



## **Deloitte School of Tax** Capital Gains Tax

We have the pleasure of inviting you to our Capital Gains Tax Workshop. The workshop will cover both the revision of the basic mechanics of capital gains tax ("CGT"), as well as an awareness of some of the more complex areas that need to be considered and applied when preparing or reviewing the capital gains / losses in a year of assessment inclusive of any recent amendments to applicable legislation.

The session includes discussion of where capital gains items are disclosed on the ITR14 Tax return for companies, understanding of the tax implications of the impact of a waiver or reduction of debt, the many capital loss restrictions in place in the Income Tax Act, company distributions, share buy-backs and returns of capital.

Additional specific items discussed include the CGT impact where assets are acquired or disposed of for unquantified amounts, tax planning opportunities around replacement assets, and the impact of CGT on your provisional tax estimates and payments.

The agenda for the workshop is as follows:

Topic	Content	Timing	
Registration		8:00a.m. 8:30a.m.	-
Introduction	Basic principles of CGT including; 1. Introduction & overview of the core rules 2. Disposals & deemed disposals 3. Basic CGT Calculation 4. Determination of proceeds 5. Determination of base cost 6. Determination of aggregate capital gain or loss	8:30a.m. 9:30a.m.	-
ITR14 CGT disclosure requirements	ITR14 CGT disclosure requirements relating to the disclosure of capital gains/losses, including discussion of the treatment of foreign capital gains/losses.	9:30a.m. 09:40a.m.	-
Waiver of debt	Income tax and CGT principles in respect of the waiver of debt, both from the creditor and the debtor's perspective, including: 1. The basics CGT & income tax implications of waiver/reduction of debt 2. Waiver of debt in a group of companies 3. Waiver of debt in course of liquidation or deregistration	9:40a.m. 10:15a.m.	-
Tea – 15 Minutes			
Capital losses	You have calculated a capital loss on a transaction, but are you aware of all of the sections and paragraphs in the Income Tax Act which impact on how you have calculated this loss, and whether you may need to disregard or ring fence this loss? This session will cover a selection of paragraphs and sections in the Income Tax Act which impact on the amount, and use of, a capital loss which a taxpayer may claim. This will include discussion on: 1. Kink tests where there are losses on assets valued on valuation date 2. para 56 and 39 - disposals between connected persons 3. para 39A - disposal of asset for unaccrued amounts of proceeds 4. para 19 - "dividend stripping"	10:30a.m. 11:15a.m.	-

- losses on disposal of certain shares
- 5. para 42 - short term disposals and acquisitions of identical financial instruments
- 6. para 43A - dividends treated as proceeds
- 7. para 64B - disposal of equity shares in foreign companies
- 8. section 45(5) - disposal by transferee company within 18 months after acquiring in an intragroup transaction
- 9. section 103(2) - assessed loss anti-avoidance provisions

Value-shifting arrangements	The value-shifting provisions are directed at a particular type of tax avoidance and are contained in a number of different paragraphs. This session will provide an understanding of what a value-shifting arrangement is and the CGT impact thereof.	11:15a.m. 11:25a.m.	-
Company Distributions	CGT implications of distributions by companies, including: <ol style="list-style-type: none"> <li>1. Returns of capital</li> <li>2. Dividend <i>in specie</i></li> <li>3. Share buy-backs</li> <li>4. Liquidation distributions</li> </ol>	11:25a.m. 11:55a.m.	-
Unqualified & unaccrued amounts	CGT treatment of assets where acquired or disposed of for unqualified amounts.	11:55a.m. 12:05p.m.	-
Allowance Assets	CGT principles that apply on the disposal or replacement of allowance assets and certain practical implications on disposal.	12:05p.m. 12:15p.m.	-
CGT & provisional tax	Provisional taxpayers are required to make an estimate of their taxable income that will be derived for a year of assessment for the purposes of determining their first and second provisional tax payments. Are you aware of the rules which determine into which of these estimates capital gains needs to be included?	12:15p.m. 12:25p.m.	-

#### Wrap-up & Questions

#### Facilitator:

**Catherine Wright** is a Manager in the Deloitte School of Tax team. Catherine's focus is corporate and international tax. She has a Master's Degree in Taxation from the University of Pretoria. Catherine regularly coordinates and presents tax technical training to Deloitte clients and Deloitte staff.

### Dates and Venues:

Port Elizabeth	8 August 2017
Durban	11 August 2017
Pretoria	16 August 2017
Johannesburg	24 August 2017
Cape Town	28 August 2017

### Cost:

R1 653 (inclusive of VAT)/R1 450 (exclusive of VAT)

Payment is due after the seminar date.

Company Discount: 10% for 2 or more participants from the same company and region. The discount applies from participant 2 onwards.

Alumni Discount: 10% for Deloitte alumni. This applies if you are a former employee of Deloitte and have registered as Deloitte alumni. ([Click here](#) to register as an alumnus)  
You will only qualify for one of the 10% discounts

### Cancellation Policy:

Our standard cancellation policy is to invoice 50% of the cost of the workshop for attendance not cancelled within 48 business hours of the planned session date. This is to recover the overhead costs incurred relating to your planned attendance and the cost of the course material.

### Time:

**8:30 a.m. – 12:30 p.m.** (Registration from 8:00)  
The course will contribute to **4 hours** CPD/CPE

### RSVP:

Please note that we use an online booking system. Kindly complete the online booking form using the link below.

The link will open the booking page of the Deloitte School of Tax but it will not select the course or region for you. Please be sure to select the correct course, date and region from the drop-down menu.

You will be able to register several people using one form. (Please contact us at [dsot@deloitte.co.za](mailto:dsot@deloitte.co.za) if you wish to make bookings for more than 20 people at once.)

[Register Here](#)

### Course Material:

In the interests of the environment, and to move with technology, this will be a paperless course. We will email you the course material within 48 business hours of the planned session date. You will then have the option to bring the course

material on your laptop/tablet, or should you prefer, to print the material. We will have plug points in the venues for laptops/tablets

Contact us:

Should you have any administrative questions regarding this workshop, please contact us at [dsot@deloitte.co.za](mailto:dsot@deloitte.co.za)

[Deloitte School of Tax Website](#)

Sincerely,

The Deloitte School of Tax Team



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