

## **GUIDELINES FOR COMPLETING TP DECLARATION FORM**

*The TP Declaration Form is to be completed and submitted by all **connected taxable persons**. Connected taxable persons are companies or entities operating in Nigeria and having common control, management or ownership with other companies or who participate directly or indirectly in the management, control or capital of another company or persons otherwise connected with another person.*

*All Companies filing this Transfer Pricing Declaration Form (Transfer Pricing Return) shall complete all relevant parts. Below is a guide for completing the form.*

### **PART A-PARTICULARS OF COMPANY**

**A1:** Enter the name of the Company or entity making the Transfer Pricing declarations.

**A2:** Provide the company's incorporation or registration number issued by the relevant authority.

**A3:** State the country where the reporting company was incorporated or registered.

**A4:** Provide the tax identification number (TIN) or tax reference number issued to the reporting company by relevant Tax Authority.

**A5-A11:** Provide information regarding the company's locations. *(Please note that business premises refer to a place where the principal activities of the entity are carried out while registered address is the address recorded as such by the Registrar of Companies).*

**A12:** provide a brief description of the business activities of the company.

**A13-A14:** tick the appropriate boxes to indicate the ownership and connection of the company. The nature of profit-sharing arrangements (if any) with connected entities should be indicated in A15 with a ticks in all the relevant boxes.

**A15:** tick the appropriate boxes to indicate the type of organisation from which transfers were received from within the group.

**A16:** tick the appropriate boxes to indicate major source of funding for the operations of the reporting company.

## **PART B-PARTICULARS OF PARENT COMPANY**

**B1-B10:** where the company filing this Transfer Pricing return is a subsidiary or associate of another company (whether foreign or Nigerian); the company should provide information about its parent or controlling entity in the relevant fields as provided in the form.

## **PART C- DIRECTORS**

**C1:** write the number of directors of the company in the box provided.

**C2:** provide the name, nationality, TIN, telephone number and the percentage equity shareholding in the company of each director.

*(The information required in this section may be extracted from the schedule C to the TP Declaration Form)*

## **PART D- MAJOR SHAREHOLDERS**

**D1:** write the number of major shareholders i.e. persons who are **beneficial owners** of 10% or more of the normal shares of the company. *(Beneficial owner refers to the ultimate owner of the risk and benefits of shares i.e. the person behind a nominee; as back as the chain can go).*

**D2:** provide the name, nationality, TIN, telephone number and the percentage equity shareholding in the company of each major shareholder.

*(The information required in this section may be extracted from the schedule D to the TP Declaration Form)*

## **PART E-OWNERSHIP STRUCTURE**

**E1-E2:** tick the appropriate boxes.

## **PART F – SUBSIDIARIES & OTHER CONNECTED PERSONS**

**F1:** write the number of subsidiary companies owned by the reporting company.

**F2:** provide name, country where subsidiary is registered for tax, TIN or Tax Reference Number, principal business activity and percentage of reporting company's holding of each subsidiary company's equity.

**F3:** provide name, country where subsidiary is registered for tax, TIN or Tax Reference Number, principal business activity and nature of reporting company's relationship with each subsidiary company's equity.

*Nature of relationship:*

- a. **Subsidiary:** reporting company holds above 50% of equity of the entity;*
- b. **Common Parent:** both companies are owned by the same persons or connected persons*
- c. **Common Director:** both companies have one or more common director*
- d. **Common Management:** same person(s) involve in managing both companies*
- e. **Dependent Agent:** the entity is a dependent agent of the reporting company*
- f. **Principal:** entity is the principal of the reporting company in a dependent agency relationship*

## **PART G - EXTERNAL AUDITORS**

Provide particulars of the External Auditor.

## **PART H – TAX CONSULTANTS**

Provide particulars of the Tax Consultants (if any).

## **PART J - PERSON WHO COMPLETES THE FORM**

Provide particulars of the person who completed the form on behalf of the reporting company.

## **PART K – DECLARATION**

This should be completed by a Director of the reporting company or the Company Secretary.

## **UPDATING THE TP DECLARATION FORM**

For the purpose of updating the TP Declaration form, the following among others, are deemed to constitute significant changes:

- a. Merger of the parent of company filing the TP return with another company outside the group;
- b. Acquisition of up to 25% of the parent of the reporting company by persons not connected to the group
- c. Merger of the reporting company with another company;
- d. Acquisition of up to 25% of the reporting company by persons not connected to the group.
- e. Merger or acquisition of the reporting company by another company outside the group.
- f. Sale or acquisition of a subsidiary by the reporting company
- g. Appointment or retirement of a director of the reporting company
- h. Addition of a new line of business by the reporting company.