

FORM NO. 3CEF

[See sub-rule (2) of rule 10-O]

Annual Compliance Report on Advance Pricing Agreement

To,

The Director General of Income-tax (International Taxation)

New Delhi

Sir/Madam,

I am submitting herewith Annual Compliance Report for the period beginning from dd/mm/yyyy to dd/mm/yyyy for Advance Pricing Agreement entered into between (Name of the taxpayer) and the Central Board of Direct Taxes, *vide* APA Reference No. dated In this regard I give below the necessary information:

1. Particulars of the taxpayer:

a. Full name of the Taxpayer:

b. Permanent Account Number:

c. Address of the Taxpayer:

d. Address for communication:

e. E-mail Id and the contact numbers of the person for correspondence:

2. Type of APA entered into:

a. Have you entered into a unilateral APA or Bilateral APA or Multilateral APA?

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Unilateral

☐

Bilateral

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Multilateral

b. If you have entered into a Bilateral APA or Multilateral APA, provide the names of the country(ies) with which the APA has been entered into.

3. Name(s) of the associated enterprise(s) with which international transactions have been undertaken during the year.

4. Details of Covered Transactions:

- a. Nature of Covered Transaction:
- b. Amount of Covered Transaction:
- c. Country(ies) involved:
- d. Agreed transfer pricing method:
- e. Agreed profit level indicator:
- f. Actual result achieved:
- g. Adjustment required:
- h. How the adjustment if any is reflected in the income-tax return:

5. Are there any changes in the **business model** of the taxpayer in the current financial year as compared to:

- a. Immediately preceding year:
- b. Year immediately preceding to the first year to which APA is applicable:

6. Are there any changes in the **Functional and Risk Profile** of the taxpayer and the associated enterprises in the current financial year as compared to:

- a. Immediately preceding year:
- b. Year immediately preceding to the first year to which APA is applicable:

7. Transfer pricing methodology:

- a. Agreed upon in the APA:

b. Followed during the year to justify the arm's length price of the international transactions covered by APA:

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c. Variations between (a) and (b) above, if any:

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d. Reasons for variations:

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8. Critical assumptions:

a. Agreed upon in the APA:

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b. Whether the critical assumptions have been met during the year or there has been a change in critical assumptions:

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c. Reasons for not meeting the critical assumptions or change in critical assumptions:

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9. Are there any changes in the organisational structure of the taxpayer group by way of amalgamation, acquisition, merger, demerger or sale of business or by any other methods? If yes, please furnish complete details thereof and show its impact on the critical assumptions agreed upon in the APA:

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10. Specify all other terms and conditions agreed upon in the APA and show whether they have been complied with. In case of non-compliance, furnish the reasons thereof:

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I declare that I have examined the information contained in this APA Annual Compliance Report, including the accompanying documents, and to the best of my knowledge and belief, the facts presented within this report and accompanying documents are true, comprehensive and accurate.

Place:

Yours faithfully,

Date:

(Name of the Taxpayer)
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Notes:

1. The Annual Compliance Report shall be filed quadruplicate.
2. The Annual Compliance Report shall be filed for every year covered in the APA Separate report shall be filed for each year.
3. The information relating to “Covered Transaction” in item No. 4 above is required to be furnished for each covered transaction separately.
4. Please attach all documents as agreed upon in the APA to justify the transfer pricing methodology and computation of arm’s length price.