How to report suspected non-compliance to SARS
DISCLAIMER
The information contained in this guide is intended as guidance only and is not considered to be a legal reference, nor is it a binding ruling. The information does not take the place of legislation and readers who are in doubt regarding any aspect of the information displayed in the guide should refer to the relevant legislation, or seek a formal opinion from a suitably qualified individual.

For more information about the contents of this publication you may:
• Visit the SARS website at www.sars.gov.za
• Visit your nearest SARS branch
• Contact your own tax advisor/tax practitioner
• If calling from within South Africa, contact the SARS Contact Centre on 0800 00 SARS (7277)
• If calling from outside South Africa, contact the SARS Contact Centre on +27 11 602 2093 (only between 8am and 4pm South African time).
1. Introduction

Any person may contact the South African Revenue Service (SARS) to report a particular taxpayer if he/she suspects that the said taxpayer may be non-compliant.

Suspected non-compliance refers to any conduct or attempted activity or pattern or display of transactions that typically meets any of the following conditions:

- A person is not submitting true information on a return or any submission to SARS;
- A person or business is eligible to register for any type of tax but not paying any form of tax;
- A person or business employs people and deducts PAYE from the employees but is not issuing IRP5 certificates to the employees;
- A person or business is eligible for any type of tax, registered for the tax, but not submitting the required returns to SARS;
- A person is living beyond his obvious financial means – displaying unusually high life-style patterns for a person with similar forms of income;
- A person is found to carry an unusual large amount of currency in any form whilst travelling into or out of South Africa;
- A person or business is trading in goods that are suspected of being counterfeit of original brands;
- Derives income from criminal activity;
- A person or business is submitting VAT refund-claims that are fraudulent and do not reflect the truth;
- A person or business is liable to be registered for VAT but is not;
- Customs warehouse irregularities;
- Businesses or persons involved in different forms of structure financing;
- A person or business owes SARS money as a result of an assessment or schedule but not paying SARS;
- An importer (including the clearing agent) that is found to have not declared, mis-declared or under-declared goods upon importation on more than one occasion;
- An importer or exporter (including the clearing agent) that enters a Voucher of Correction on more than one occasion;
- An importer or exporter (including the clearing agent) found to have imported or exported illicit goods (drugs, fire-arms, explosives, CITE described items, counterfeit goods.);
- Imported goods being sold on the open market at a price lower than “landed cost” i.e. less than what it would cost to purchase the goods, transport them and pay VAT and duty on importation
- A person or business suspected of having mixed fuel of any kind;
- A person or business found to have imported or exported frequently using the common 7070-customs code on Bills of Entry;

2. How do I report suspected non-compliance to SARS?

You can report a suspected non-compliance activity by:

- Calling the SARS Contact Centre on 0800 00 SARS (7277)
- Visiting your nearest SARS branch
- Accessing the RSN01 form from the SARS website, completing it and submitting it to SARS.

3. Can I remain anonymous when I report any suspected non-compliance to SARS?

Yes, you have the option to remain anonymous when making the report.
4. How do I open the form from the SARS website?

- Log on to the SARS website www.sars.gov.za

- Click on:
  - <About Us>
  - <Tax Crime>

- Click on <Report a tax or customs crime>
• Click on `<Report a suspicious activity>`
• Scroll down and click on the link `<Filling in the suspicious-activity report form online here>` to access the form

**REPORT A SUSPICIOUS ACTIVITY**

We are keen to you consider reporting any suspicious activity which may have relevance to tax to us here at SARS. We want to be sure that everyone is paying their fair share of tax here in South Africa.

What would we consider a suspicious activity?

A suspicious activity would include:

1. A person or business is eligible for any type of tax but not paying any form of tax.
2. A person or business employs people and deducts PAYE from the employees but not issuing IRP5 certificates to the employees.
3. Imported goods being sold on the open market at a price lower than “fenced cost” i.e. less than what it would cost to purchase the goods, transport them and pay VAT and duty on importation.
4. A person or business is eligible for any type of tax, registered for the tax, but not submitting the required returns to SARS.
5. A person is living beyond his obvious financial means – displaying unusually high life-style patterns for a person with similar forms of income.
6. An importer (including the clearing agent) that is found to have not declared, mis-declared or under-declared goods upon importation on more than one occasion.
7. An importer or exporter (including the clearing agent) that enters a Voucher of Correction on more than one occasion.
8. An importer or exporter (including the clearing agent) found to have imported or exported illicit goods (drugs, firearms, explosives, CITES described items, counterfeit goods).
9. A person or business suspected of having mixed fuel of any kind.
10. A person found to carry or carry an unusual large amount of currency in any form whilst travelling into or out of South Africa.
11. A person or business is trading in goods that are suspected of being counterfeit of original brands.
12. A person or business found to have imported or exported frequently using the common 7079-customs code on Bills of Entry.
13. Derives income from criminal activity.
14. A person or business is submitting VAT refund-claims that are fraudulent and do not reflect the truth.
15. A person or business is liable to be registered for VAT but is not.
16. Customs warehousing irregularities.
17. Businesses or persons involved in different forms of structure financing.
18. A person or business owes SARS money as a result of an assessment or schedule but not paying SARS.
19. A person is not submitting the truth in a return or submission to SARS.

What should you do if you know of a suspicious activity?

SARS needs your help to ensure a tax-compliant South Africa. If you know of a taxpayer or customs client who is not complying with tax laws, please notify SARS as soon as possible by:

• Filling in the suspicious-activity report form online here; or
• Phoning the fraud and corruption hotline on 0800 09 25 70

• The following screen will display. Click on `<Continue>`
6. How do I complete the RSN01 form?

**Note:** Not all fields are mandatory on the form. The person reporting the suspected non-compliance must, however, provide the minimum information required for SARS to investigate the suspected non-compliance.
DETAILS OF PERSON BEING REPORTED

• It is mandatory to indicate the nature of the person being reported. Select one of the following:
  
  ▪ Individual
  ▪ Company/Trust/Other

• Specify the ‘Number of Individuals’ or ‘Number of Companies/Other’ being reported
  
  ▪ Note: The maximum value allowed is 5.

SARS REFERENCE NUMBER(S) IF AVAILABLE

• This refers to the SARS reference numbers of the person being reported. Capture the following reference numbers if available:
  
  ▪ Income Tax
  ▪ PAYE
  ▪ VAT
  ▪ Customs/Excise

INDIVIDUAL DETAILS

• This section of the form will only display if ‘Individual’ is selected for the Nature of Person.

• Capture the following information about the individual being reported:
  
  ▪ Surname
  ▪ Initials
  ▪ First Two Names
  ▪ Date of Birth (CCYYMMDD)
  ▪ ID No.
  ▪ Passport No.
  ▪ Passport Country

Note: If a valid SARS reference number is not provided, at least one of the following information must be provided to assist SARS to identify the person being reported:

  ▪ An ID / Passport number
  ▪ Surname, First Two Names and Date of Birth

• Capture the following information:
  
  ▪ Residential/business/registered address
  ▪ Contact details

COMPANY/TRUST/OTHER DETAILS

• This section of the form will only be displayed if ‘Company/Trust/Other’ is selected for the Nature of Person.
• Capture the following information about the entity being reported:
  
  □ Registered Name
  □ Trading Name
  □ Company/Trust Reg No.

**Note:** If a valid SARS reference number is not provided, at least the following information must be provided to assist SARS to identify the entity being reported:

  □ Registered Name
  □ Company / Trust Reg no

• Capture the following information:

  □ Residential/business/registered address
  □ Contact details

**DETAILS OF NON-COMPLIANCE BEING REPORTED**

• Indicate the type of non-Compliance:

  □ SARS Corruption
  □ Non-registration for tax
  □ Tax fraud
  □ Other Criminal Activity
  □ False / under declaration of tax and duty
  □ Customs / Excise Misdeclaration of Duties
  □ Customs Smuggling

• Indicate the potential yearly loss to the Government:

  □ < R10 000
  □ R10 001 – R50 000
  □ R50 001 – R100 000
  □ R100 001 – R500 000
  □ R500 001 – R5 000 000
  □ > R5 000 000

• Capture a detailed description of the non-compliance. If you have proof/evidence, you may attach it to the form.

  □ A maximum of 2500 characters can be captured in this field
  □ Please do not use special characters as this will prevent you from submitting the form.

• If you have details about the assets of the person you are reporting, capture the following information:

  □ A description of the asset (e.g. motor vehicles, properties, etc)
  □ A registration number if applicable (e.g. a vehicle registration number)
  □ Click on the plus sign to capture the details of additional assets
DETAILS OF PERSON MAKING THE REPORT

Note: You have the option to remain anonymous.

• Select ‘Y’ or ‘N’ for the following questions:
  △ Do you wish you to disclose your personal details?
  △ Are you willing to provide an affidavit in respect of this non-compliance being reported?

• If you want to disclose your personal details, capture the following:
  △ Surname
  △ Initials
  △ First Two Names
  △ Home Tel No.
  △ Bus Tel No.
  △ Fax No.
  △ Cell No.
  △ Contact Email

7. How do I send the completed form?

• Once the form has been completed, click on the ‘Submit’ button to send the information to SARS.

• The following screen will display with your reference number and the option to attach documentation.

   △ If you have documents to attach to the form, select <Yes> and then click on <Continue>. (Refer to Section 8 below)
   △ If you do not have documents, select <No> and then click on <Continue> to send the form.
8. How do I upload documents?

- If you want to attach documents to the form that you are sending to SARS, select <Yes> for the question ‘Do you have any documentation that you want to provide’ and then click on <Continue>.

![SARS eFiling](image)

- If you want to provide documents for a form that you have already sent to SARS (i.e. an existing report) you will require the reference number allocated to you (refer to section 7 above).
  - Click on <Additional Information>.

![SARS eFiling](image)

  - The following screen will display. Enter the <Reference Number> and <Security Code> and click on <Continue>.

![SARS eFiling](image)
• The screen to upload documents will display:

- Select <Paste> or <Add> to insert your documents
- Click on the green arrow at the bottom of the screen to upload your documents
- Click on <View Uploaded Files> to view your files

• After you have successfully uploaded your files click on <Complete>. 
Submission Complete

Thank you for filing the Suspected Non-Compliance report.
If you wish to perform another submission please click here.