

New SARS Income Tax Requirements

What Estate Agents Need to Know About Property Transfers



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What's changed?

From 8 December 2025, SARS updated the Transfer Duty Declaration (TDC01) on eFiling.

Where the transaction value (purchase price) exceeds R2 million, both sellers and purchasers must provide valid income tax numbers linked to their ID or passport.

Who may not have a valid tax number?

You may encounter delays where clients fall into one of these groups:

- Minors or individuals who have worked but not registered for income tax
- South African expatriates living outside SA who still hold SA IDs
- Foreign nationals living in SA, including diplomats
- Foreigners living outside SA
- Deceased estates where the seller passed away without a tax number

Why this matters

SARS verification now happens before a transfer duty receipt is issued.

Late disclosure of missing or invalid tax numbers can lead to:

- Delays in transfer timelines
- Registration hold-ups
- Increased risk of transactions collapsing

Estate agents are often the first point of contact. Early questioning helps protect clients and keeps transactions moving. Close teamwork between agent, client and conveyancer is essential.

What agents should ask at valuation or mandate stage:

- Are you a South African tax resident or non-resident?
- Do you have a SARS income tax number?
- Is the property owned by an individual, trust or company?
- If a trust owns the property, is it SARS registered and compliant?
- In deceased estates, did the deceased have an income tax number?

Also remind sellers to obtain tax numbers as early as possible, ideally before emigration or listing. Discuss potential withholding tax risks and the possible impact on net proceeds.

Ways clients can register for income tax

1. **SARS Online Query System (SOQS)**

For SA residents with IDs only.

2. **Automatic registration on eFiling**

Available to residents and foreigners, though often difficult in practice.

3. **SARS USSD channel**

Dial 1347277# and select “Personal Income Tax (PIT) Registration”.

Free but must be used within South Africa.

4. **WhatsApp: 0800 11 7277**

Functional but response times may vary.

5. **Employer registration**

An employer may register an employee via its SARS eFiling profile.

6. **SARS branch visit**

Book in advance via the SARS website or call 0800 00 7277 for assisted registration.

Practical notes

- The system is still evolving and SARS is expected to release further guidance.
- Conveyancers using LexConvey may be able to work around certain system error messages affecting foreigners, minors, individuals below the tax threshold or unemployed persons, irrespective of purchase price. This is a temporary workaround.

Important disclaimer: This handout is not tax advice. It is intended to help estate agents to identify potential compliance risks early, manage expectations, and support smoother transfers.

THANK YOU



Attorneys

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