## GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT No. 107 of 2021

## The Income Tax Act

(Laws, Volume 19, Cap 323)

## The Income Tax (Transfer Pricing) (Amendment) Regulations, 2021

IN EXERCISE of the powers contained in sections 97C and 97D of the Income Tax Act, the following Regulations are made:

1. (1) These Regulations may be cited as the Income Tax (Transfer Pricing) (Amendment) Regulations, 2021, and shall be read as one with the Income Tax (Transfer Pricing) Regulations, 2000, in these Regulations referred to as the principal Regulations.

Title and commencement

S.I. No. 20 of

- (2) These Regulations shall come into operation on 1st January, 2022, and shall have effect in relation to the charge of tax for the charge year ending on 31st December, 2022, and to each subsequent charge year.
- 2. Regulation 10 of the principal Regulations is amended by the deletion of the words õsection 97A (2)ö and the substitution therefor of the words õsection 97A (1)ö.

Amendment of Regulation 10

3. Regulation 11 of the principal Regulations is amended by the deletion of the words õsection 97A (2)ö and the substitution therefor of the words õsection 97A (1)ö.

Amendment of Regulation

- 4. Regulation 22A of the principal Regulations is amendedô
  - (a) in sub-regulation (1) by the deletion of the definition of õexcluded multi-national enterprise groupö and the substitution therefor of the following:

Amendment of Regulation 22A

- õexcluded multi-national enterprise groupö means, with respect to an accounting year of the group, a group having a total consolidated group revenue of less than four thousand seven hundred and ninety-five million Kwacha during the accounting year immediately preceding the reporting accounting year as reflected in the group consolidated financial statements for the preceding accounting year;
- (b) by the deletion of subregulation (4) and the substitution therefor of the following:
  - (4) The standard template of a country-by-country report shall beô
    - (a) in the Form set out in the Schedule; and
    - (b) submitted manually or electronically.
    - (c) in subregulation (7) by the deletion of paragraph (d) and the substitution therefor of the following:
    - (d) the State of tax residence of the surrogate parent entity is notified in accordance with this subregulation by the constituent entity resident tax purposes in its jurisdiction, that it is the surrogate parent entity;; and
    - (d) by the deletion of the word õsystemö wherever the word appears and the substitution therefor with the word õsystemicö.

Amendment to the Schedule

5. The principal Regulations are amended by the deletion of the Schedule to the Regulations and the substitution therefor of the Schedule set out in the Appendix.

APPENDIX (Regulation 5)

SCHEDULE (Regulation 22A (4))

Overview of allocation of income, taxes and business by tax jurisdiction

PART I:

	Tangible	Assets other than Cash and Cash	Equivalents						
	Jo	ਲ							
	Number	Employed	ı						
	ted								
	Accumulated	Earnings	ı						
	A	<u>щ</u>							
	tated	Capital	ı						
		1							
	Income	Tax Accrued – Current Year	ı						
	ıe	aid ash							
	Income	Tax Paid (on Cash Basis)							
	(ssc	come	ı						
	enue   Profit (loss)   Income   Income	before income tax	ı						
tierprise Creatpr		[a]							
e Ciron		Total							
	Revenue	Related Party	ı						
(contail ) E	R	Par							
Name of the Multi National En Fixeal year concommed: Cuntancy used:		Unrelated Related Party		+					
of Othe M resur com cy used	tion								
Name c Biscally Cunren	Jurisdiction								

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Other (see "note"

Dormant Instruments Holding Shares or Other Equity Insurance Financial Services Regulated Finance Internal Group List of all the Constituent Entities of the MNE group included in each aggregation per tax jurisdiction Main Business Activity(ies) Services to Trovision of Support Services Management or Administrative, or Distribution Sales, Marketing Production Manufacturing or Procurement Purchasing of Managing Intellectual To gaibloH Research and Development Jurisdiction of Organization Incorporation if Different from Tax Jurisdiction of Residence Constituent Entities Resident in the Tax Jurisdiction Tax Jurisdicti PART II:

## PART II – Additional Information

Name of the Multi-National Enterprise Group:
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Fiscal year concerned: í í í í í í í í í í í í í í í í í
Please include any further brief information or explanation you consider necessary or that would facilitate the understanding of the compulsory information provided in the Country-by-Country Report

DR S. MUSOKOTWANE,
Minister of Finance and National Planning

Lusaka 30th December, 2021 [MFB/64/9/4c]