



SETA Jurisdiction Change

A member-employer is classified as misallocated when their Skills Development Levies (SDL) are allocated in error by SARS to the incorrect SETA.

If your organisations main business activity is classified according to any of [THETA's SIC Codes](#) your levies should be allocated to THETA / SETA 25.

1. How do I determine where my levies are being paid?

1. If your organisation has a registered SDF, your history of Levy Payments can be accessed via THETA's SMS system. ('Grants & Levies' tab)

Or

2. Your EMP 201 form will specify a unique SDL number and the allocated SETA, for example, LXXXXXXXX / **25**.

Or

3. Contact THETA's Levies & Grants Department with your SDL number and your SETA allocation will be verified on the Department of Labour database.

2. Is it a problem if my levies are misallocated?

Yes! If your levies are misallocated it means you are not a bona-fide member employer of THETA's, although your main business activity falls within THETA's scope. This means you are, by default, the 'client' of another SETA whose strategy, qualifications, projects and services are not specifically aligned to meet your organisations unique needs.

It also means you -

- Cannot access THETA Mandatory and Discretionary Grants
- Don't contribute to the Tourism Sector Skills Plan
- Cannot benefit from THETA Learnerships
- May not participate in special projects, initiatives, and capacity building workshops provided by THETA for its constituents.

3. My organisations levies are currently misallocated to an incorrect SETA. How do I change jurisdiction to THETA?

1. Download and complete the THETA 'SETA Jurisdiction Change Form'
2. Ensure the form is signed by the person with the relevant authority in the organisation and fax to the number specified.
3. Once the completed form is received by THETA, the Levies & Grants staff will confirm receipt of it, and forward to the misallocated SETA for approval of the change.
4. Once approval is received from the other SETA, the change request is forwarded to the Department of Labour with a request to affect the requested change.

Note:

- SETA Jurisdiction Change can only be affected once approval is received from the misallocated SETA.
 - The actual database transfer can only be affected by the Department of Labour.
 - SETA's and SARS do not have access to change the allocation.
 - THETA undertakes to facilitate the process on its member-employers' behalf, but the change-over is slow and can take 2 – 3 months for the DoL to affect the change.
5. Once your organisation is correctly allocated to THETA / SETA 25, THETA will instruct the SETA to whom your levies were previously paid, to release all monies to THETA.
 6. Only once THETA is in possession of your Skills Development Levies, can any grant claims be processed.

4. How can I avoid my levies being misallocated in error to another SETA?

- Ensure the person responsible for submitting your monthly tax return to SARS specifies THETA / SETA 25 for payment of your Skills Development Levy. (SDL)
- Ensure your organisation / the registered entity is not allocated two or more SDL no's in error. Quote the same SDL number and SETA number on every EMP201 submission.
- Ensure your organisations' registered SDF checks your Levy Payment History on THETA's Seta Management System on a regular basis (preferably monthly) and alerts you and THETA to any discrepancies as they occur.
- Ensure all relevant staff are made aware of the implications of misallocation when submitting tax returns.