



FOREIGN BUYER
PROPERTY SOLUTIONS

UK to South Africa Tax & Visa Planning for Investment and Relocation



SOPHIE GAMBORG
GLOBAL PROPERTY

GROUND RULES



By default, all attendees' cameras are off, and mics are muted.



All questions must be submitted in the Q&A section on Zoom.



Any technical difficulties must be communicated in the chat section.



A live poll will be run during the webinar. Answers are strictly confidential.



Presentation will be sent to attendees after the event.



The slides and Q&A answers are for training purposes, do not constitute tax advice/opinions and should not be construed as such.

AGENDA

- 1 Introduction
- 2 Intro to Buying Advisory Cape Town
- 3 South African Visa Options
- 4 Tax Structuring
- 5 Q&A



MEET THE SPEAKERS



Meet The Speaker

Sophie Gamborg is the founder of Sophie Gamborg Global Property, a boutique buying advisory specialising in helping international clients purchase property in Cape Town. With a background at Savills in London, Sophie combines UK market experience with deep local knowledge of the Cape Town property landscape. Working exclusively for buyers, she advises overseas clients on where and how to buy, from identifying the right areas and properties to navigating the South African purchasing process.

Her work extends beyond property, guiding clients on relocation considerations including schooling, lifestyle, tax, and structuring alongside a trusted network of specialists. Sophie relocated to Cape Town in 2021 and works closely with international families, investors, and second-home buyers looking to make a well-informed and confident move.



Founder Sophie Gamborg Global Property

Sophie Gamborg

Meet The Speaker

Manfred Barnard serves as a Senior Immigration Consultant at Foreign Buyer Property Solutions, overseeing complex immigration portfolios and guiding a team to deliver seamless client solutions. With extensive experience in South African immigration legislation and compliance, he advises both corporate and high net worth private clients on a wide range of visa categories, including work, business, and permanent residence applications.

Recognised for his meticulous attention to regulatory detail and ability to navigate intricate cases with the Department of Home Affairs and various Embassies, Manfred's hands-on leadership and technical expertise ensure a compliant, efficient, and results-driven client experience.



Senior Immigration Consultant at Foreign Buyer Property Solutions

Manfred Barnard

Meet The Speaker

Nicolas Botha, Tax Compliance & Processing Manager, brings extensive expertise in expatriate tax compliance, with a focus on South African tax residency and individual income tax profile analysis.

His daily interactions with SARS have honed his deep understanding of their requirements and technical processes, particularly in the context of South Africans working abroad.



Tax Compliance & Processing Manager at Tax Consulting SA

Nicolas Botha

INTRODUCTION



INTRO TO BUYING ADVISORY CAPE TOWN



POLL



Camps Bay Home



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Camps Bay Home



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Camps Bay Home



Camps Bay Home



Camps Bay Home



POLL



SOUTH AFRICAN VISA OPTIONS



TEMPORARY RESIDENCY OPTIONS

The following visa categories are most relevant to foreign property buyers and long-term investors who wish to reside, work remotely, or retire in South Africa.



Retired Person Visa

- Designed for foreign nationals who wish to live part-time or permanently in South Africa and receive a minimum monthly income of R37,000 from a pension, annuity, or investments.
- There is no minimum age requirement.
- Provides the option of conducting ad-hoc work or business while residing in the country.



Remote Work Visa

- For professionals who work remotely for an employer or business based outside South Africa.
- Enables foreign nationals to reside in South Africa without working for a local entity.
- Requires that the foreign national register with SARS, should they sojourn in South Africa trigger a tax obligation.



Work Visas

- **Critical Skills Work Visa:** For professionals in occupations listed on South Africa's Critical Skills List.
- **General Work Visa:** For professionals, whose occupations are not listed on the Critical Skills List.
- **Intra-Company Transfer Work Visa:** For international assignees who are temporarily transferred to a South African branch, subsidiary, or an affiliate of their foreign company.

The aforementioned visa categories allow dependants to accompany the main applicant.

RESIDENCE AND VISA STRATEGY

Our role is not just to identify visa categories, but to ensure that every immigration pathway is strategically aligned with the client's tax position, investment objectives, and long-term residency intentions.

Our Strategic Advantage

Rather than simply submitting applications, we ensure:

- **Correct visa category selection** based on purpose, lifestyle, and investment goals to ensure a first-time accurate submission.
- **Full alignment with tax residency planning** to prevent unintended tax consequences
- **Optimised timing and submission strategy** to avoid delays and offers the opportunity to legally escalate the application
- **End-to-end preparation and facilitation** of all immigration documentation and road map planning.

When foreign buyers have the correct immigration strategy in place, property transactions are seamless, and investment outcomes are optimised.

Our integrated visa-and-tax approach ensures that each client's residency pathway supports their property investment.



Visa Categories

- Retired Person Visa
- Remote Work Visa
- Critical Skills Work Visa
- General Work Visa
- Intra-Company Transfer Work Visa
- Accompanying Spouse & Dependents Visas
- Study Visas
- Permanent Residence Permits

TAX STRUCTURING



WHY YOUR TAX RESIDENCY STATUS MATTERS

RESIDENTS

- Taxed on worldwide receipts/accruals – irrespective of the country in which income is earned (Section 1(1) – gross income definition)
- Account for capital gains and losses on the disposal of any asset of a resident (world-wide) – paragraph 2 of the Eighth Schedule.
- Donations tax on world-wide assets (exceptions)
Section 64(1)(a)(i) 20% of aggregate value on/after 1 March 2018 does not exceed R30m; and 25% to the extent not taxed under (i)
- Estate duty on world-wide assets (exceptions)
taxed 20%/25% as above.

NON-RESIDENTS

- Taxed on South African source receipts/accruals only.
- Account for capital gains and losses on disposal of:
 - **immovable property (& “property rich company”/interest or right/rights to mineral deposits/sources and other natural resources and**
 - assets **effectively connected with a permanent establishment** in the Republic.
- No worldwide tax - even on remittances.
- No donations tax
- Estate Duty only on Republic Assets (Section 3 of the Estate Duty Act – note “ordinarily resident”)

RESIDENT DEFINITION (SECTION 1(1))

Ordinarily resident test – subjective intention supported by objective factors.

- This test is applied first, before the physical presence test (below).
- Documentary evidence to support the permanent intention.
 - Important to reference Interpretation Note 3
 - Cohen v CIR 1946 AD 174, 13 SATC 362
 - Commissioner for Inland Revenue v Kuttel 1992 (3) SA 242 (A), 54 SATC 298.

Physical presence test – considers the time spent in SA.

- More than 91 days in current year of assessment as well as in each of the previous 5 years of assessment; and
- 915 days in aggregate over the previous 5 years of assessment.
 - Important to refer to Interpretation Note 4 & 25

but does not include any person who is deemed to be exclusively a resident of another country for purposes of the application of any agreement entered into between the governments of the Republic and that other country for the avoidance of double taxation

SALE OF SA PROPERTY – TAX OBLIGATIONS

- **Capital Gains Tax (CGT)** – levied on the gain made between the base cost and the proceeds on disposal.
 - Residents: taxed on worldwide gains; primary residence exclusion of R2 million may apply.
 - Non-residents: taxed on the disposal of SA immovable property only.
- **Withholding tax (Section 35A)** – seller is a non-resident and purchase price exceeds R2 million.
 - 7.5% for natural persons, 10% for companies, 15% for trusts – withheld by the purchaser/conveyancer.
- **Compliance** – disposal must be declared in the year of assessment; tax clearance may be required prior to transfer.

APPROVAL OF INTERNATIONAL TRANSFERS

- **SARS Approval International Transfer (AIT)** – required where a SA tax resident or emigrant wishes to transfer funds offshore.
 - Required for residents when the amount is above the single discretionary allowance (R2 million per calendar year – from 01 March 2026).
 - Required for non-residents from rand 1
- **Tax compliance** – SARS will assess overall tax compliance, source of funds, and may request supporting documentation (e.g. 3-year statement of assets and liabilities).
- **Validity** – AIT PIN is valid for 12 months and may be used for multiple transfers up to the approved limit.

QUESTIONS





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THANK YOU

Please Contact Us for More
Information:

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