

Faculty of Law

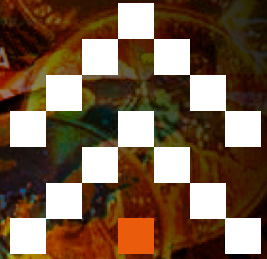
Postgraduate Diploma in Tax Law

Centre for Continuing Education Programmes



UNIVERSITY
OF
JOHANNESBURG

FACULTY OF LAW



The Future
Reimagined

OVERVIEW

Introduction

- General principles of fiscal legislation, including interpretation and the role of accounting principles

Gross Income

- An exhaustive analysis of the definition of “gross income” in the Act, together with all its constituent elements
- The capital nature of receipts, accruals and expenditure

General Deductions

- An analysis of the general deduction formula, including the incurral of expenses in the production of income and for the purposes of trade

Specific Deductions

- An analysis of the provisions of the Act dealing with specific deductions and allowances.

Anti-Avoidance Provisions

- An exhaustive analysis of the distinction between simulation and the general anti-avoidance provisions.
- An exhaustive analysis of the various elements of the general anti-avoidance provisions of the Act, including analysis of case law in the United Kingdom, New Zealand, Australia and Canada
- All other specific anti-avoidance provisions

Selected Topics

- Tax implications of purchase and sale
- Tax implication of leasing transactions

- Tax treatment of employment
- Dividends Tax
- Donations Tax
- Trust and Estate Planning
- Corporate Rules

International Tax

- Residency tax, including Section 9D and taxation of foreign dividends
- International tax with specific emphasis on double taxation agreements

CAPITAL GAINS TAX

Financing

- An overview of financing mechanisms, including:
 - The funding of dividends
 - interest deductibility
 - Section 24J of the Act
 - Derivative structures, including swap transactions (Section 24K of the Act), options, (Section 24L of the Act), futures, swaptions, collars and the like
- Specific structures such as bare dominiums, defeasances and convertible loans

Administration And Procedure

- An analysis of the powers and duties of the Commissioner for the South African Revenue Service and other revenue officials, inter alia:
 - Powers and duties with regard to assessment
 - Nature of discretionary powers
 - Objection and appeal procedures
 - The ability to appoint third parties as agents and attachment authority
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Value Added Tax

- Discussion of concepts
- Sale of business as a going concern
- Output/input tax
- Taxable supplies and exempt supplies

DURATION

The programme of study extends over two years on a part-time basis.

Note

1. The programme is mainly **practical in content, with a legal academic flavour**. It is considered that the programme will be of value to tax practitioners (including revenue officials), accountants, lawyers, bankers and businessmen charged with the administration of tax.
2. The syllabus is interrupted to deal with amending legislation passed in each year and may be adjusted to deal with particular items of interest arising from time to time.

Prescribed Materials

Students will be informed of prescribed materials. Students will also be referred to relevant statutory provisions, case law and articles in journals during the programme.

Assessment

An examination is written in November.

Lecture Dates

The dates for lectures will be available on the first day of lectures. These dates are subject to variation, which is usually announced during lectures.

Admission Requirements

Persons with the following qualifications will be considered for admission:

- LLB, BProc, BCom, BCompt, and CA
- Only a limited number of candidates will be admitted and no correspondence will be entered into with unsuccessful applicants.

Applications

The closing date for 2nd year applications is **October**.

NB: Foreign applicants should contact the Faculty for relevant legislative requirements.

Fees

Please contact the Law: CEP Office for course fees.

Foreign students pay an international levy of R1 000*.

Students who fail to pay all fees will not be permitted to attend classes.

Format

The programme consists of lectures which are generally held on Saturday mornings during the academic term. The lectures generally do not exceed 3 hours and are followed by tutorials covering material dealt with in previous lectures. A written examination of not more than 3 hours is set for November of each year of study. Students are required to submit a written research report of about 40 typed pages on an approved topic before 31 July of the 2nd year of study.

Assessment

All students will require a due performance certificate as a pre-requisite for admission to the November examinations. A maximum of four written tutorial tests are set each year and students are required to write at least two. The average of the highest of the marks obtained for any two tests submitted must be 50% or more in order to qualify for a due performance certificate. A student who fails to qualify for a due performance certificate will not be permitted to sit for examinations.

Administrative Enquiries

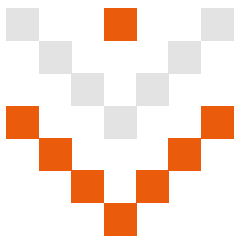
More details on the programmes are available from the Faculty of Law. Please contact the Course Coordinator, Ms Elaine Squier, Tel: 011 559 2758, Email: esquier@uj.ac.za.

Online Application

TO MAKE AN ONLINE APPLICATION (No Application Fee is payable)

- The Course Code is: **E4TAXQ**
- The Mode of Study is DB – “APK Continuing Education Programmes Part-Time”.
- For a quicker and easier application process for first-time (new) applicants use the link below:
Short Web Application
https://registration.uj.ac.za/pls/prodi41/wuj012pkg.wuj012_startup
- And the RETURNING student web link is:
https://registration.uj.ac.za/pls/prodi41/w99pkg.mi_login
- For both processes above the “token” that must be used applicants is **LAWSLP**.

For assistance regarding Applications please contact the University call centre on (+27) 11 559 4555 or at mylife@uj.ac.za



University of Johannesburg
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www.uj.ac.za/law