
GOVERNMENT NOTICE

SOUTH AFRICAN REVENUE SERVICE**No. 735****26 September 2014**

I, Vishvanathan Pillay, Acting Commissioner for the South African Revenue Service, hereby publish the South African Revenue Service Draft Language Policy in terms of section 4(2)(h) of the Use of Official Languages Act, 2012 (Act No. 12 of 2012) for public comment as set out in the Schedule hereto.

Members of the public are invited to submit written comments within 30 (thirty) days after the publication of this Notice to the following address:

By post or by hand:

The SARS Language Policy Reference Group

South African Revenue Service

271 Veale Street, Brooklyn

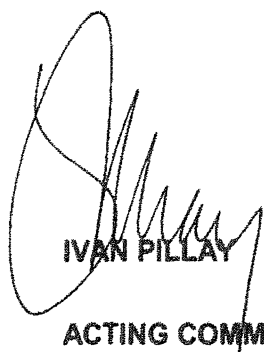
Pretoria

0181

By email: language@sars.gov.za

Any enquiries in connection with the draft policy can be directed to language@sars.gov.za.

Comments received after the closing date will not be considered.



IVAN PILLAY

ACTING COMMISSIONER: SOUTH AFRICAN REVENUE SERVICE

SCHEDULE**DRAFT LANGUAGE POLICY****SOUTH AFRICAN REVENUE SERVICE****1 PREAMBLE**

The Constitution of the Republic of South Africa (RSA), 1996¹ provides for 11 official languages; recognises the diminished use and status of indigenous languages and requires the State to take practical and positive measures to elevate the status and advance the use of indigenous languages. The Constitution further requires all official languages to enjoy parity of esteem and to be treated equitably.

To this end, the Use of Official Languages Act, 2012 (Act No. 12 of 2012)² has been assented to, *inter alia*, to provide for the regulation and monitoring of the use of official languages by national government for government purposes, to require the adoption of a language policy by a national department, national public entity and national public enterprise and the establishment of a language unit for a national department, national public entity and national public enterprise.

The South African Revenue Service (SARS), listed as a national public entity in Schedule 3 to the Public Finance Management Act, 1999, has therefore developed this Language Policy in compliance with the above Act.

2 PURPOSE

The purpose of this SARS Language Policy is to outline how SARS will comply with the provisions of the Use of Official Languages Act, 2012, and use official languages to improve service to taxpayers and compliance levels.

3 SCOPE

The provisions of this policy are applicable to all SARS employees and members of the public interacting with SARS.

¹ Constitution of the Republic of South Africa, 1996 (hereinafter referred to as the Constitution)

² Use of Languages Act, 2012 (Act No. 12 of 2012) (hereinafter referred to as the Act)

4 NATURE OF SARS

SARS is the country's revenue collecting authority. Established in terms of the South African Revenue Service, 1997 (Act 34 of 1997) as an autonomous agency, SARS is responsible for administering the South African tax system and customs service. SARS has a customer service presence in every province through its branches and ports of entry.

5 OFFICIAL LANGUAGES

SARS will endeavour to use all eleven official languages as its languages for government purposes, with the following understanding:

- (i) English, isiZulu, Sesotho and Afrikaans are the chosen national languages for government purposes.
- (ii) Due to practicalities such as systems, forms, costs, efficiency, budget, the constraints of vernacular terminology and current language capability within the organisation, all electronic platforms, including eFiling, e@sy File, the SARS website, the SARS intranet, as well as human resources, procurement and financial systems, such as SAP, will be in English.
- (iii) The transactional language of the organisation for external and internal operational purposes will be English.
- (iv) External marketing communication with citizens will be done at a provincial level in accordance with the following languages per province, depending on the content of the communication, form of the communication, target audience of the communication, feasibility and cost effectiveness. It is important to note that English, being the transactional language, will have a presence in all provinces. Below are the chosen languages per province³, with an indication of the percentage of speakers:
 - Eastern Cape: isiXhosa (78.8%), Afrikaans (10.6%), English
 - Free State: Sesotho (64.2%), Afrikaans (12.7%), English
 - Gauteng: isiZulu (19.8%), English (13.3%), Afrikaans (12.4%), Sesotho (11.6%)
 - KwaZulu Natal: isiZulu (77.8%), English (13.2%)

³ Source: Census 2011, Stats SA.

- Limpopo: Sepedi (52.9%), Xitsonga (17%), Tshivenda (16.7%), English
 - Mpumalanga: siSwati (27.7%), isiZulu (24.1%), Xitsonga (10.4%), isiNdebele (10.1%), English
 - North West: Setswana (63.4%), Afrikaans (9%), English
 - Northern Cape: Afrikaans (53.8%), Setswana (33.1%), English
 - Western Cape: Afrikaans (49.7%), isiXhosa (24.7%), English (20.3%)
- (v) A taxpayer, who wants written or published information in an official language, where that communication or information is not being provided in that language, may request that such communication or information be provided in such official language. Such request must be in writing in the language being requested and received by SARS at least 60 (sixty days) prior to the communication or information being required.

6 USAGE

SARS will also implement the following measures:

- (i) The income tax return (ITR12) – the main form for taxpayers - will be made available in all 11 official languages through the SARS Contact Centre self-service option (IVR). It must be noted that communication with a Contact Centre Agent will be in English.
- (ii) SARS staff will endeavour to assist taxpayers across the counter in a branch in the official languages of the province where the branch is situated depending on the staffing and capacity regime in each branch.
- (iii) Customs staff at ports of entry will be able to assist travellers in English and the official languages of the province in which the port is situated, depending on the staffing and capacity regime at the port. SARS will publish notices in relevant foreign languages at ports of entry.
- (iv) English will be used in hearings and other official proceedings unless there is a request to provide interpretation services in another official language.
- (v) SARS will investigate the possibility of making available selected information targeted at persons with disabilities, particularly the visually impaired.

7 LANGUAGE UNIT

SARS will provide resources for the establishment of a SARS Language Unit, which will be part of the Communication division.

8 ACCESS

- (i) SARS will publish this policy in all official languages on the SARS website from where it can be downloaded.
- (ii) In addition, printed summaries will be available in all official languages at SARS branches and ports of entry.

9 COMPLAINTS MECHANISM

Any person who is dissatisfied with SARS's use of official languages may lodge a complaint addressed to the SARS Commissioner, as indicated in terms of section 4(f) of the Use of Official Languages Act, 2012.
