

**TAX EXEMPTION UNIT**

**ENQUIRIES**  
MRS EJ VAN ZYL

**TELEPHONE**  
012 422-8800/1/2

**FACSIMILE**  
012 422-8830

**Email**  
[evzyl@sars.gov.za](mailto:evzyl@sars.gov.za)

**PBO REFERENCE NO\***  
930012812

**INCOME TAX REF NO\***  
9203/025/20/1

**DATE**  
4 February 2009



The Corporate & Commercial  
Department  
Shepstone & Wylie Attorneys  
PO Box 205  
**DURBAN**  
4000

**Attention: Mrs EC Petersen-Holmes**

Dear Madam

**EXEMPTION FROM TAXES AND DUTIES AND APPROVAL IN TERMS OF  
SECTION 18A: UNIVERSITY OF KWAZULU NATAL FOUNDATION TRUST**

Your e-mail dated 22 January 2009 has reference.

1. It is re-confirmed that:-

- 1.1 The Trust has been approved as a public benefit organisation in terms of section 30 of the Income Tax Act, (the Act).
- 1.2 The public benefit organisation has been approved for purposes of section 18A(1)(b) of the Act and donations to the organisation will be tax deductible in the hands of donors in terms of and subject to the limitations prescribed by 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 Income Tax Act;
- 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; and

2/...



**South African Revenue Service**

**Tax Exemption Unit (TEU)**  
Pro Equity Court  
1250 Pretorius Street  
Hatfield, 0083

PO Box 11955  
Hatfield, 0028

SARS online: [www.sars.gov.za](http://www.sars.gov.za)  
Email: [teu@sars.gov.za](mailto:teu@sars.gov.za)  
Switchboard: 012 422 8800

\* Please quote both reference numbers in your correspondence with the TEU.

\* All correspondence must be addressed to The Head: Tax Exemption Unit at the above-mentioned postal address.

- 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.
2. Kindly note that the relevant exemptions are subject to the following conditions:
  - 2.1 Annual income tax returns together with an auditors certificate certifying that all donations for which tax deductible receipts were issued were utilised solely for funding public benefit organisations approved in terms of section 18A(1)(a) of the Act, must be submitted to the Tax Exemption Unit.
  - 2.2 The public benefit organisation must distribute at least 75% of the donations received, in respect of which tax deductible receipts were issued, in the year following the year during which the donations were received.
  - 2.3 The following information must be given of the tax deductible receipts issued:
    - 2.3.1 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).
    - 2.3.2 The date of the receipt of the donation;
    - 2.3.3 The name of the public benefit organisation, which received the donation, together with an address to which enquiries may be directed in connection therewith;
    - 2.3.4 The name and address of the donor;
    - 2.3.5 The amount of the donation or the nature of the donation (if not made in cash), and
    - 2.3.6 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.

Sincerely



Estelle van Zyl (Mrs)  
Tax Exemption Analyst

for COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE