

DEATH AND TAXES ARE CERTAIN

The Receiver of Revenue will now do a risk analysis regarding outstanding taxes on both the transferor and the transferee on all transfer transactions. If there are any taxes outstanding by either of the parties, the Receiver will not issue the relevant transfer duty receipt until the taxes have been paid or an arrangement for payment has been made. The Receiver will accept an undertaking in certain circumstances from the conveyancing firm concerned that the taxes will be paid on the date of registration of the transfer. Any person whose income tax is not up to date will not be able to purchase or sell property until the same has been resolved. This will unfortunately result in a delay of approximately 5 working days in the issuing of the transfer duty receipts.

The Receiver of Revenue, in addition to the above, also require certain information with regards to the Estate Agent/Agency involved in the transfer transaction before issuing a transfer duty receipt. The information referred to includes amongst other, the amount of commission payable to the Agent/Agency, and the Agent's/Agency's VAT Registration Number, if registered. According to the Receiver, the relevant information will be utilised to determine whether certain Agents/Agencies are evading the payment of or registration for VAT on commission earned.