



Nigerian Tax Journal-2017

February 2017

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Contents

Glossary

3

Preface

4

Executive summary

5

Tax outlook for 2017

6

2016 in review

9

Featured articles

28

Glossary

C	
CAMA	Companies and Allied Matters Act
CIT	Companies Income Tax
CITA	Companies Income Tax Act
E	
EDT	Excess Dividend Tax
ET	Education Tax
F	
FG	Federal Government
FHC	Federal High Court
FIRS	Federal Inland Revenue Service
FIRSEA	Federal Inland Revenue Service (Establishment) Act
FTZ	Free Trade Zone
FY	Financial Year
G	
GDP	Gross Domestic Product
L	
LIRS	Lagos State Internal Revenue Service
N	
NEPZA	Nigeria Export Processing Zones Authority
NORA	Notice of Refusal to Amend
NRC	Non Resident Company
O	
OECD	Organisation for Economic Co-operation and Development
P	
PAYE	Pay-As-You-Earn
PPT	Petroleum Profits Tax
PPTA	Petroleum Profits Tax Act
T	
TAT	Tax Appeal Tribunal
TET	Tertiary Education Tax
TP	Transfer Pricing
TSA	Technical Service Agreement
V	
VAT	Value Added Tax
W	
WHT	Withholding Tax
Y	
YOA	Year of Assessment

Preface

Development of tax law, administration and practice is a joint and several responsibility of the Government, tax administrators, practitioners and academics alike. Unfortunately, we are far behind on tax law reform in Nigeria as the last time any business tax legislation was enacted or amended was 2007. This is in spite of the various pending memoranda and proposals for tax law reform submitted to the Federal Government by different stakeholders, such as Nigerian Insurers Association, Association of Food, Beverages and Tobacco Employers and the Nigerian Economic Summit Group. The experience is the same with draft tax laws, such as VAT Amendment Bill, that the Federal Inland Revenue Service prepared and circulated for public comments a few years back.

This is an area for significant improvement by the fiscal and legislative authorities in Nigeria, especially as the defunct military government was better at promulgating, amending or repealing tax laws, as the case may be, on an annual basis after announcement of the budget. We need to revive this approach of using annual budgets to launch fiscal reforms. This practice has become standard in many countries in Africa and the rest of the world.

We also need more dynamism in case law reporting and publication of tax literature to spawn tax reform and improve tax education, tax administration and practice. This maiden edition of ***Nigerian Tax Journal*** is KPMG's modest contribution in this regard.

2016 was generally active in tax dispute resolution through the Tax Appeal Tribunal and the Federal High Court. Some of the decisions

brought clarity to some tax issues where there was uncertainty in the absence of any judicial pronouncement on the issues. These have been appropriately summarized in the Journal. The Journal is also a resource material on changes by the tax authorities to practice and procedures in the course of the year. We republished extracts of articles written by some of our tax professionals during the year with references for further reading by users of the Journal.

A compendium such as this will serve as a reference material for tax administrators, practitioners and academics alike for whom the Journal will give an overview of developments in tax dispute resolution, tax reform and policy changes, and commentaries by KPMG tax professionals in selected publications in the course of the year.

As we are committed to continuous improvement, we encourage our readers to provide feedback on the publication to us via email to NG-FMTAXEnquiries@ng.kpmg.com

I want to use this opportunity to commend the KPMG Tax team responsible for this publication, ably led by my partner, Adewale Ajayi, for not only suggesting the idea of KPMG publishing an annual tax year book, but seeing it to fruition. Without them, the ***Nigerian Tax Journal*** would not have been born!

Wole Obayomi
Partner & Head
Tax, Regulatory & People Services

1.0

Executive Summary

We are pleased to publish the maiden edition of the Nigerian Tax Journal. The Journal is a compilation of significant decided tax cases in 2016, key pronouncements from tax administrators and regulatory agencies, and some of the thought leadership articles authored by KPMG Nigeria subject-matter specialists.

The environment in which Tax Directors or Heads of Tax operate has changed significantly. The current economic recession is increasing pressure on companies to cut costs and on tax authorities to aggressively enhance revenue. Consequently, taxation, more than ever before, has become a front burner issue for business leaders, Chief Financial Officers and Heads of Tax. Our main objective in publishing this Journal is to help companies effectively manage their tax risks and position their businesses for future success. The KPMG Nigerian Tax Journal will serve as a valuable reference material on important tax issues impacting business decisions.

This maiden edition features some key rulings that have greatly helped in addressing some tax disputes. The tax administrators' policy section covers policy pronouncements by the Federal Inland Revenue Service (FIRS). It also contains select articles on tax, transfer pricing and regulatory issues across the various sectors of the Nigerian economy.

The outlook for Nigerian tax environment looks promising if the Government properly and proactively implements the initiatives proposed in this Journal. This may also result in a significant improvement in Nigeria's ranking on the Paying Taxes indicator of the World Bank Group's Ease of Doing Business Index for 2018.

We hope that you find the Journal very insightful and pleasurable to read.



2.0

Tax outlook for 2017

Based on the proposed 2017 budget, non-oil revenues (largely comprising Companies Income Tax, Value Added Tax, Customs and Excise Duties and Federation Account levies) are estimated to contribute N1.373 trillion (28%) to the projected aggregate revenue of N4.94 trillion. In order to meet its revenue target, Government intends to broaden the tax net, enhance the effectiveness of revenue collection agencies and improve tax compliance. We therefore expect that the various tax authorities will continue with the aggressive drive to enhance tax collection. The tax authorities may also resort to name and shame strategy through the closure of the business premises of tax defaulters.

Government intends to ratify the Double Tax Treaties signed with Spain, South Korea and Sweden. It also plans to set aside N20 billion for the revival of the Export Expansion Grant by way of tax credits. There will be a new funding mechanism for Joint Venture arrangements for the Oil & Gas Industry to address the inability to fund cash calls. 2017 may also witness the long-awaited review and amendment of the relevant tax laws to eliminate obsolete tax provisions and ambiguities. The provisions of the Base Erosion and Profit Shifting Action Points issued by the Organization for Economic Co-operation and Development may be incorporated into the domestic law.

We expect that Government will introduce, in the course of the year, tax policies geared towards improving the overall tax environment in Nigeria and making it competitive. According to the World Bank Group (WBG), Nigeria ranks 182 out of 190 benchmarked economies on the Paying Taxes sub-index under the Ease of Doing Business index for

2017. The distance to frontier score is 28.09%, which implies that Nigeria is about 72% away from the best performance observed under the Paying Taxes sub-index. The conclusion from these two benchmarks is that Nigeria needs to embark on a significant tax reform to improve its ranking. There are two main areas, based on the 2017 WBG report, which Nigeria needs to address: reduction in the number of tax payments and the administrative burden involved in paying taxes in the country.

There is, therefore, the need for Government to implement the following initiatives in 2017:

- The enactment of the Petroleum Industry Bill (PIB) to resolve the current uncertainty in the industry.
- Elimination of multiple taxes, despite the existence of the Taxes and Levies Approved List for Collection Act. The State and Local Governments have simply ignored the Act in order to increase their internally-generated revenue.
- A radical shift to indirect taxation, given the low cost of collection of indirect taxes. To manage the burden on taxpayers, Government may consider reducing the income tax rate while increasing VAT.
- Enactment of the approved National Tax Policy into law.
- Implementation of an effective tax risk management process, given the resource constraints faced by the various tax authorities. This will help Revenue focus on which tax returns not to audit, which tax issues to follow up etc.

The proper implementation of the proposed policies contained in the 2017 Budget and the suggested initiatives will make the Nigerian tax environment competitive and the outlook for 2017 promising.

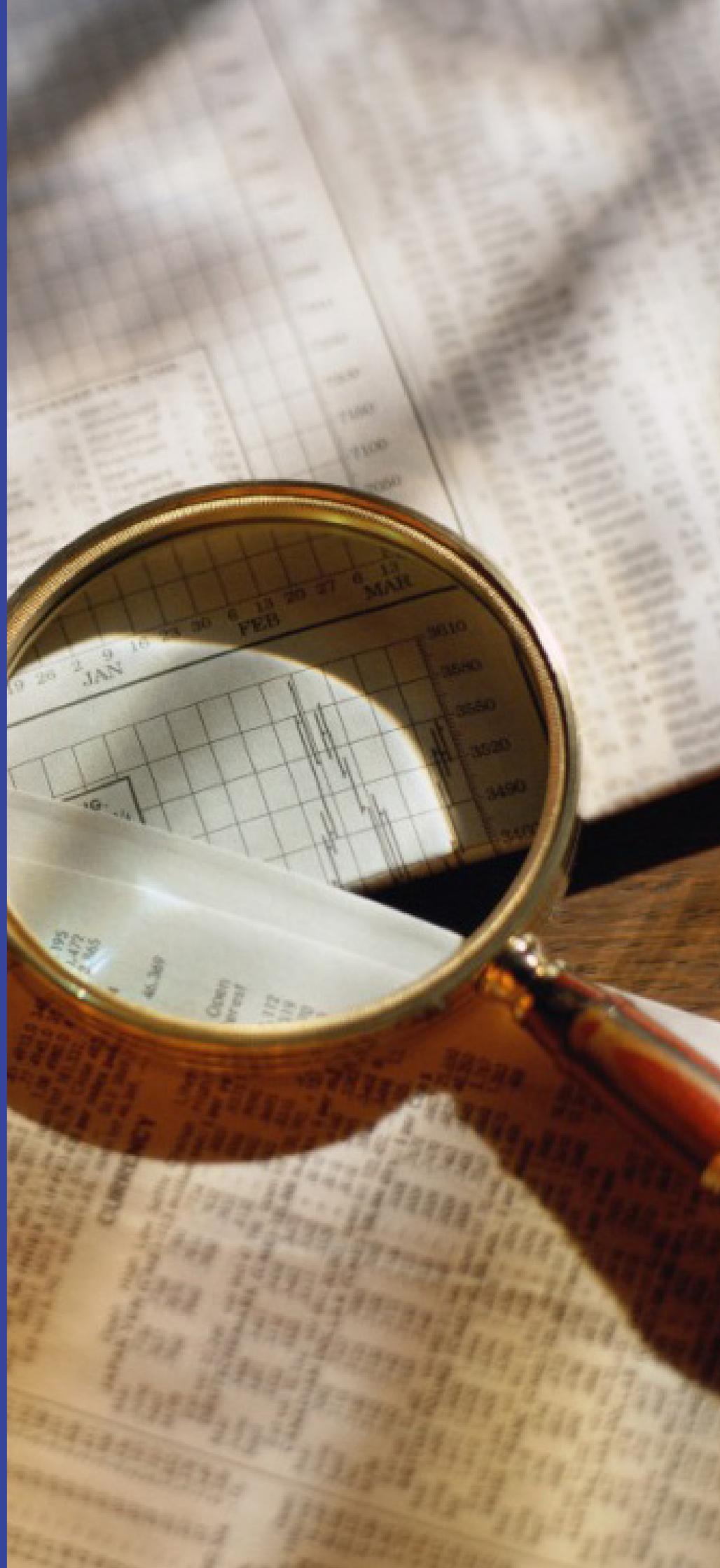
Adewale Ajayi

Partner

Tax Energy & Natural Resources and People Services

“ We also expect that Government will introduce, in the course of the year, tax policies geared towards improving the overall tax environment in Nigeria and making it competitive.”

“The proper implementation of the proposed policies contained in the 2017 Budget and the suggested initiatives will make the Nigerian tax environment competitive and the outlook for 2017 promising.”



3.0

2016 in review

i Significant tax rulings

3.1 Companies Income Tax

a. *Olokun Pisces Limited vs FIRS*¹

Background

Section 23(1)(q) exempts from CIT the profits of any Nigerian company in respect of goods exported from Nigeria, provided that the proceeds from that export are repatriated to Nigeria and used exclusively for the purchase of raw materials, plant, equipment and spare parts.

Under Section 76 of CITA, where no valid objection or appeal has been lodged against an assessment within thirty (30) days as regards the total profits, or where the amount of total profits has been agreed to, or where the amount of such total profits has been determined on objection, revision or on an appeal, the assessment, as made, agreed to, revised or determined on appeal shall be final and conclusive.

Facts of the case

Olokun Pisces Limited (“OPL” or “the Company”) is engaged in the business of fish trawling, packaging and exportation of fish, fingerlings, port and prawns.

The Company paid dividends in the 2009 to 2013 YOAs when it had no total profits. The FIRS assessed the Company to EDT based on Section 19 of CITA. The FIRS further argued that the assessment had become final and conclusive as the Company did not file a valid objection within 30 days as provided under CITA.

The Company argued that its tax accountants objected to the assessment within the statutory time limit of 30 days. Furthermore, the Company argued that the additional assessments should have been limited to tax on dividends paid from its local sales rather

¹ Appeal No. TAT/LZ/CIT/076/2014

than the dividends from both its local and export businesses.

The FIRS raised a NORA on OPL. The Company appealed the NORA at the TAT. The issues for determination were:

- a. whether the assessment had become final and conclusive, and
- b. whether the dividend paid by the Company was liable to tax under Section 19 of CITA considering the provisions of Section 23 (1)(q).

The decision

The TAT held that:

- a. the additional assessment could not be final and conclusive as the objections and appeal thereon had not been determined
- b. the Company was liable to additional tax under Section 19 of CITA as all the conditions for exempting the profits from tax under Section 23(1)(q) of the Act were not fulfilled.

b. *Oando Plc vs FIRS*²

Background

Section 19 of CITA subjects to tax, dividend paid out of profits on which no tax is payable due to no total profits or total profits less than the amount of dividend paid. The application of this section has generated significant debate between the FIRS and taxpayers, especially where dividend is declared from retained earnings on which CIT has been paid.

Facts of the Case

Oando Plc (“Oando” or “the Appellant”) paid dividends in excess of its taxable profits in 2005, 2006 and 2007 tax years. The dividends were paid out of the company’s retained earnings, which had been subjected to CIT in previous years but were not distributed to shareholders at the time.

The FIRS assessed the Appellant to additional CIT for the relevant tax years based on Section 19 of CITA. Oando objected to the assessment, and subsequently appealed the FIRS’s decision at the TAT in 2012³. The TAT ruled in favour of the FIRS in 2014, ordering the Appellant to pay the sum assessed. The basis of the TAT’s ruling was that, where in any year the dividend paid was higher than the total profit, section 19 of CITA would apply, regardless of the period to which the dividend was related.

Dissatisfied with the TAT’s ruling, Oando appealed the case at the FHC.

² Appeal No. TAT/LZ/CIT/076/2014

³ TAT Consolidated Appeal Numbers TAT/LZ/011/2012, 012/2012 and 013/2012

The issues submitted for determination were:

- a. whether the provisions of Section 19 of CITA could be applied to subject dividends paid out of retained earnings, which had been subjected to tax in prior years, to further tax.
- b. whether the Appellant was liable to pay CIT on profits constituted by dividends regarded as franked investment income under the provisions of Section 80(3) of CITA.

The decision

The FHC held that Section 19 of CITA would be applicable whenever the dividend paid out by a company in a tax year exceeded the total profit for that year, regardless of the source of the dividend paid. Specifically, the FHC stated that “there is nothing in section 19 that expressly or impliedly relates to retained earnings or mandating the tax exemption of such earnings”.

On the second issue, the FHC ruled that it was immaterial that part of the dividend paid out by the Appellant was dividend received as franked investment income, as the dividend paid out could come from many sources. Section 19 of CITA does not seek to identify the sources of dividend paid out or exempt any source, neither can Section 80(3) of CITA impede taxation of the dividend paid out under Section 19 of the Act merely because a part of such dividend came from franked investment income.

c. Nigerian Breweries Plc vs FIRS⁴

Background

Section 27 of CITA disallows any expense incurred outside Nigeria for and on behalf of any company, except of a nature and to extent as the FIRS may consider allowable.

Facts of the case

Nigerian Breweries Plc (“the Company”) paid buying commission and handling charges to a foreign-related company under an arrangement for procurement of goods outside Nigeria. The Company deducted the buying commission and handling charges in arriving at its assessable profits for 2008 to 2014 YOAs.

However, the FIRS disallowed the buying commission and handling charges and assessed the Company to additional CIT and TET. The Company argued that Section 27 of CITA was not applicable in its particular circumstance as the expenses were not incurred on its behalf; and that the applicable provision should be Section 24 of CITA. In spite of the Company’s objection, the FIRS refused to amend the assessment. The Company appealed the FIRS’s decision at the TAT.

The issue for determination was whether expenses incurred outside Nigeria on another company’s behalf would not be allowable deductions under CITA.

⁴ Appeal No. TAT/LZ/CIT/EDT/043/2015

The decision

The TAT agreed with the Company that Section 27 of CITA was inapplicable in this circumstance and held that the buying commission and handling charges, being expenses incurred wholly, exclusively, necessarily and reasonably in the production of profits, were allowable deductions under Section 24 of CITA.

d. Citibank Nigeria Limited vs FIRS⁵

Background

Prior to 2012 financial year⁶, profits earned by companies from investing or trading in short-term FG bonds were taxable under CITA in line with Section 9(1)(g). The Section provides that *“subject to the provisions of this Act, the tax shall for each year of assessment be payable at the rate specified under section 40(1) of this Act upon the profits of any company accruing in, derived from, brought into, or received in Nigeria in respect of ... any amount of profits or gains arising from the acquisition and disposal of short-term money instruments like Federal Government securities, treasury bills, or savings certificates, debenture certificates, or treasury bonds”*

Facts of the case

Citibank Nigeria Limited (“Citibank” or “the Company”) held FG long-term bonds with maturity periods ranging from 3 to 20 years, during its 2008 to 2010 accounting years. The Company subsequently disposed of the bonds to manage its interest rate exposures and meet its liquidity needs. The Company did not subject the gains accruing from the disposals to CIT, as it was of the view that its disposal of the bonds before their maturity did not change their long-term nature.

The FIRS disagreed with the Bank’s treatment of the gains and assessed the Company to additional CIT and ET, including interest and penalty. The FIRS argued that the disposal of long-term FG bonds before their maturity made them short-term, and that gains arising therefrom should fall within the purview of Section 9(1)(g) of CITA.

The Company appealed the FIRS’s decision at the TAT.

The decision

The TAT held that trading in the FG bonds made them lose their long-term attributes. Thus, the gains arising from the bond transactions fall within the ambit of Section 9(1)(g) of CITA. The TAT upheld the additional CIT and TET assessments and ordered the Company to pay them.

⁵ Consolidated Appeal No. TAT/LZ/CIT/EDT/043-047/2014

⁶ Under the CIT (Exemption of Bonds and Short Term Government Securities) Order, 2011, short-term FG securities (Treasury Bills and Promissory Notes), bonds issued by Federal, State and Local Governments and their Agencies, bonds issued by corporate bodies including supra-nationals, and interest earned from these investments, are exempt from CIT. The exemption was effective from 2 January 2012 and is, generally, for a period of 10 years. However, bonds issued by the FG will continue to enjoy the exemption after the 10-year term.



3.2 *Transaction taxes*

a. Vodacom Business Nigeria Limited vs FIRS⁷

Background

In Nigeria, VAT is chargeable on the supply of goods and services, other than those exempted under the VAT Act.

Section 10 of the VAT Act requires an NRC carrying on business in Nigeria to register with the FIRS using the address of the Nigerian party with which it has a subsisting contract (i.e. its Nigerian customer). The NRC is also required to include VAT on the invoices it issues to the Nigerian customer.

Facts of the case

Vodacom Business Nigeria Limited (“Vodacom”) entered into a contract with New Skies Satellites (NSS), an NRC, for the supply of bandwidth capacities for its use in Nigeria. The bandwidth capacities were transmitted by the NRC to its satellite in orbit and received in Nigeria by Vodacom via its earth-based satellite. The NRC did not charge VAT on its invoice to Vodacom for the service rendered and Vodacom did not remit VAT to the FIRS for the transaction.

The FIRS assessed Vodacom to VAT on this transaction. Vodacom objected to the assessment, but the FIRS refused to amend its position. Consequently, Vodacom filed an appeal at the TAT to determine whether the transaction between it (Vodacom) and NSS was a VATable transaction.

Vodacom argued that NSS’ supply of bandwidth was a service provided outside Nigeria; and that based on the VAT Act, services provided by an NRC would only qualify as “imported services” if they were rendered in Nigeria. Vodacom further argued that it did not contradict Section 10 of the VAT Act, since its receipt of a tax invoice from NSS was a precondition for withholding and remitting the VAT due on the transaction to the FIRS. However, NSS could not issue a tax invoice because it did not carry on business in Nigeria and was not registered with the FIRS. This argument was based on the TAT Abuja Zone’s decision in the case between Gazprom Oil & Gas Nigeria Limited and the FIRS⁸ (“the Gazprom case”).

The FIRS relied on the destination principle under the International VAT/GST Guidelines. The FIRS therefore argued that the services provided by NSS were effectively imported into Nigeria, because the bandwidth capacities were received in Nigeria through earth-based stations set up in Nigeria by Vodacom to receive them. The FIRS was of the opinion that the “imported service” enjoyed by Vodacom was liable to Nigerian VAT, since services supplied in Nigeria would fall within the purview of Section 2 to the Act, and “bandwidth capacities” are not on the list of VAT-exempt services.

⁷ Appeal No. TAT/LZ/VAT/016/2015

⁸ The TAT Abuja zone in Suit No. TAT/ABJ/APP/030/2014, ruled that Gazprom would only have the obligation to withhold and remit VAT to the FIRS if the NRC is, among other things, registered for VAT purpose in Nigeria and issued Gazprom with a tax invoice.

The decision

The TAT held that:

- Given that bandwidth capacities are not exempted under the Schedule, the services provided by the NRC are liable to VAT in Nigeria.
- Section 10 of the VAT Act is merely an administrative provision, not a precondition for the imposition of VAT on a transaction between a Nigerian company and an NRC. Thus, its provisions do not need to be fulfilled for Section 2 to apply.
- The destination principle, though not binding on the Tribunal, is a useful guide to apply in resolving the case at hand. The principle should, therefore, be applied to the transaction to avoid a “classic case of double non-taxation”

For more information, please read our newsletter on this case at <https://home.kpmg.com/content/dam/kpmg/pdf/2016/03/tnf-nigeria-march-31-2016.pdf>.

b. Brasoil Oil Services Company (Nigeria) Limited vs. FIRS⁹

Background

Section 2 of the VAT Act imposes VAT on the supply of taxable goods and services, except those specifically exempted. Similarly, the CITA and WHT Regulations require that WHT be deducted on qualifying transactions. Reimbursable expenses are not specifically exempted under the VAT Act, or mentioned in the CITA and WHT Regulations. Thus, the liability of reimbursable expenses to VAT and WHT has been a subject of controversy between taxpayers and tax authorities.

Facts of the case

Brasoil Oil Services Company (Nigeria) Limited (“Brasoil” or “the Company”) entered into a Technical Service Agreement (“TSA”) with Petrobas SA (“Petrobas”), an NRC, in 2010, for the provision of technical support services. Under the TSA, Petrobas invoiced the Company for its services at a mark-up of 12% as well as for reimbursable expenses¹⁰ incurred on the Company’s behalf in the course of performing the services.

Between 2006 and 2008, there was no written agreement between the companies. However, Petrobas provided services to Brasoil based on terms similar to the 2010 TSA.

In 2013, the FIRS audited the Company’s records covering the 2006, 2007, 2008, 2010 and 2012 FYs and raised additional VAT and WHT assessments (including interest and penalties) based on the cost the Company incurred under the TSA. The FIRS argued that the supply of technical support services was not exempt under the VAT Act; and that the cost of rendering the technical services plus mark-up represented the value of VATable service chargeable to VAT.

However, the Company submitted that Section 2 of the VAT Act only imposed VAT on the supply of specified taxable goods and services but not on reimbursement of expenses incurred in the course of providing the services.

⁹ Consolidated Appeal No. TAT/LZ/VAT/008/2015 and TAT/LZ/WHT/009/2015

¹⁰ The expenses include travel costs and expenses (airplane tickets, lodging, ground transport, communication, man hours spent and others)

Brasoil provided supporting documents to show that the reimbursable expenses were mainly salaries of Petrobras' staff on which relevant PAYE tax was deducted. The Company was of the view that VAT and WHT should only apply to the mark-up which constituted income in the hands of Petrobras; and provided evidence that it remitted the taxes to the FIRS.

The Company appealed the additional VAT and WHT assessments at the TAT. The issues for determination were:

- whether the Company was liable to pay VAT on reimbursement of expenses incurred by a third party on its behalf under the VAT Act
- whether the Company was liable to deduct WHT on salaries and reimbursement of expenses incurred on its behalf and remit same to the FIRS
- whether the Company was liable to interest and penalties after validly objecting to the FIRS's assessments and subsequently filing appeal at the TAT.

The decision

The TAT held that:

- the Company has obligation to deduct VAT and WHT on the contract sum between it and Petrobras. However, all reimbursable expenses paid to Petrobras in line with the TSA are not subject to VAT and WHT, and
- interest and penalties are not due on the disputed assessments.

c. Nigerdock Nigeria Plc FZE vs FIRS¹¹

Background

Under Section 8 of the NEPZA Act, approved enterprises operating within an FTZ are exempted from all federal, state and local government taxes, levies and rates.

Also, approved enterprises operating with an FTZ are, by Section 18(1)(a), exempted from all legislative provisions pertaining to taxes, levies, duties and foreign exchange regulations.

Facts of the case

Nigerdock Nigeria Plc FZE ("Nigerdock" or "the Company") provides engineering, logistics and associated support services to companies in the upstream sector of the Nigerian oil and gas industry. The Company is an approved enterprise that operates within the Snake Island Integrated Free Zone (SIIFZ).

The Company provided services to Total Exploration and Production Limited (TEPL) and Mobil Nigeria Unlimited (MNUL) during the 2007 to 2012 FYs. The FIRS assessed the Company to additional taxes on the income earned from the services it provided to TEPL

¹¹ Appeal No. TAT/LZ/CIT/006/2015

and MNUL. The FIRS argued that the services were provided outside the SIIFZ. The Company objected to the assessments on the basis that it is an approved enterprise registered with NEPZA, and carries out its business activities exclusively within the SIIFZ. The FIRS subsequently issued a NORA to the Company, which it appealed at the TAT.

The issue for determination was whether the income derived by the Company on the services provided to TEPL and MNUL was subject to tax under the relevant tax laws.

The decision

The TAT stated that the tax exemption provided by Sections 8 and 18(1) of the NEPZA Act would apply to the Company provided its operations are in the SIIFZ. However, where the Company operates outside the FTZ, it would be liable to relevant taxes.

The TAT also ruled that an approved enterprise would not have any obligation to deduct VAT or WHT where it operates exclusively within the FTZ, but that the situation would be different where the enterprise has operations outside the FTZ.

In the final analysis, the TAT neither ruled in favour of the FIRS nor the Company due to insufficiency of evidence to determine the actual work carried out by Nigerdock within and outside the SIIFZ under its contracts with TEPL and MNUL.

d. TetraPak West Africa Limited vs FIRS¹²

Background

Under the Nigerian VAT Act, non-oil exported services are zero rated. Taxable persons are also allowed to deduct allowable input VAT from output VAT in determining their VAT position.

Section 11 of the VAT Act, however, requires taxpayers to keep records of their transactions, operations and imports, and other activities relating to taxable goods and services for the purpose of determining their tax liability. To claim tax deductions, and refunds, or enjoy VAT exemption, a taxpayer must provide sufficient evidence to support its claims.

Facts of the case

TetraPak West Africa Limited (“Tetrapak” or “the Company”) submitted documents to the FIRS to support its claim for zero percent VAT on its exported services, and deduction of input VAT relating to its purchases (for its carton packages) in determining its VAT position. The documents included invoices, bank statements, instructions for payments, customs duty collection pay-in-forms and revenue receipts from the NCS.

The FIRS was not satisfied with the documents the Company provided and, as a consequence, raised additional VAT assessments for the 2010 and 2011 tax years. The additional assessments arose because the FIRS disallowed the amount the Company had claimed as deduction from its receipts for rendering services to its affiliates outside Nigeria. The FIRS recorded a lower input VAT relative to the amount the Company

¹² Appeal No. TAT/LZ/VAT/035/2015

reported in its VAT returns for the 2008 to 2012 tax years. In addition, the FIRS computed interest and penalty charges on the additional assessments.

The Company objected to the additional assessments on the basis that the documents provided were sufficient to enable the FIRS arrive at its VAT position. However, the FIRS refused to amend the assessment. Thus, the Company appealed the FIRS's decision at the TAT to seek answers to the following:

- whether invoices and instructions for payments constitute sufficient evidence of revenue received from exported services
- whether invoices, customs duty collection pay-in-forms and customs revenue receipts constitute sufficient evidence of input VAT, and
- whether interest and penalties begin to accrue from the assessment years or from the date the additional assessments become final and conclusive.

The decision

The TAT held that:

- the FIRS failed to properly review the documents the Company provided; and that their sufficiency could only be established when the documents had been properly reviewed.
- the FIRS wrongly computed penalties and interests on the additional assessment as penalties and interests begin to accrue only when additional assessments have become final and conclusive.



3.3 *Petroleum Profits Tax*

a. *Chevron Nigeria Limited vs FIRS*¹³

Background

Under the PPTA, exploration and production companies are eligible to claim capital allowances on qualifying expenditure incurred in respect of their petroleum operations.

Facts of the case

Chevron Nigeria Limited (“Chevron” or “the Appellant”) incurred certain tangible and intangible drilling costs on behalf of its joint venture (JV) partner, the Nigerian National Petroleum Corporation (“NNPC”), pursuant to the Joint Operating Agreement (“JOA”) between the parties. Chevron treated the intangible drilling costs as allowable deductions in its PPT returns for 2010 and 2011 YOAs, and claimed capital allowances on the tangible costs in the returns.

The Appellant’s position was based on Section 10 of the PPTA, which specifies that all expenses, including intangible drilling costs, incurred wholly, exclusively and necessarily by a company for its petroleum operations, are tax-deductible. The Appellant also noted that Section 20 of the PPTA and Paragraphs 5 and 6 of the Second Schedule to the PPTA, entitled it to claim capital allowances on its qualifying capital expenditure. Therefore, its tax deductions and capital allowances should not be limited to its equity participation in the joint venture, but should be based on its actual costs as stated in the PPTA.

The FIRS (“the Respondent”) disagreed with Chevron’s position, and raised notices of additional assessment on the company. The FIRS argued that the Appellant could only claim capital allowances and tax deductions to the extent of its equity participation (40%) in the JV, regardless of the tangible and intangible drilling costs it actually incurred. In arguing its position, the Respondent relied solely on the JOA between the parties, which states the equity participation of the partners. The Respondent did not argue on points of tax law.

Chevron appealed the additional assessments at the TAT. The key issues in dispute were:

- whether the Appellant can claim capital allowances (i.e. petroleum investment allowance and annual allowance) on the tangible costs incurred on behalf of its JV partner, the NNPC
- whether the Appellant can claim intangible drilling costs it incurred on behalf of NNPC as a deductible expense in its tax returns.

The decision

The Tribunal ruled in favour of the Appellant on the grounds that taxation is strictly based on the provisions of the law and not on contracts or agreements. Accordingly, it (the Tribunal) determined that all expenses wholly, exclusively and necessarily incurred by the Appellant for the purpose of its petroleum operations are deductible.

¹³ Appeal No. TAT/LZ/023/2012

b. South Atlantic Petroleum (and 2 others) vs FIRS¹⁴

Background

The most popular operating structures in the upstream sector of the Nigerian petroleum industry are the joint venture and petroleum sharing contract (PSC) arrangements. The tax deductibility of sole costs incurred by PSC contractors has been a controversial issue.

Facts of the case and the decision

The TAT Lagos Zone ruled in favour of South Atlantic Petroleum and 2 others (“the Appellants”) in their case with the FIRS (“the Respondent”). The issues for determination were:

- whether the sole costs incurred by the Appellants, who are parties to a PSC, are deductible expenses under the PPTA
- whether the Appellants can claim capital allowances on their pre-production (operating) expenses.

The Tribunal stated that the sections (i.e. Sections 8(1)-(2) and 15) of the Deep Offshore Inland Basin Production Sharing Contracts Act relied upon by the FIRS were not relevant to the case. This is because the sections relate to cost recoverability and cost oil allocation, rather than the tax deductibility of expenses.

The Tribunal further stated that the deductibility or otherwise of sole costs could only be determined by reference to Sections 10 and 13 of the PPTA. Consequently, the Tribunal ruled that the sole costs were tax-deductible for the Appellants’ PPT purposes, to the extent that they were incurred wholly, exclusively and necessarily for petroleum operations in line with Section 10 of the PPTA, and were not specifically disallowed under Section 13 of the Act.

On the issue of capital allowances, the Tribunal upheld the Appellants’ argument that Paragraph 2(1) of the Second Schedule to the PPTA, recognised pre-production (operating) expenses as qualifying petroleum expenditure; and Section 20(2) of the Act entitled it to capital allowances on such expenditure.

In view of the above decisions, the Tribunal directed the FIRS to withdraw the notices of additional assessment issued to the Appellants.

¹⁴ Appeal No. TAT/LZ/PPT/037/2015

3.4 Personal Income Tax

a. *StarDeep Water Petroleum Limited vs LIRS*¹⁵

Facts of the case and the decision

The Tax Appeal Tribunal (“the Tribunal”), sitting in Lagos, ruled in favour of StarDeep Water Petroleum Limited (“StarDeep” or “the Appellant”) in its case with the Lagos State Internal Revenue Service (“LIRS” or “the Respondent”). The principal issue in dispute was whether the Appellant was required to account for PAYE tax on the costs reported in its financial statements for 2005 to 2009 FYs in respect of the salaries, wages and other benefits of Chevron Nigeria Limited (CNL) employees that worked for the Appellant under a Master Service Agreement and Cost Sharing Agreement. The emoluments of these employees were paid directly by CNL, but the pro-rated costs relating to the Appellant were recharged to it by CNL in the relevant years.

The LIRS relied on the “manager concept” under the PAYE Regulations, 2002 in arguing that StarDeep had an obligation to deduct and remit PAYE tax on the emoluments of the employees that worked under its supervision, though they were not its employees. On this basis, the Respondent raised a PAYE tax assessment on the Appellant.

Based on the “manager concept” in Regulation 2(3) of the PAYE Regulations, where an employee works under the supervision or management of a person who is not his employer, that person (referred to in the Regulations as the “Manager”) is required to furnish the particulars of the employee’s emoluments to the relevant tax authority (RTA), deduct the tax due from the employee’s emolument, and remit the tax deducted to the RTA.

The Appellant, on its own part, argued that the PAYE Regulations did not apply to it during the years in question because it did not have any employees of its own at the time.

After considering the arguments of both parties, the Tribunal upheld the position of the Appellant that the provisions of the PAYE Regulations did not apply to it during the years under consideration. The Tribunal, therefore, discharged StarDeep of the PAYE tax assessment.

b. *Technip Offshore Nigeria Ltd vs LIRS*¹⁶

Facts of the case and the decision

The Tax Appeal Tribunal (“the Tribunal”), sitting in Lagos, ruled in favour of Technip Offshore Nigeria Limited (“Technip” or “the Company”) in its case with the LIRS. The issues for determination were:

- whether the LIRS was right to apply deemed-income basis of assessment on Technip after it had provided the LIRS with the actual income and records of its employees
- whether the Company was entitled to tax credit in this case.

¹⁵ Appeal No. TAT/LZ/022/2012

¹⁶ Appeal No. TAT/LZ/PIT/005/2015

Technip had initially computed its expatriate employees' PAYE taxes based on deemed incomes imposed by the LIRS during prior years' tax audits. However, during an investigation exercise covering 2006 to 2011 tax years, the Company had relevant documents and information relating to its expatriates' actual income, and thus recomputed its PAYE tax liability on actual income basis. The Company's actual PAYE tax liability for the 2006 to 2011 tax years from the available information was **₦109,144,573.83**. The Company argued that it was entitled to a set-off of **₦47,144,892.00**, having already paid **₦156,289,465.54** to the LIRS based on the PAYE tax computation prepared using deemed income.

The Company further argued that the LIRS's discretion to impose best-of-judgement assessment under Section 54(2)(b) and (3) of PITA was not at large and absolute. According to the company, the tax authority was bound to abandon the deemed-income basis in favour of actual figures when provided by the taxpayer.

The LIRS, on its own part, argued that it relied on the annual returns Technip filed for the relevant period on self-assessment basis, in computing the PAYE tax liability of **₦156,289,465.54** stated in its demand notice.

After considering both parties' arguments, the TAT directed the LIRS to re-examine the records of Technip's expatriate staff with cases of PAYE tax over-deduction, and re-assess the employees based on their actual earnings. The outcome of this re-examination would determine the Company's obligation to pay or its entitlement to tax credit.



ii. Tax administrator's policy decisions

a. *Revocation of WHT rate on construction contracts*

The Minister of Finance, in exercise of her powers under Section 81(8) of the Companies Income Tax Act, has reversed the withholding tax (WHT) rate applicable to all aspects of building, construction and related activities (excluding survey, design and deliveries) from 2.5% to 5%. The reversal was done via the Federal Republic of Nigeria Official Gazette No. 168 of 23 November 2016.

The new Regulations, which have an effective date of 9 November 2016, became publicly available in January 2017.

Taxpayers are to apply the revised WHT rate of 5% with effect from 9 November 2016. However, the delay in making the Gazette publicly available raises concerns about how taxpayers, who might have deducted WHT at 2.5% and made payments to relevant vendors on this basis, would account for the shortfall in WHT deducted. Taxpayers with non-repetitive transactions with relevant vendors may be the most adversely affected by the development, as there may not be any future payments from which to deduct the WHT shortfall. It, therefore, remains to be seen how the FIRS would treat acts of non-compliance arising from the late release of the Gazette to the public.

b. *Restriction of taxpayers from carrying forward WHT credits*

The FIRS management has decided to restrict the WHT credit notes that taxpayers can use to settle their CIT liability to credit notes relating to the basis period for the relevant tax year. In a particular instance, the FIRS's letter to the taxpayer stated that the company could only utilize WHT credit notes relating to its 2015 FY to settle its 2016 CIT liability, and not any of the WHT credits brought forward from prior FYs.

According to the FIRS, transfer of WHT credit notes from one tax year to another will be treated as tax refund under Section 23 of the FIRSEA. For this purpose, the FIRS will carry out a special WHT audit on taxpayers that intend to carry forward WHT credits before such credit transfers can be approved.

The FIRS's position is vulnerable as it seeks to deprive taxpayers of their statutory right to elect whether they want cash refund, or apply their WHT credit notes "for the purpose of collection against the tax charged on such company by an assessment" as provided by Section 81(5) of CITA, or "to set off against future taxes" as provided by Section 81(7) of CITA.

It is elementary knowledge that the FIRS cannot administratively amend any legislation. The right of a company to utilize its WHT credits to offset its current or future tax liability is unconditional. Therefore, subjecting a taxpayer to a "special WHT audit," before its WHT credits relating to prior years can be approved by the FIRS and applied, is not supported by the provision of CITA or FIRSEA. While the FIRS is at liberty to exercise its power to audit a taxpayer before refunding overpaid taxes, the objective of the audit is to determine if the taxpayer has fully discharged all its tax liabilities and is not owing the Government in taxes in any

respect. Therefore, a special WHT audit cannot be subsumed under this power as there is really nothing to audit in WHT credit notes, which the FIRS itself would have issued and captured in its database.

It is expected that the FIRS will reverse itself after receiving representations from taxpayers. The FIRS must not only comply with due process as enshrined in the CIT Act and FIRSEA, but must be seen to do so. Hence, it cannot go out of its way to breach unambiguous provisions of the legislation that it was established to administer. Taxpayers need this comfort, and Nigeria needs it even more to improve its global ranking on the Ease of Paying Taxes index.

c. *Waiver of penalty and interest on tax liabilities from 2013 to 2015*

The FIRS issued a Public Notice in Nigerian dailies on 5 October 2016, waiving penalty and interest on arrears of taxes due between 2013 and 2015 FYs. The waiver was granted in the exercise of the FIRS's powers under Section 85(3) of CITA and Section 32 (3) of the FIRSEA.

To qualify for the waiver, a taxpayer was required to declare its tax indebtedness within 45 days from 5 October 2016 to 24 November 2016. Taxpayers were also required to present an acceptable payment plan for settling the undisputed principal tax liability to the FIRS. The principal liability could either be paid in full or by instalments. However, in the latter instance, the first instalment must be at least 25 percent of the principal amount due.

Based on clarification provided by the FIRS after the issuance of the Notice, it indicated its willingness to also waive penalties and interest charges relating to pre-2013 FY tax liabilities. The FIRS also clarified that it reserved the right to audit the years for which the waiver might be given, and that it would not refund interest and penalty previously paid by any company for years covered by the waiver programme.

d. *Filing of tax returns by taxpayers at tax offices nearest to them*

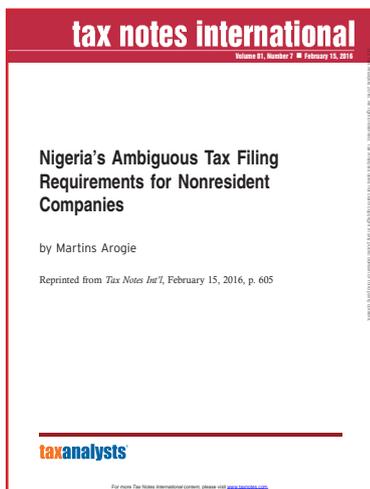
In a Public Notice issued by the FIRS on 5 October 2016, taxpayers can now file their tax returns at the FIRS tax office closest to their place of business or preferred location. Taxpayers, who wish to change their tax office on this basis, are required to notify the Tax Controller of their current tax office of their decision to do so, and request a transfer of their tax files to the new tax office.

We expect this initiative to ease filing of tax returns by taxpayers.



4.0

Featured Articles



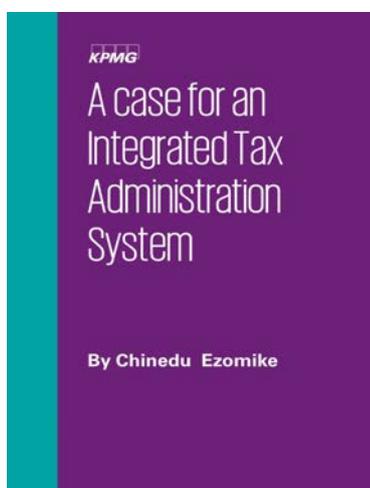
Nigeria's ambiguous tax filing requirements for non-resident companies by Martins Arogie

Many non-resident companies operate directly in Nigeria and pay taxes in the country on the resulting income. Although it is unclear whether NRCs can operate directly based on CAMA provisions, the CITA seems to acknowledge the ability of NRCs to operate in the country. Some CITA provisions, such as those on the commencement of business and the time for filing the first set of tax returns, do not distinguish between NRCs and those incorporated in Nigeria.

You can read the full article at <http://www.taxnotes.com/tax-notes-international/accounting-periods-and-methods/nigerias-ambiguous-tax-filing-requirements-non-resident-companies/2016/02/15/18240956>



Martins Arogie



A case for an Integrated Tax Administration System by Chinedu Ezomike

It is no longer news that the Nigerian Government is experiencing an acute reduction in revenue due to the plunge in the international market price of crude oil. As is usually the case when the country encounters such a challenge, there is a renewed debate on the urgent need to diversify the Nigerian economy. Unfortunately, history has shown that we do not learn from such events, as the Government usually forgets the call for diversification once oil prices rebound.

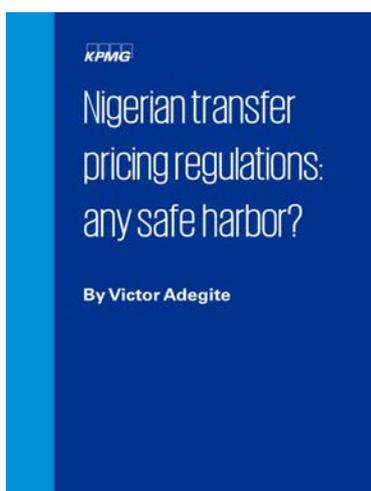
Meanwhile, an analysis of Nigeria's Gross Domestic Product (GDP) figures shows that the Nigerian economy is already well diversified as the oil and gas sector



Chinedu Ezomike

contributes only about 11% to the GDP. However, the sector still accounts for about 70% of the Government revenue and over 90% of foreign exchange earnings. Therefore, the focus should not just be on diversifying the economy but on diversifying the sources of Government revenue.

You can read the full article at <http://www.blog.kpmgafrica.com/creating-an-efficient-tax-system-in-nigeria-a-case-for-implementation-of-the-integrated-tax-administration-system/>



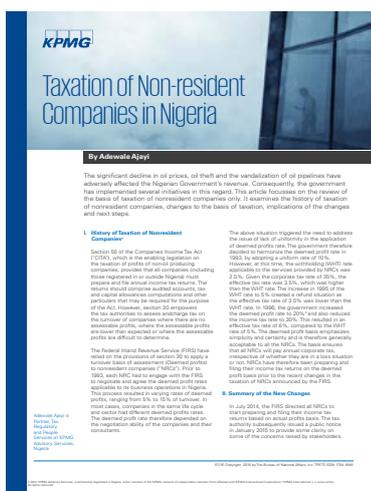
Nigerian transfer pricing regulations: any safe harbour? by Victor Adegite



Victor Adegite

The Nigerian Transfer Pricing (TP) Regulations, officially known as Income Tax (Transfer Pricing) Regulations No 1, 2012, regulates transactions between connected taxable persons (controlled transactions). The Regulations seek to ensure that transactions among connected taxable persons are carried on at arm's length. Applying the arm's length principle to controlled transactions can be a tedious and time consuming process; hence the need to exempt some transactions or categories of taxpayers from transfer pricing rules. This partial or full exemption is known as safe harbour or safe haven provisions. The article examines the safe harbour provisions in the Nigerian transfer pricing Regulations with a view to highlighting matters arising.

You can read the full article at <http://www.blog.kpmgafrica.com/nigerian-transfer-pricing-regulations-any-safe-harbour/>.



Taxation of non-resident companies in Nigeria by Adewale Ajayi



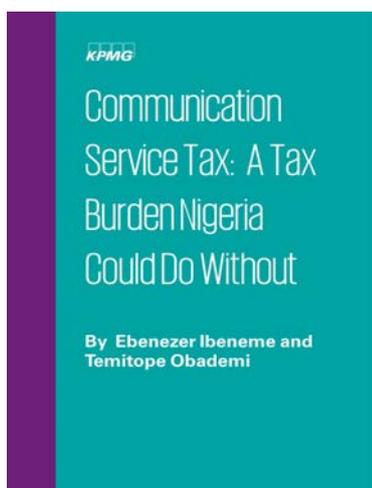
Adewale Ajayi

Section 55 of the Companies Income Tax Act ("CITA"), which is the enabling legislation on the taxation of profits of non-oil producing companies, provides that all companies (including those registered in or outside Nigeria) must prepare and file annual income tax returns. The returns should comprise audited accounts, tax and capital allowances computations and other particulars that may be required for the purpose of the Act.

However, section 30 empowers the tax authorities to assess and charge tax on the turnover of companies where there are no assessable profits, where the assessable profits are lower than expected or where the assessable profits are difficult to determine. The Federal Inland Revenue Service (FIRS) have relied on the provisions of section 30 to apply a turnover basis of assessment (Deemed profits) to nonresident companies ("NRCs").

This article reviews the history of deemed profits and the matters arising from the directive of the FIRS for NRCS to prepare and file tax returns on actual profits basis.

You can read the full article at <https://home.kpmg.com/ng/en/home/insights/2017/01/taxation-of-non-resident-companies-in-nigeria.html>



Communication Service Tax: A Tax Burden Nigeria Could Do Without by Ebenezer Ibeneme and Temitope Obademi

The Finance Minister admitted, during an appearance before the Nigerian Senate, that Nigeria is “technically” in a recession. It is common knowledge that the fall of global crude oil prices in the last two years has drastically affected Nigeria’s economy and this has been further exacerbated by sabotage to oil and gas facilities in the oil-producing Niger Delta region. It is therefore no surprise that the Federal and State Governments have, during this time, focused on generating additional revenue through taxation. Perhaps, the need for increased government revenue was the driving factor in the introduction of the Communication Service Tax Bill, 2015 (the Bill). The Bill, when passed into law, will establish a tax on users of electronic communication services in Nigeria.

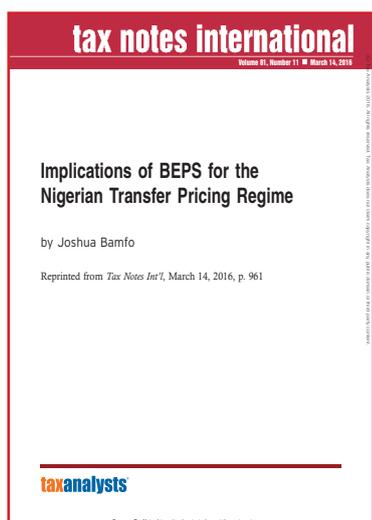


Ebenezer Ibeneme



Temitope Obademi

You can read the full article at <http://www.blog.kpmgafrica.com/communication-service-tax-a-tax-burden-nigeria-could-do-without/>



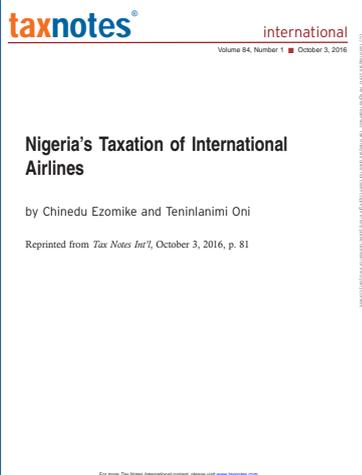
Implications of BEPS for Nigerian Transfer Pricing Regime by Josh Bamfo

The Nigerian transfer pricing regime has undergone significant developments in recent years. The Income Tax (Transfer Pricing) Regulations No. 1, 2012, came into effect on August 2 of that year while the Transfer Pricing Division of the Federal Inland Revenue Service (FIRS) was established in late 2013 to administer the new transfer pricing rules. Just when the FIRS and taxpayers were getting the hang of implementing the regulations, the OECD released the final deliverables on its 15 actions to address the debilitating effects of base erosion and profit shifting worldwide. The key objective of the BEPS project was to provide countries with domestic and international instruments that would better align rights to tax with economic activity.



Josh Bamfo

You can read the full article at <http://www.taxnotes.com/beeps-expert/base-erosion-and-profit-shifting-beeps/implications-beeps-nigerian-transfer-pricing-regime/2016/03/16/18286456>



Nigeria's Taxation of International Airlines by Chinedu Ezomike & Teninlanimi Oni

One of the hot-button issues in the Nigerian aviation industry is determining the proper tax regime for international airlines operating in the country. Ongoing debate stems from the interpretation of the provisions of the Companies Income Tax Act (CITA) regarding the taxation of companies doing business in Nigeria. International airlines have operated in Nigeria for decades and the CITA provisions regarding their taxation have not changed. One might therefore wonder why there is a controversy on a long-standing legal provision. Basically, the government has a renewed focus on taxation as a revenue source.



Chinedu Ezomike



Teninlanimi Oni

Nigeria has long depended on income from the sale of crude oil to fund government expenditures, and inadequate attention was paid to taxation as a veritable source of government revenue. As a result of the drastic reduction in crude oil prices, taxation is now on the front burner.

You can read the full article at <http://www.taxnotes.com/tax-notes-international/tax-policy/nigerias-taxation-international-airlines/2016/10/03/18617861>



Tax amnesty- A viable option for boosting tax revenue by Ehile Adetola Aibangbee & Tozaye Balogun

It is no longer news that the relevance of internally generated revenue (in effect, taxes) to the Nigerian economy has increased considerably since the oil and gas sector fell on hard times. To keep the economy afloat, the Federal Government has, through its revenue collection agency – the Federal Inland Revenue Service (FIRS), initiated several measures to boost revenue generation through tax collection. These measures range from changing the prevailing tax practices and improving tax administration to introducing new taxes and levies.



Ehile Adetola Aibangbee



Tozaye Balogun

Some have been worthwhile, others have proven to be limited in practicability and the rest, flat out ineffective. The current strategy will, at best, achieve modest improvement in tax revenue, as it is focused on existing taxpayers.

You can read the full article at <https://home.kpmg.com/content/dam/kpmg/pdf/2015/12/tnf-nigeria-dec11-2015.pdf>.



Tax Training Programmes

PROGRAMME TITLE	COURSE HIGHLIGHTS & OBJECTIVES	DATE	Fee (Excl.VAT)
Tax Implications of Hedging	This training programme will help participants understand issues such as; hedging instruments and hedged items, alternative hedging strategies, hedge accounting, the tax implications of hedging transactions, strategies for managing tax exposure on gains from hedging.	22 February 2017	₦100,000
Transfer Pricing in Nigeria - Addressing the fundamentals and Compliance Requirements	Non-compliance with the provisions of the Transfer Pricing Regulations could have significant negative implications for companies. This training programme seeks to fully equip businesses with to understand the compliance requirements of the Regulations.	8-9 March	₦150,000
Managing Tax Audits / Tax Investigations	In this course, participants will gain requisite knowledge and skill required to adequately manage tax audits and/or investigations from start to finish.	8 March 2017 15 November 2017	₦100,000
Review of Petroleum Profits Tax (PPT)	This two-day training programme will provide participants with an overview of the Nigerian oil and gas industry ,and help them understand key provisions of the PPT Act, how to prepare PPT computations ,and key issues in managing exposure to PPT.	15-16 March 2017 19-20 July 2017	₦150,000
Introduction to Nigerian Taxes	This training programme is designed to introduce participants to the fundamental principles (legal bases, administration and computation) of Nigerian taxes – Companies Income Tax, Tertiary Education Tax, Personal Income Tax, Value Added Tax and Withholding Tax; as well as relevant and practical issues pertaining to Nigerian taxes.	19-20 April 2017 25-26 October 2017	₦150,000
Managing Personal Income Tax (PIT)	This training programme will help participants understand the legal basis of PIT, how to compute PIT, pay-as-you-earn reporting requirements, and legitimate techniques for managing PIT/PAYE tax exposure.	26 April 2017 11 October 2017	₦100,000
Managing Corporate Taxes	This training programme will focus on corporate tax planning techniques that participants can adopt to legitimately manage the corporate income tax liability of companies doing business in Nigeria.	10 May 2017	₦100,000
Managing Transaction Taxes	This course will equip participants with the knowledge and skill required to effectively manage transaction taxes (i.e., Value Added Tax , Withholding Tax, Capital Gains Tax, Stamp Duties, Custom Duties, etc.) within the ambit of the law.	17 May 2017	₦100,000
Tax and Regulatory Updates	This training programme will apprise participants of recent developments in the Nigerian tax and regulatory space, and highlight the implications of such developments on businesses.	12 July 2017 22 November 2017	₦100,000
TP audits	This training programme apprises participants of the TP audit process, and equips them with the knowledge and skills required to adequately manage TP audits from start to finish.	10 August 2017	₦150,000

Time 9.00a.m to 5.00p.m daily

WHO SHOULD ATTEND?

- Tax controllers and managers, finance controllers and managers, human resource controllers and managers, and related functions with responsibility for tax compliance and administration.
- Tax and Human Resources staff with some form of responsibility for payroll management, PIT/PAYE tax compliance and administration.

Rewards and Immigration Training Programmes

PROGRAMME TITLE	COURSE HIGHLIGHTS & OBJECTIVES	DATE	Fee (Excl.VAT)
Designing Reward Strategies that Drive Business Objectives	The course focuses on key considerations in designing a winning reward strategy that helps to balance external competitiveness, employee needs and business requirements.	7 Mar 2017 15 Aug 2017	₦100,000
Understanding Executive Remuneration	To equip participants with the knowledge and critical skills for designing executive remuneration packages that meet the needs of all stakeholders, while striking a balance between the short term and long term.	8 Mar 2017 12 July 2017	₦150,000
Leveraging Employee Recognition Program for Business Performance	At a time when cost is a big issue for businesses, intangibles, such as Employee Recognition Programmes, remain a powerful cost effective tool for enhancing employee morale and boosting contribution to the workplace. This course looks at recognition as an important value proposition for motivating and retaining key employees, and provides guidelines for proper design and implementation of recognition programmes.	14 Mar 2017 16 May 2017	₦100,000
Fundamentals of Base Pay Structure Design	To equip participants with knowledge and skills to design, maintain and strategically manage base pay programmes, towards achieving internal equity, external competitiveness and cost optimization.	9 May 2017	₦100,000
Managing Expatriate and Immigration Issues	This training programme will enhance the knowledge of participants and their ability to deliver robust migration and mobility support to their respective organisations.	9 May 2017	₦100,000
Pay-for-Performance: Strategies for Driving Employee Engagement	This course covers all the tools available for designing short and long term incentive schemes that offer employees an upside in compensation for the value they help create in critical aspects of an organisation. The schemes covered are bonus, profit sharing, stock options, share appreciation rights, phantom shares etc.	6-7 Jun 2017 3-4 Oct 2017	₦190,000
Optimising Value from Compensation Surveys	To equip Reward and HR practitioners to analyse, interpret and take informed decisions on remuneration survey reports that enhance company success, without exposure to excessive costs and risks.	13 Jun 2017 8 Aug 2017	₦100,000
Managing Total Rewards for Value Creation	This course covers everything that is of value to the employee in an employment relationship and how they can be innovatively combined to drive employees to create value for the business and themselves.	4-5 Jul 2017	₦190,000
Implication of IFRS Adoption for HR & Reward Practitioners	The impact of IFRS adoption transcends accounting and finance. This course examines the implication for HR in the following areas: changes to reward programmes, change management and communication, sourcing the required skills to drive the transition, understanding an IFRS annual report, change in information requirements for audit purposes, etc	11 July 2017	₦100,000
Analytical Skills for HR and Reward Practitioners	Participants will acquire skills for developing and using HR metrics to measure and communicate effectiveness of HR and reward programmes. Also, use of Excel for day-to-day analysis and charts, including understanding of financial statements will be covered.	10 Oct 2017	₦100,000
Time	9.00a.m to 5.00p.m daily		
WHO SHOULD ATTEND?	<ul style="list-style-type: none"> • HR & Reward Practitioners, Managers and Team Leads who typically act as role models for their team • Senior and Executive Management roles that need to enrich and broaden their knowledge on Rewards • Finance functions that liaise with HR for costing, funding and accounting for Rewards programmes • Mobility coordinators 		

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Printed in Nigeria.

Publication name: Nigerian Tax Journal-2017

Publication date: February 2017