
GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

SOUTH AFRICAN REVENUE SERVICE SUID-AFRIKAANSE INKOMSTEDIENS

No. R. 446

29 May 2015

REGULATION ISSUED IN TERMS OF SECTION 74(1) READ WITH
SECTION 23(3)(d) OF THE VALUE-ADDED TAX ACT, 1991 (ACT NO. 89 OF
1991)

In terms of section 74(1) of the Value-Added Tax Act, 1991, I, Nhlanhla Musa Nene,
Minister of Finance, hereby prescribe in the Schedule hereto, the continuous and
regular activities for purposes of section 23(3)(d) of the Act.



N.M. NENE
MINISTER OF FINANCE

SCHEDULE

DEFINITIONS

1. In this regulation, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act, bears the meaning so assigned and the following terms have the following meaning:

“**the Act**” means the Value-Added Tax Act, 1991 (Act No. 89 of 1991).

NATURE OF ACTIVITIES

2. (1) A person may apply to register as a vendor at the time that any goods or services are acquired directly in respect of the commencement of a continuous and regular activity set out below:
 - (a) Agriculture, Farming, Forestry and Fisheries:
 - (i) The cultivating of land for purposes of producing crops;
 - (ii) The breeding and raising of livestock or wild animals;
 - (iii) The planting, maintaining and harvesting of tree plantations;
 - (iv) The farming of aquatic organisms or plants, including hydroponics, aquaponics and aeroponics; or
 - (v) Catching, taking or harvesting of “fish” as defined in the Marine Living Resources Act, 1998 (Act No. 18 of 1998);
 - (b) Mining: The exploring for or extracting of any mineral, metal, oil, gas or natural gas resource;
 - (c) Ship and Aircraft Building: The building of ships, yachts, other floating vessels or aircrafts;

- (d) **Manufacture or Assembly:** The manufacture or assembly of plant, machinery, motor vehicles (including motor vehicles used in mining or farming) or locomotives;
 - (e) **Property Development:** The construction of residential or commercial buildings for purposes of selling or leasing such buildings, to the extent that the activity is not an exempt activity contemplated in section 12 of the Act;
 - (f) **Infrastructure Development:** Infrastructure development in the form of buildings, permanent installations or structures, for purposes of carrying on a person's enterprise, where the—
 - (i) total value of such development, in terms of any contractual obligation accepted by that person, exceeds R1 million; and
 - (ii) completion of such development will take more than 12 months from date of commencement of that development.
 - (g) **Beneficiation:** The treatment of goods, extracted as a result of a mining process, for purposes of improving the properties of such goods.
- (2) A person conducting any activity listed in paragraphs (a) to (g) must, where required in terms of any legislation, have applied for or be in possession of the relevant permit, licence or similar document, issued or to be issued by the appropriate regulatory authority, authorising that person to conduct that activity.