submitted and a revised declaration is processed thereafter, the client/employer is required to update the certificates and reconciliation with the SARS assessed values and resubmit</li> <li>• The compliance status of an employer/client however will not be affected when amendments are done on demographic information and the financial information remains exactly the same</li> </ul>  |             |
| 4.13 | <p><b><u>CASE NUMBERS</u></b></p> <ul style="list-style-type: none"> <li>• With CMO or any other case queries with SARS the original case number need to be quoted</li> <li>• Many cases are regarded as invalid and closed as the case number used is not the original/first case number</li> </ul>  |             |
| 4.14 | <p><b><u>REJECTED VAT 201 RETURNS FOR APRIL 2018</u></b></p> <ul style="list-style-type: none"> <li>• Six hundred notifications were issued to vendors who incorrectly submitted returns at a rate of 14% instead of 15%. These vendors have been requested to resubmit their 2018/04 Value Added Tax returns</li> <li>• See example of letter on next page</li> </ul>  |             |

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|           |  <p>Dear VAT Vendor</p> <p><b>RESUBMIT YOUR APRIL 2018 VAT201</b></p> <p>Thank you for submitting your April 2018 VAT201.</p> <p>Due to system challenges, your April VAT201 submission could not be correctly processed due to the incorrect VAT rate of 14% that still reflected on your VAT return. These issues have now been resolved.</p> <p>Please resubmit your April 2018 VAT201 without any delays in order to avoid any penalties and interest that may be imposed.</p> <p>We apologise for the inconvenience and thank you for your cooperation and dedication to being tax compliant.</p> <p>For more information you can visit the SARS website <a href="http://www.sars.gov.za">www.sars.gov.za</a> or call the SARS Contact Centre on 0800 00 7277.</p> <p>Regards</p> <p><b>THE SOUTH AFRICAN REVENUE SERVICE</b></p> <p><small>Please do not reply to this email. Replies to this message will be sent to an unmonitored mailbox. If you have any questions, visit the SARS website on <a href="http://www.sars.gov.za">www.sars.gov.za</a> or call the SARS Contact Centre on 0800 00 7277.</small></p> <p><small>Legal disclaimer: This email is intended solely for the use of the individual or entity to whom it is addressed. If you have received this email in error, please delete the email from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.</small></p> |             |
| <p>5.</p> | <p><b>GENERAL :</b></p> <p><b>VAT</b></p> <ul style="list-style-type: none"> <li>• The system indicates that the February, March and April returns were not captured. It will be systematically rectify it during July 2018</li> <li>• The VAT correction from 14 to 15% will not be systematically corrected</li> <li>• Do not leave the counter with-out a 104</li> </ul> <p><b>Provisional Tax</b></p> <ul style="list-style-type: none"> <li>• 1<sup>st</sup> payment – August</li> <li>• 2<sup>nd</sup> payment – February</li> <li>• Top-up - September</li> </ul>   |             |
| <p>6.</p> | <p><b><u>CLOSURE :</u></b></p> <ul style="list-style-type: none"> <li>• With no further business to discuss, the meeting adjourned at 11:00 with a vote of thanks from the chair</li> <li>• The next meeting is scheduled for the 6<sup>th</sup> of November 2018</li> </ul>   |             |