

SOME TAX IMPLICATIONS OF TRADITIONAL KNOWLEDGE UNDER CONVENTIONAL INTELLECTUAL PROPERTY

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Summary

The proposed incorporation of traditional intellectual property into the definition of copyright, trade-marks and designs as defined in the *Copyright Act*,¹ the *Trade Marks Act*² and the *Designs Act*³ may affect the income tax liability of parties where traditional knowledge is the object of such a transaction. The aim of this contribution is to consider the potential income tax consequences of this incorporation for those receiving income and incurring expenditure in relation to the use or disposal of traditional knowledge.

List of keywords

Deductions, expenses, exempt income, gross income, income, person, tax consequences, tax liability.

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¹ 98 of 1978.

² 94 of 1993.

³ 195 of 1993.