



WELCOME

Some aspects of Exchange Control

Capital Account Transfers

- Private Individuals
- Corporates
- Trusts and Close Corporation



Private Individuals

- Foreign Capital Allowances
 - 18 years and Older
 - Tax Payer
 - Tax Clearance Certificate
 - R10 million per calendar year
- Conditions
 - May not make available to another SA resident
 - May not invest into Offshore Structure that re-invests back into CMA
 - At no recourse to other SA assets



Single Discretionary Allowance

- R1 million per calendar year
- Could be used for 8 Categories
 - Travel Allowance
 - Study Allowance
 - Donations to Missionaries
 - Maintenance Transfers
 - Monetary Gifts and Loans
 - Alimony and child support
 - Wedding expenses, etc.
 - Foreign Capital Allowances – Tax Reference Number
- As from 1 April 2015 – For any legitimate purpose
- May only use it for purposes stated on Application Form



Additional Capital for Investment

- On application
- Tax Clearance Certificate from SARS
- Remain a South African asset
- Annual Report



Corporates

- Foreign Direct Investment vs Passive Investment
- On Application to Authorised Dealer in foreign exchange below R1 billion
 - Details of the Applicant
 - Details of the target entity
 - Capital Structure
 - Funding Structure
 - Benefit to SA Inc
 - Increased Exports
 - Cheaper Imports
 - Royalties, Licence Fees, Management Fees
 - Annual Report and Financial Statements
 - Dividends (since 2004)



Trusts and Close Corporations

- No dispensation yet



Contact Information

Charles van Staden



Hogan Lovells (South Africa) Inc

Head of Exchange Control

Johannesburg

T +2711 775 6359

Charles.vanstaden@hoganlovells.com





THANK
YOU