

Office of the Commissioner



Office
Pretoria

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Reference
18/11/13/4500

Date
November 7, 2002

South African Revenue Service

Pretoria Head Office
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Mr G Wagner
The Financial Manager
St Luke's Hospice
Private Bag X4
KENILWORTH
7745

Dear Sir

**EXEMPTION FROM TAXES AND DUTIES / APPROVAL IN TERMS OF
SECTION 18A: ST LUKE'S COMBINED HOSPICES**

I write with reference to your letter dated 1 July 2002, which was received in this office on 9 October 2002.

1. It is confirmed that: -

- 1.1 the association has been approved as a public benefit organisation in terms of section 30 of the Income Tax Act, (the Act) and the receipts and accruals are exempt from income tax in terms of section 10(1)(cN) of the Act.
- 1.2 the public benefit organisation has been approved for purposes of section 18A(1)(a) of the Act and donations to the organisation will be tax deductible in the hands of the donors in terms of and subject to the limitations prescribed in section 18A of the Act;
- 1.3 donations by or to the public benefit organisation are exempt from donations tax in terms of section 56(1)(h) of the aforementioned Act;

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- 1.4 bequests or accruals from the estates of deceased persons in favour of the public benefit organisation are exempt from the payment of estate duty in terms of section 4(h) of the Estate Duty Act, 45 of 1955.
 - 1.5 in terms of section 4(1)(f) of the Stamp Duties Act, 1968, any instrument which is executed by or on behalf of the public benefit organisation is exempt from stamp duty, if the duty thereon would be legally payable and borne by the public benefit organisation, and
 - 1.6 the public benefit organisation is exempt from the payment of the skills development levy in terms of section 4(c) of the Skills Development Levies Act, No. 9 of 1999.
2. Kindly note that the relevant exemptions are subject to the following conditions:
- 2.1 Annual returns of income be submitted to the Receiver of Revenue, Cape Town, together with a financial statements and supporting documentation which must include full particulars of the receipts issued in respect of tax deductible donations in terms of section 18A and how these funds were expended.
 - 2.2 The following information must be given on the tax deductible receipts issued:
 - 2.2.1 the reference number of the public benefit organisation, issued by the Commissioner for the purposes of this section (The reference number quoted on this letter).
 - 2.2.2 the date of the receipt of the donation;
 - 2.2.3 the name of the public benefit organisation, which received the donation, together with an address to which enquiries may be directed in connection therewith;

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- 2.2.4 The name and address of the donor;
- 2.2.5 The amount of the donation or the nature of the donation (if not made in cash); and
- 2.2.6 A certification to the effect that the receipt is issued for the purposes of section 18A of the Income Tax Act, 1962, and that the donation has been or will be used exclusively for the object of the public benefit organisation concerned.
- 2.3 The public benefit organisation must, within a period of five years or at such time as any amendments are effected to the founding document, whichever is sooner, formally amend the founding document to comply with the provisions of section 30 of the Act. A copy of the draft amendments must be submitted to the Commissioner for approval.
- 2.4 The exemptions approved in paragraph 1 above, are subject to review on an annual basis upon receipt of the financial statements.

Sincerely

E. VAN DER MERWE

for COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE

The Receiver of Revenue
P.O. Box 657
CAPE TOWN
8000

2002 -11- 07

1. Your 9405/033/03/7.
2. Copy for your information, together with a copy of the written undertaking.
3. From returns and information submitted please ensure that the objects of the public benefit organisation are consistently carried out.

E. VAN DER MERWE

for COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE

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