

# Foreign Exchange Declaration and Indemnity

I, the undersigned, \_\_\_\_\_ with identity number \_\_\_\_\_ hereby request to be provided with foreign exchange as follows:

	Rand amount (mandatory)	Currency amount (if known)
<input type="checkbox"/> <b>Single Discretionary Allowance (SDA)</b> (excluding Foreign Investment Allowance) <ul style="list-style-type: none"> <li>Tuition Fees payable to educational institution do NOT form part of your SDA (letter or prospectus plus confirmation of enrolment and invoice required)</li> <li>Donations must be referred to <a href="mailto:FXExcon@investec.co.za">FXExcon@investec.co.za</a></li> </ul>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/> <b>Foreign Investment Allowance</b> in terms of Single Discretionary Allowance – no Tax Clearance Certificate (TCC) required <ul style="list-style-type: none"> <li>Transfers of a capital nature must be undertaken in foreign currency</li> <li>Applicants must be 18 years and older</li> <li>Applicant must have a valid Tax Number</li> <li>Must be in possession of a Green Bar Coded ID or Smart ID</li> </ul>	<input type="text"/>	<input type="text"/>
<input type="checkbox"/> <b>Foreign Investment Allowance (FIA)</b> –Tax Clearance Certificate (TCC) <ul style="list-style-type: none"> <li>Transfers of a capital nature must be undertaken in foreign currency</li> <li>Applicants must be 18 years and older</li> <li>Applicant must have a valid Tax Number</li> <li>Must be in possession of a Green Bar Coded ID or Smart ID</li> <li>Only a tax clearance certificate in respect of foreign investments is acceptable</li> <li>SARS PIN Letter to be provided</li> </ul>	<input type="text"/>	<input type="text"/>

## 1. Declaration and indemnity

- I agree that I will not make any claim against Investec as a result of Investec according me with foreign exchange as requested, save for any loss or expense that I may suffer due to negligence on the part of Investec.
- I agree to indemnify Investec for any losses or expenses (including, without limitation, legal costs on an attorney and own client scale) it may suffer as a result of the implementation of my request to be provided with foreign exchange in the event that I have not provided complete and accurate information.
- I also acknowledge and understand that Investec will not be responsible for any failure by the SARB's Financial Surveillance Department to deal with or approve my application or for any delays in the process and I indemnify Investec accordingly.
- I declare that I have familiarised myself with the below information.
- I confirm the payment is not in breach of any laws.

Signed \_\_\_\_\_

Date \_\_\_\_\_

## 2. SDA and/or FIA

- A South African resident 18 years and older qualifies for a SDA of R1 000 000 and a FIA of R10 000 000, per individual, per calendar year.
- The SDA may be used for any legal purpose(s), provided the cumulative amount does not exceed the permissible limit.
- The SDA may not be used to disguise transfers that would otherwise be declined and may only be used for the purpose(s) stated on the BOP form.
- You are responsible for managing your FIA and SDA limits (as amended from time to time by the SARB) and must ensure that you do not exceed them, whether by dealing through Investec and/or through any other authorised dealer.
- As the SDA is provided to accommodate foreign spend which includes, but is not limited to, your annual (as determined by a calendar year) foreign travel expenses, gifts, maintenance and offshore credit and/or debit cards spend, you must take these into consideration when managing the usage of your SDA.
- You may not, whether through another person or entity, re-introduce any permissible funds held abroad by virtue of your FIA and/or SDA or otherwise, directly or indirectly back into the CMA.

## 3. Travel allowances

- You may only use the foreign exchange bought for the purposes for which it has been made available.
- Individuals younger than 18 years are allowed an amount of R200 000 per calendar year for holiday travel.
- You acknowledge that the travel starts within 60 days of the date of the request for foreign exchange from Investec.
- In the event of your travel arrangements being cancelled, all foreign exchange provided by Investec must be refunded to Investec within 30 days of such cancellation.

- Any unused/unspent foreign exchange purchased for travel related purposes must be sold to any authorised dealer within 30 days of your return to South Africa.

- A passenger ticket (e-ticket) and valid passport will be required.

## 4. Gifts and loans

- The gift and loan portion of a SDA may only be sent to a non-resident or a South African who is temporarily abroad (but not travelling for business or holiday).

## 5. FIA

- Your FIA includes foreign investment under the Single Discretionary Allowance.
- You may not place your foreign assets at the disposal of another South African resident abroad (STA), unless you have prior SARB approval.
- You will not enter into any transaction(s) abroad, whereby capital or any right to capital will be directly or indirectly exported from the Republic of South Africa in excess of your FIA.
- Only authorised foreign assets may be used as collateral offshore with no recourse to South Africa whatsoever. The issue of any guarantee to non-resident parties, must therefore be referred to Investec FX Excon ([fxexcon@investec.co.za](mailto:fxexcon@investec.co.za)) before doing so.
- You may not, whether through another person or entity, re-invest/re-introduce any permissible funds held abroad by virtue of your FIA and/or SDA or otherwise, directly or indirectly back into the CMA for any purposes whatsoever.
- You may, however, re-introduce funds to your Rand or foreign currency account in the Republic of South Africa.
- Residents of Lesotho, Swaziland or Namibia (designated CMR) are not permitted SDA or FIA from South Africa and must refer to their bankers in the CMA.
- A South African living abroad is permitted the Single Discretionary Allowance and the foreign capital allowance per calendar year without returning to South Africa.

## Definitions

In these terms and conditions:

- Authorised dealer means a dealer in foreign exchange as authorised by the SARB;
- Calendar year means 1 January to 31 December of each year;
- CMA means Common Monetary Area (Namibia, Lesotho, Swaziland and South Africa);
- FIA means Foreign Investment Allowance, applicable per private individual who is a taxpayer of good standing, bears a valid tax number and is 18 years and older;
- Foreign exchange means the exchange of one currency for another, or the conversion of one currency into another currency, but excludes the currencies of Namibia, Lesotho and Swaziland;
- The SARB means the South African Reserve Bank.