

# African Footprint

Technical Newsletter of the Crowe Horwath International African firms

## Malawi

Population: 17.8 million  
Gross Domestic Product: GDP US\$ 5 billion (2015 estimate)  
Real GDP growth: 3.0%  
Language: English  
Currency: MK (Malawi Kwacha) - US\$ 1 = MK 730

Malawi is strategically positioned as a transit country with Tanzania to the north, Zambia to the west and Mozambique to the south and east. It is strategically positioned for cross border trade connecting countries in the south to the north and east to the west in the Sub Sahara area of Africa. With a total surface area of 188,428 square kilometers, 20% of its area is covered by water stretching from its northern part into the southern part connecting into the Indian Ocean in Mozambican shores. It has a population of 17.8 million growing at 3.1% per annum of which around 45% are youth below 15 years.

Malawi boasts a comparative surge in tourism, commercial farming, agro-processing industries, financial services and a growing market of young people. It has never known and experienced any wars whether internally or with neighbouring countries and continues to live at peace.

Malawi's tourism attractions include lakes with rare fish species and clearest waters, national parks with sought after animals such as elephants and zebras and beautiful mountains such as Mount Mulanje which is a declared protected site. Lake Malawi, the most dominant tourist attraction, is Africa's third largest measuring 570km long by 16 to 80km wide. It has the largest number of fresh water fish species in the world.

Although in its infancy, Malawi has a pool of precious minerals yet to be untapped. Government has just carried out a geo mapping exercise and found significant traces of precious minerals such as oil, phosphate, copper, coal, kimberlite, nobium and uranium.

## Inside This Issue

Malawi	1
IFRS 9 – Boon or Bane?	3
Crowe Horwath African Partners Meeting 2017 – Save the Date	4
Mauritius Budget 2016 - 2017 Highlights	4
Education Opportunity in Réunion	5
The Uniform System of Accounts for the Lodging Industry	6
South African Tax Attack on Trusts	7
Crowe Horwath – Growth in Africa	8
Advocating for a Harmonized PBOs Sector : PBOs Act 2013 of Kenya	9
South African Tax and Exchange Control Amnesty	10

Malawi's main challenges include improving infrastructure - mainly energy and water delivery. These challenges are adversely affecting private sector investment, with a scarcity of skilled human resources. There is a need to make its people food secure, provide health care and reform its public financial management (PFM) system, and the large and relatively inefficient public service.

Only 5% of its people access electricity, the rest use biomass presenting yet another challenge - deforestation. Malawi is also prone to weather shocks affecting the availability of food for its 17 million people. In 2016, Malawi has had the worst year in terms of food production due to severe drought with over 50% of its people exposed to famine and food insecurity. A state of emergency over worsening food shortages is currently in force to try to appeal to the donor community to assist.

The country is predominantly agriculture based which contributes one third of the gross domestic product which stands around \$6.5 billion as per World Bank published data. The manufacturing industry is not developed relying mostly on imported raw materials rather than locally produced goods. The country faces a growing imbalance in trade, affecting the availability of foreign currency, interest rates, and local currency liquidity. Although not quantified, it is estimated that around 20% of its people are unemployed and that the rest are predominantly employed in the agriculture sector in subsistence farming. Until recently, Malawi relied on international agencies for donor support contributing around 40% of its national budget. However the direct government contribution by donors has declined significantly following growing concerns of public misuse of resources. International agencies are now rechanneling their support directly to non-government organizations.

### **Opportunities for the business world**

There exist a number of high return opportunities in the areas of energy and water generation, commercial agriculture, agro-processing industries, financial services such as banking, microfinance, insurance, tourism, human skills development and information technology.



The Government of Malawi has recently embarked on transforming the economy from agriculture based to manufacturing and services industry based. It has embarked on reforms, removing barriers and impediments to investing, trading and doing business in Malawi. Over 50 laws regulating businesses have been either reviewed or repealed.

Specific to investing in Malawi, the government offers special tax incentives in the areas of energy generation, agro-processing and tourism. Such incentives include income tax holidays, duty free schemes, export related rebates, preferences in land allocation and so on. In addition, Malawi has no restrictions on capital and income repatriations. As for the donor community, Malawi offers duty free schemes on the importation of items and income tax free status to expatriates working on approved projects.



For us as Crowe Horwath in Malawi, operating from the two major cities, Blantyre and Lilongwe, we are in an ideal position to serve any business that wants to invest in Malawi or to do cross border business with Malawi based companies. Our firm has expertise in assisting clients obtaining necessary permits and licences with government agencies, recruiting personnel, setting up business systems and processes, attending to tax matters, book keeping and other secretarial tasks. This is in addition to assurance and advisory business services we provide. Specific to the International donor community we have the capacity to perform on their behalf monitoring and evaluation of the funded projects. We also have the expertise to run their back office activities in the country.

Crowe Horwath in Malawi is proud to be part of the Crowe Horwath International distinguished network of globally integrated business advisory and audit firms.

Shadric Namalomba  
Crowe Horwath Malawi  
Malawi

## IFRS 9 – Boon or Bane?

The IASB (International Accounting Standards Board) completed the final element of its comprehensive response to the financial crisis with the publication of IFRS 9 *Financial Instruments* on 24 July 2014.

The package of improvements is extremely practical and most importantly, it puts forward an easy to grasp (well, at least for some), forward looking “expected loss” impairment model and a refined approach to Hedge Accounting.

In simple terms, the idea is to avoid undue delays in recognising credit losses on loans and other financial instruments, such as convertible bonds.

The standard defines clearly which debt instructions can be measured at amortised cost and which are measured at fair value (i.e. market rate) and the gains and losses are recognised in profit and loss or comprehensive income.

Not surprisingly then, this impacts all organisations that are users of financial instruments, not just banks. Albeit, they along with other institutional lenders are likely to be most impacted.

For those in professional practice, this is welcome news as technical calculations especially that of future expected losses, will require professional judgement and given the current market situation, the more independent this judgement is, the better it is for stakeholders.

As a conclusion, stakeholders (investors or users of these financial instruments) can expect better and more importantly, timely valuation of their investments and finances, which are used as financial instruments.

Zayd Maniar  
Horwath Mak  
Dubai, UAE



## Crowe Horwath African Partners Meeting 2017 – Save the Date

The next partners meeting of the African member firms is set to take place in the second or third week of March 2017; final dates will be advised as soon as they have been finalised.

Mohammed Adnane Sebbata, managing partner of Crowe Horwath Morocco has most graciously agreed to host the meeting. The location is a well sought after tourist destination and will certainly attract many of our members and promises to make for an exciting and interesting meeting.

We urge all member firms to schedule time in your diaries in order to attend this meeting. Please also make enquiries regarding travel routes and most importantly your visa requirements (well in advance) in order to avoid any disappointment.

All members are encouraged to give the meeting agenda some thought and to submit any suggested topics that you feel should be addressed at the meeting to Mark Watson at - mark.watson@crowehorwath.co.za

The 2016 meeting held in Johannesburg was a great success thanks to the participation of our member firms; let's make the 2017 meeting an even greater success.

Looking forward to seeing you all in Morocco in 2017! Further details to follow.

Mohammed's contact details are listed below should you wish to make any enquiries about Morocco.

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## Mauritius Budget 2016 - 2017 Highlights

The Mauritius Finance Minister, Hon Pravind Jugnauth, delivered his 2016-2017 Budget speech entitled "A new era of development". This was against a backdrop of prolonged uncertainties in the Eurozone, the recent confirmation of Brexit and a more complex local context. The sum of the parts of this Budget shows a derived sense of comfort in aiming for a stable, albeit unspectacular, growth as opposed to an uncertain high growth. It is commendable that the 2016-2017 Budget has maintained the core philosophy Mauritius is known for, which is to maintain a pro-business and social welfare agenda with measures projecting an outlook where GDP growth rate will be 4.1% in 2017 from 3.4% in 2015/16, and targeting a statutory debt of 50% in 2018, down from the current 65%.

A number of measures announced indicate that a key priority of this Budget is to enlarge the space for expansion of economic activity and value creation. In the global business and financial services sector, allowing GBC 2 licence holders to invest on the stock exchange, and tax holidays to licensed global headquarters as well as global business operators in the Treasury, Asset Management, Legal, Investment Banking and Family Office space. These are all indications of a country strategy to increase substance and the product proposition of Mauritius as an International Finance Centre.

Despite the pressure to adapt to a fast evolving international tax landscape, Mauritius continues have one of the most competitive tax regimes in the world. A number of fiscal incentives have been announced to boost the various sectors of the economy. Tax holidays have been introduced to certain companies or investors in the financial services sector creating employment in Mauritius. Such measures are welcomed as they contribute towards building the Mauritius International Financial Centre as a jurisdiction of substance.

Khemraj Sharma Sewraz  
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Mauritius



## Education Opportunity in Réunion

Sciences Po in Paris stands out as a world class university, welcoming around 13000 students each year. It recruits its students from among the best candidates.

In 2011, an agreement for priority education was signed between Sciences Po and one high school in Réunion. Today the agreement has been extended to a total of five high schools on the island. The aim is to promote equal opportunity by facilitating access for deserving students to the prestigious Sciences Po.

Mr Abdoullah Lala, chartered accountant and CEO of Crowe Horwath-Fiduciaire des Mascareignes - who is himself an alumni of Sciences Po Paris and president of "Section Réunion des Sciences Po" congratulated the seven deserving students of Réunion island who brilliantly passed the entry exams to the prestigious university.

He said that recruitment via the agreement promotes social, cultural and ability mixing. Talent is recognized and social equity is stimulated. These aims are in line with the highly topical issue of the French State Secretary in charge of true equality, Ericka Bareigts.

Abdoullah Lala also pointed out that the university results of deserving students are as good those who joined Sciences Po through other admission procedures. He said this project is a small step by itself but opens doors to great achievements for the youth of the island.

Danielle Le Normand, Vice President of the Regional Council, also congratulated the laureates on their achievement. She advised them to acquire professional experience through the various internship programs in France and abroad before returning to serve the island.

Mr Naillet, Member of Parliament in Réunion, advised the laureates to always face reality and walk by the truth.

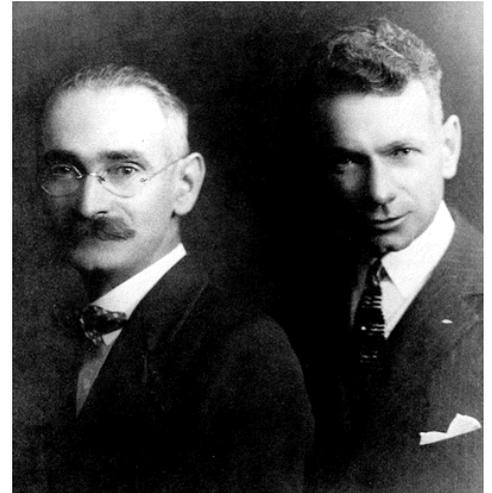
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Réunion

## The Uniform System of Accounts for the Lodging Industry

The rich history of our Network dates back to the early 1900s when two Hungarian brothers, Edmund and Ernest Horwath arrived in America. It was 1907 ... the gasoline-fuelled taxi had arrived in New York City and John Hertz founded the Yellow Cab Company; the Colony Club opened its doors to women; and on October 1st, the magnificent 800-room Plaza Hotel opened at Fifth Avenue and Central Park South. Later that month, J.P. Morgan spared the New York Stock Exchange from disaster with a loan of \$30 million.

*“On our arrival, my brother and I found that the fabulous economic wealth of this country was in a stage of rapid development, which was only momentarily interrupted by the 'panic' in the fall of the year. Railroad, shipping, mining, manufacturing, merchandising and agriculture were beginning to show unprecedented growth.*

*For quite a while, hotels were immune to that transformation for the simple reason that investment in hotels was relatively untried, and the leading figures were not sure of the rate on (of) return, considering the field to be more or less a gamble and a hobby for rich men.” Ernest Horwath, 1930*



Brothers Ernest Horwath (left) and Edmund Horwath founded Horwath & Horwath in 1915

Like most immigrants arriving in America from non-English-speaking countries, the Horwath brothers found employment in restaurants and hotels where language was not as much of an obstacle as it was in other types of businesses. Edmund Horwath secured a position as a controller and Ernest Horwath as a food cost accountant at the Café de Paris restaurant. The brothers were immediately struck by the volume of food waste and lack of control over food costs and began experimenting. They soon developed their own daily and monthly reports of food costs followed by a complete food cost control and record keeping system that also delivered informative reports to management.

The new system was revolutionary: operating results for Café de Paris are said to have improved dramatically within a short period of time. The brothers recognized that their food cost accounting system could be applied to many different food operations and decided to leave Café de Paris in 1910 to start their own businesses. As local restaurants, hotels, and clubs increasingly adopted Edmund and Ernest's food cost accounting system, the brothers decided to formally join forces and on July 31, 1915 they consolidated their respective practices, establishing Horwath & Horwath.

As the hospitality industry grew, so did Horwath & Horwath. By the end of World War I in 1918, the firm had twenty-five food cost accounting assignments. In August 1922, Clarence Conner joined Horwath & Horwath; Clarence was an expert in hotel front office procedures and controls and soon established valuable business relationships with several leading hoteliers.

Horwath & Horwath produced a number of publications that garnered attention from prospective clients and decision makers. In 1926, Ernest Horwath and Louis Toth, a Partner at Horwath & Horwath, helped a committee of hoteliers prepare the *Uniform System of Accounts for Hotels* that would enable the sector to classify, organize, and present financial information in a uniform manner.

In the early 1920s, Ernest Horwath developed the hotel operating form "Exhibit B" for the *Uniform System of Accounts for Hotels*. This represented a major change in accounting philosophy. Prior to its development, overhead expenses had been allocated to relevant departments; however, Ernest believed that it was more appropriate to charge only direct costs to departments and to aggregate overhead costs under functional classifications so that significant variations could be detected.

Horwath & Horwath developed many of the early concepts used in the Uniform System of Accounts for the Lodging Industry; a system so successful that it is still used today. However, when the First Edition of the Uniform System was drafted, the authors lived in a totally different world and a totally different hospitality universe to that which exists today. The hotel business consisted fundamentally of "bricks and mortar" and, as the hotel industry has evolved, so did the *Uniform System of Accounts for Hotels*.

The Fifth Revised Edition was published in 1952, about 26 years after the First Edition was published. It still included such departments as *Cigar Stand* and *Candy and Soda Shop*. *Pay Station Commissions* were still recorded as *Other Income* in the *Telephone Department* and *Fountain Pens* were included in *A&G Printing and Stationary*.

The Fifth Revised Edition also introduced a subtotal called *Gross Operating Profit* in what was then called the *General Profit and Loss Statement*. The abbreviation of this subtotal, i.e., "GOP", is one that has been used for many years in our industry. The Fifth Revised Edition also marked a revision of statistical information and ratios.

*"In addition to indicating the percentage relation between income and expenses, the financial report of the hotel should contain sufficient statistical information to aid the management in arriving at sound conclusions as to the efficiency of the operation of the various departments"*

Over the next 25 years, the industry shifted away from the "bricks and mortar" hotel business model and the Seventh Revised Edition, published in 1977, consequently saw a more diverse Revision Committee. As the fundamental business model of the hotel industry continued to evolve into separate owners, operators and franchisors, the Revision Committee for the Ninth Revised Edition, published in 1996, saw an even more inclusive composition with representation from ownership, academia, accounting firms, consultants and operators.

In 2014, the Eleventh Revised Edition was published with an electronic searchable version; paving the way for the Uniform System of Accounts for the Lodging Industry to make the technological leap into the 21st Century. Furthermore, while the informational needs of operators and owners may be similar, the Revision Committee recognized that each group has its own special informational and reporting needs. Therefore, the Eleventh Revised Edition includes a separate Summary Operating Statements for Operators and Owners. And to emphasize the importance of first and foremost providing an industry guide, the Operating Statements Section of the book are now Part I and the Financial Statements – Balance Sheet, Statement of Income – are now Part II.

### *Feedback from our Readers!*

Should you wish a specific topic to be covered in our next issue, please let us know by emailing your request to our editor [kent.karro@crowehorwath.co.za](mailto:kent.karro@crowehorwath.co.za)

Today, the responsibility for updating the Uniform System of Accounts for the Lodging Industry rests with the American Hotel & Lodging Association (AH&LA) Committee on Financial Management, which is one of several committees organized by the AH&LA to support the industry. The Financial Management Committee is currently comprised of twenty-six members representing ownership groups, operators, asset managers, academic institutions, accounting firms and consulting firms and is tasked with determining when a new edition should be issued and appointing a Revision Committee to accomplish the task. The Revision Committee is required to balance the need for a new book with the potential loss of comparable historical data and must also consider the potential impact changes in presentation or definition(s) could have on contractual relationships.

#### Sources:

- *The Story of Horwath International* by Fernando Seglias
- *Uniform System Of Accounts For The Lodging Industry - A Historical Perspective* by W. Peter Temling

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## South African Tax Attack on Trusts

Interest free loans to trusts by persons connected to the trust will be deemed to have earned taxable interest at the official rate of interest (currently 8% p.a.) with no corresponding deduction in the hands of the trust. If interest is charged at below 8% p.a., the deemed amount is reduced by the amount actually charged.



This will add a substantial cost to those trusts which derive no taxable income (e.g. trusts owning personal residential homes or company shares which produce dividends already taxed at the level of the declaring company).

This proposal is to come into effect on 1 March 2017. Strong representations have been made to the authorities to review this proposal.

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## Crowe Horwath – Growth in Africa

2016 has been a successful year as far as our development is concerned. Since the beginning of the year, we have welcomed new member firms in Africa or upgraded some existing members of the Crowe Horwath Business Alliance to full membership.

The new members are:

- **AIA Business Solutions in Uganda** : AIA was founded in 1994 by Ahmed Bholim. The firm has a single office in Kampala, Uganda. Ahmed Bholim had worked in Kenya as a finance manager from the early 70's with a number of large corporates. He moved to Uganda in 1993 to work for a listed company. He saw an opportunity in the market and set up his practice. Ahmed is an active member of the Institute of Certified Public accountants of Uganda (ICPAU). The firm employs ten employees in the audit and accounting division. The tax, legal and company secretarial division has three employees.
- **Okallah, Ahanda & Associates in Cameroon** : OAA was founded in 1995 by Jean-Pierre Okalla. The firm has a staff of 77 employees and has a presence in three countries (Cameroon, Democratic Republic of Congo and Chad). The main office is in Douala (Cameroon) with a staff of 55 employees. The firm also has a staff of 13 employees in Yaoundé, the second office in Cameroon. There is an office that employs 4 people in Ndjamena (Chad), and another in Kinshasa with 3 employees (Democratic Republic of Congo). OAA provides audit, accounting, advisory and tax services.
- **Johnson & Wilson CPA in Malawi** : JW was founded in 2005. The firm has two offices. The principal office is in the central business district of Blantyre and a branch is in Lilongwe. The firm provides accounting, audit and tax services. The firm currently has 20 members of staff.
- **Henri & Associates Limited in the Seychelles** : This small entity has been set up by Jiri Vanhuynegem, a former Chairman of the EMEA Tax Committee, who has relocated and moves between Mauritius and the Seychelles. The firm specialises in Tax, Trust Services, Corporate Services and Bookkeeping and gives Crowe Horwath a presence on the island.
- **Alliott de Witt Saestad Inc in Durban, South Africa** : Our latest addition to membership on the continent, Alliott de Witt Saestad inc, which will rebrand as Crowe Horwath KZN has recently joined the South Africa umbrella. Established on 1 September 1987, the firm is owned by Haakon Saestad and Bradley Van Dyk. The firm provides its services to a general broad base of clients and focuses on the family owner managed type business. With 5 administrative staff and 23 professional staff in addition to the two equity partners, the firm operates from its own offices based in a business park south of Durban, South Africa.

Associate Members of the Crowe Horwath Business Alliance which have been converted to full members are:

- **MCG in Senegal** : MCG was founded in 2005 by Magatte Diattara. They became a Business Associate in 2015. Magatte Diattara is the Managing Partner of the firm which is based in Dakar, and employs 20 persons. The firm specialises in NGO work.
- **Uniconseils in Cote d'Ivoire** : UNICONSEIL (UC) , which became a Business Associate in 2009 was founded in 1982 by Tiemele-Yao Djué and two other partners, Koffi Bonaventure and Kone Bakari. The firm has a staff of 28 employees and one office in Abidjan. The three partners have more than 30 years' experience . Tiemele-Yao was the president of the association of chartered accountants for many years . He is a legal expert and has been involved in significant judicial liquidations in Ivory Coast. Uniconseil provides audit, accounting, advisory and tax services not only in Cote d'Ivoire but also in the surrounding countries.

- **IAE SARL in Mali** : IAE was founded in 2000 by Aliou Konate. The firm has a staff of 22 employees and one office in Bamako. The firm employs 20 administrative and professional staff. The firm has three partners, Aliou Konate, his brother Moussa Konaté and Iba Basse . IAE provides audit, accounting, advisory and tax services and has significant experience in preparing procedures manual and assistance to development projects. The firm is also active in the surrounding countries.

Finally we have also welcomed a new member of Horwath HTL in Rwanda:

- **Horwath HTL EAC** is a Rwanda based consultancy specializing in the provision of advisory services to the national and international hotel, tourism and leisure industry. Lead by Frank Mustaff, a German HTL specialist, with very significant experience in this field, the firm has a team of three persons. The firm is active all over East Africa where it will complement the HTL offering in the region.

A very warm welcome to all our new member firms!

Bernard Delomenie  
Regional Director  
Europe, Middle East & Africa

## Advocating for a Harmonized PBOs Sector : PBOs Act 2013 of Kenya

The Public Benefit Organizations (PBOs) Act 2013 is an Act of parliament drafted after comprehensive discussions and consultations between the Government of Kenya, civil society organizations in Kenya and other stakeholders. The Act aims to shift the Public Benefit Organizations legal, regulatory and institutional framework from the existing fragmented, legislative framework within which the sector operates, to a more harmonized, legal, institutional and regulatory one for Public Benefit Organizations in Kenya.

The PBOs sector currently operates under the NGOs Coordination Act 1990 but there are five (5) alternative forms of registration which have caused the fragmentation referred to above.

When the PBOs Act comes into force, it is set to change the operations of Public Benefit Organizations in Kenya, among others, in the following ways:

- The Act repeals the NGOs Coordination Act No. 19 of 1990.
- The Act establishes the Public Benefits Regulatory Authority to take over from the current regulatory body (the NGOs Coordination Board).
- An enabling provision that affirms the right of PBOs to associate with others by forming self-regulatory forums and the right to participate in its activities.
- Creation of the National Federation of Public Benefit Organizations to be an umbrella organization of all PBOs which are self-regulatory.

### The PBOs Act – The Journey so far including Presidential Assent

The Act received presidential assent in 2013 but has yet (August 2016) to come into force. The Act received severe objections including substantive proposals to amend it. An amendment bill initially prepared had no stakeholder input before tabling in parliament. In 2014 and 2015, civil society organizations in Kenya, under the umbrella CSOs Reference Group, managed to stall attempts to force amendments that were largely viewed to be pro-government. The CSOs reference group is a forum of more than 100 PBOs in Kenya with a presence in all 47 counties of Kenya. As a result of sustained lobbying and media campaigns against the amendments to the Act, consultative discussions comprising the government, PBOs representatives and other stakeholders have taken place.

The Minister for Devolution and Planning established a taskforce in order to structure and coordinate the consultations on the proposed amendments to the Act (Public Benefit Organizations Act 2013) .The taskforce formed in December 2015, was well received by civil society organizations generally but dissenting voices also persisted. In a press release dated December 4, 2015, the CSOs reference group supported the establishment of the taskforce which consisted of 11 persons headed by a former Member of Parliament in Kenya Hon. Sophia Abdi Noor.

A core mandate of the taskforce was to promote public debate and ownership of the amendment process by stakeholders as well as the public at large.

## **Petition for Commencement**

In early 2016, three years after the Act was assented to, civil society activists petitioned the high court in Kenya seeking to compel the Cabinet Secretary for Devolution and Planning to gazette the commencement date of the Act. High court case (No. 351 of 2015) is currently before the High Court awaiting its verdict.

Civil society organizations have written to the Cabinet Secretary for Devolution and Planning and also separately presented a public petition to Parliament in regard to the commencement date of the Act. Most recently (April 2016), a member of Parliament Hon. Agostinho Neto proposed an amendment to the PBOs Act, 2013, which seeks to remove the powers conferred on the Cabinet Secretary to determine the date or time at which this Act will come into force.

The CSOs reference group is hopeful that the court will rule in favor of its petition. As to whether the parliamentary process will succeed or that the dialogue with the government could be fruitful, nobody can really know at the moment. Time will tell.

Treeza A. Muhando  
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## **South African Tax and Exchange Control Amnesty**

The tax and exchange control authorities in South Africa have recently announced an Amnesty Programme in respect of undisclosed foreign assets or income to operate for a period of 6 months from 1 October 2016 to 31 March 2017.

Full disclosure of untaxed foreign assets or foreign assets held in contravention of exchange control regulations will enjoy freedom from criminal prosecution and waiver of the standard penalties and all taxes prior to 28 February 2015.

The cost of obtaining the exchange control concessions is 10% of the capital value of previously undeclared and unauthorised foreign assets as at 29 February 2016 (or 5% if the funds are returned to South Africa).

The cost of obtaining the tax concession is an inclusion into taxable income of 50% of the value of foreign assets wholly or partly derived from amounts which should have been subject to South African tax.

Please contact us for further information or assistance with these applications.

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