

FORM NO. 52
[See rule 113]
Annual Compliance Report on Advance Pricing Agreement

Part A: Particulars of the Person			
1.	Name:	(refer Note 1)	
2.	Address:	(refer Note 2)	
3.	Permanent Account Number (PAN):	(refer Note 3)	
4.	E-mail Id:		
5.	Contact Number:	Country Code	Number
6.	Authorised Representative:	(refer Note 4)	
7.	Tax year		

Part B: Other Details				
8.	Acknowledgment Number of Advance Pricing Agreement (APA) application:			
9.	Details of adjustment as per APA for each type of covered international transaction:			
	Sl. No.	Type	Adjustment required as per Annexure A-1 (refer Note 9)	Amount of adjustment made in the return of income
	1.			
	2.			
10.	Other details to be provided as separate Annexure:			(refer Note 9)

Verification
<p>I, _____, hereby affirm that the information provided in this application is true and correct to the best of my knowledge. I have not concealed any relevant fact.</p> <p>I am submitting this application in my capacity as _____ (designation), holding PAN _____ and I am competent to verify _____ and submit this _____ application.</p>

Place:

Signature:

Date:

Name:

Notes:

1. The name shall include full name of the person.
2. The address shall include flat/door/building, road/street/block/sector, area/locality, post office,

- town/city/district, state, country/region and pin code/zip code.
3. The communication address in India shall include flat/door/building, road/street/block/sector, area/locality, post office, town/city/district, state and pin code.
 4. The details of the Authorised Representatives shall include the full name, address, e-mail and contact number of the Authorised Representatives.
 5. The Annual Compliance Report shall be filed for every year covered in the Advance Pricing Agreement (APA). Separate report shall be filed for each year.
 6. The information relating to “covered transaction” above is required to be furnished for each covered transaction separately.
 7. Please attach all documents as agreed upon in the APA to justify the transfer pricing methodology and computation of arm’s length price.
 8. Where the region is a specified territory, the same may be mentioned.
 9. The details to be furnished as per annexure are as under: –

Annexure	Particulars						
A-1	1. Computation of adjustment where operating profit margin (OPM) in relation to the Operating Expense is Profit Level Indicator (PLI)						
	Sl. No.	Particulars	Amount				
	1	Operating Expense as per books of Account	A				
	2	Add: Expense not recorded in the books of account but are required to be added as per APA (pl. specify each item separately)	B				
		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Nature of Expenses</th> <th style="width: 30%;">Amount</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Nature of Expenses	Amount			
Nature of Expenses	Amount						
		Less: Expense recorded in the books of account but are not required to be added as per APA (pl. specify each item separately)	C				
		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Nature of Expenses</th> <th style="width: 30%;">Amount</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Nature of Expenses	Amount			
Nature of Expenses	Amount						
	3	Operating expenses (OE) as per APA (A+B-C)	D				
	4	Operating revenue as per books of Account	E				
	5	Add: Revenue not recorded in the books of account but are required to be added as per APA (pl. specify each item separately)	F				
		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Nature of Revenue</th> <th style="width: 30%;">Amount</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Nature of Revenue	Amount			
Nature of Revenue	Amount						

6	Less: Revenue recorded in the books of account but are not required to be added as per APA (pl. specify each item separately)	G					
	<table border="1"> <tr> <td>Nature of Revenue</td> <td>Amount</td> </tr> <tr> <td></td> <td></td> </tr> </table>	Nature of Revenue	Amount				
Nature of Revenue	Amount						
7	Operating Revenue as per APA (E+F-G)	H					
8	Operating Profit (H-D) as per APA	I					
9	Operating profit (E-A) as per books of Account	J					
10	OPM (I*100/D) as per APA	K					
11	OPM (J*100/D) as per books of Account	L					
12	Variance in OPM (K-L)	M					
13	Amount of adjustment required M*D [@]	N					

@ In case 2 or more transactions are aggregated, the total amount of adjustment as per N in the above table may be shown in any one of the aggregated transactions and for the remaining aggregated transaction the adjustment amount may be mentioned at NIL if no adjustment is required to be made as per secondary check / other check, if any, as per the APA

2. Computation of adjustment where operating profit margin (OPM) in relation to the Operating Revenue is Profit Level Indicator (PLI)

Sl. No.	Particulars		Amount
1	Operating Expense as per books of Account	A	
2	Add: Expense not recorded in the books of account but are required to be added as per APA (pl. specify) A..... B.	B	
3	Less: Expense recorded in the books of account but are not required to be added as per APA (pl. specify) A..... B.	C	
4	Operating expenses (OE) as per APA (A+B-C)	D	
5	Operating revenue as per books of Account	E	
6	Add: Revenue not recorded in the books of account but are required to be added as per APA (pl. specify) A.....	F	

	B.		
7	Less: Revenue recorded in the books of account but are not required to be added as per APA (pl. specify) A..... B.	G	
8	Operating Revenue as per APA (E+F-G)	H	
9	Operating Profit (H-D) as per APA	I	
10	Operating profit (E-A) as per books of Account	J	
11	OPM (I*100/H) as per APA	K	
12	OPM (J*100/H) as per books of Account	L	
13	Variance in OPM (K-L)	M	
14	Amount of adjustment required M*H [@]	N	

@ In case 2 or more transactions are aggregated, the total amount of adjustment as per N in the above table may be shown in any one of the aggregated transactions and for the remaining aggregated transaction the adjustment amount may be mentioned at NIL if no adjustment is required to be made as per secondary check / other check, if any, as per the APA

3. Computation of adjustment in other cases based on amount paid or payable /received or receivable as per APA (UAPA/BAPA/MAPA)

Sl. No.	Particulars	Amount
1	Value of international transaction as per books of account	A
2	Value of international transaction as per APA	B
3	Amount of adjustment required	C

A-2	Critical Assumptions as per APA:		Whether complied with	If no, details thereof
	A- General			
	1	Whether Transfer pricing methodology applied	Yes/No	
	2	Whether the Business activities remained the same		
	3	Whether the Financial, tax and accounting methods have remained the same	Yes/No	
	B- Functions performed, assets employed and risk undertaken (FAR)			
	1	Whether the FAR has materially remained same	Yes/No	
	2	Whether the classification of the Applicant have remained the same	Yes/No	
	C- AE			
	1	Whether any new AE has been added from a jurisdiction notified under section 176 or is resident	Yes /No	

		of no tax or low tax jurisdiction as per rule 86(m).		
	2	Whether any AE has become resident of a jurisdiction notified under section 176 or no tax or low tax jurisdiction as per rule 86(m).	Yes/No	
D- Invoicing and Credit term				
	1	Whether the frequency of raising invoices by the Applicant was as per APA	Yes/No	
	2	Whether the frequency of raising invoices by the AE was as per APA	Yes/No	
	3	Whether the invoices were raised by the Applicant as per the time specified in APA	Yes/No	
	4	Whether the invoices were raised by the AE as per the time specified in APA	Yes/No	
	5	Whether the invoices were realised by the Applicant as per the time specified in APA	Yes/No	
	6	Whether the invoices were paid by the Applicant as per the time specified in APA	Yes/No	
	7	Whether the applicant has offered interest income in case the invoicing and credit terms have not been complied with	Yes/No	
E- Other compliances				
	1	Whether the provisions of 170 have been complied with	Yes/No	
	2	Whether the provisions of 177 have been complied with	Yes/No	
	3	Whether the segmental accounts have been prepared as agreed	Yes/No	
	4	Whether certificate (s) as agreed from management, cost accountant, chartered accountant, chartered engineer and registered valuer have been obtained	Yes/No	
	5	Other critical assumptions as per APA not covered above (Pl. specify) (add row, if required)	Yes/No	
A-3	Whether the documentation as referred to in the APA has been maintained and furnished.		Yes/No	If no, details thereof

10. Some of the information in the form would be pre-filled to the extent possible.

11. The amount mentioned in this form is to be filled in rupees unless stated otherwise.