

TRANSFER OF A PRIMARY RESIDENCE FROM A COMPANY OR TRUST IN TERMS OF TAXATION LAWS AMENDMENT ACT 2001.

Where an interest in a residence has been transferred from a company or a trust to a natural person in terms of para 51 of the eighth schedule to the income tax Act 1962 as amended.

1. The natural person acquires the residence from the company or trust on or after the date of promulgation of the Taxation Laws Amendment Act 2001. ~~(20.06.2001)~~ but not later than 30 September 2002.

2. (i) The natural person alone or together with his or her spouse directly held all the share capital in that company from 5 April 2001 to date of registration in the Deeds Office of the residence in the name of that natural person or his or her spouse or their names jointly.

(ii) Disposed of that residence to that trust by way of donation, settlement or other disposition or financed all the expenditure actually incurred by the trust to acquire and to improve the residence.

(iii) That natural person alone or together with his or her spouse personally and ordinarily resided in that residence and used it mainly for domestic purposes as his or her or their ordinary residence from 5 April 2001 to the date of that registration and that registration in the Deeds Registry in the name of the person his or her spouse or their names jointly takes place not later than 31 March 2003.

3. No transfer duty shall be payable in terms of Section 9 (16) of the above-mentioned Act (an exemption certificate by R of Revenue is required.)

4. The causa of the transfer to read, "Property acquired on (Date of Agreement) by the transferee in terms of para 51 of the eighth schedule to the income tax Act 1962".

5. Existing mortgage bonds over the property may be dealt with in accordance with Section 57 of Act 47/1937.

REGISTRAR OF DEEDS, CAPE TOWN

Ringbinder: 71

Date : 5th October 2001