

Amendment of section 10 of Act 58 of 1962

xx. (1) Section 10 of the Income Tax Act, 1962, is hereby amended—

(x1) by the substitution in subsection (1)(k)(i) for paragraph (*dd*) of the proviso of the following paragraph:

“(*dd*) to any dividend in respect of a restricted equity instrument as defined in section 8C, unless—

- (A) the restricted equity instrument constitutes **[an equity]** a share that carries a limited right to participate beyond a specified amount in a distribution; [or]
- (B) the dividend constitutes an equity instrument as defined in that section;
or
- (C) the restricted equity instrument constitutes an interest in a trust and the sole assets of that trust constitute equity shares;”.

(2) Paragraph (*x1*) of subsection (1) is deemed to have come into operation on 1 January 2011.