

IN THE TAX APPEAL TRIBUNAL
NORTH CENTRAL ZONE
SITTING AT JOS
ON THURSDAY, 21st AUGUST 2014
BEFORE THEIR HONOURS

HON. HASHIYA BEN UMAR (MRS)	PRESIDING
HON. OLUSOLA IBIDAPO-OBE (MRS)	COMMISSIONER
HON. JOSEPH O. IHEKWEREME	COMMISSIONER
HON. JIBRIL NGATKYA USENI	COMMISSIONER

APPEAL NO: TAT/NCZ/001/2014

BETWEEN

**FEDERAL INLAND REVENUE
SERVICE.....APPELLANT**

AND

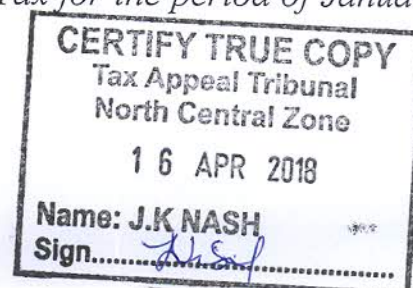
EGBE MICRO FINANCE BANK.....RESPONDENT

JUDGEMENT

By a Notice of Appeal dated the 18th day of February, 2014, the Appellant Federal Inland Revenue Service, sought the following reliefs against the Respondent; Egbe Micro Finance Bank Ltd, under item 3 of the Notice of Appeal, I quote:-

“WHEREOF, the Appellant claims against the Respondent as follows:-

- a. The sum of = N = 6,888,735.55 (Six Million, Eight Hundred and Eighty Eight Thousand, Seven Hundred and Thirty Five Naira, Fifty Five Kobo Only) as the sum of the Value Added Tax for the period of January – December 2008 to Jan-Dec, 2012.*



- b. *Penalty on the Unremitted Value Added Tax of = N = 6,888,735.55 (Six Million, Eight Hundred and Eighty Eight Thousand, Seven Hundred and Thirty Five Naira, Fifty Five Kobo Only) at the rate of 10% per annum from January – December 2008 to and Jan.-Dec 2012 till the total debt is completely liquidated.*
- c. *Interest on the unremitted Value Added Tax of = N = 6,888,735.55 (Six Million, Eight Hundred and Eighty Eight Thousand, Seven Hundred and Thirty Five Naira, Fifty Five Kobo Only) at the rate of 21% per annum from January to December 2012 and January to April 2013 till the total debt is completely liquidated”.*
- d. *Penalty for Non Filing of VAT Returns at the rate of N5,000 (Five Thousand Naira only) per month for the period of 2008 until the Judgement sum is liquidated.*
- e. *The sum of N=565,697.89 (Five Hundred and Sixty-Five Thousand, Six Hundred and Ninety Seven Naira, Eighty Nine Kobo) as Company Income Tax for the period of 2007-20011 years of assessment.*
- f. *Penalty on the unremitted CIT of N=565,697.89 (Five Hundred and Sixty-Five Thousand, Six Hundred and Ninety Seven Naira, Eighty Nine Kobo) at the rate of 10% per annum from the month of July 2013 until the judgement sum is liquidated.*
- g. *Interest on the unremitted CIT of N=565,697.89 (Five Hundred and Sixty-Five Thousand, Six Hundred and Ninety Seven Naira, Eighty Nine Kobo) at the rate of 21% per annum from the month of July 2013 until the judgement sum is liquidated.*

Upon commencement of this matters, Parties had severally requested for, and were granted time to explore possibilities for an out of Tribunal settlement. When the matter came up today, Counsel to the Appellant, Usman Shamaki Esq informed the Tribunal that the Parties had reconciled the figures and reached agreement on payment terms. Counsel then invited the representative of the Appellant Mr. Dennis Tagurum to provide details of the settlement. Mr Dennis Tagurum informed the Tribunal that after reconciliation meetings, the Parties reached agreement on a VAT sum of N640, 500.00 and a penalty of N364,500.00. Accorden to him, the Company Income Tax and Education Tax combined amounted to N565,697.89 and the Respondent paid the said sum

immediately. He further informed the Tribunal that the outstanding sum is now N1,005,000.00 to be paid in 4 equal monthly installments starting September 2014. He added that these terms were agreed and an agreement to that effect duly signed by the Parties. This submission was corroborated by Mr Adeyemi Peter, representing the Respondent.

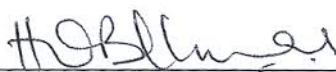
Appellant's Counsel, Usman Shamaki, then prayed the Tribunal to enter the agreed sum as well as the repayment terms as judgement in this matter. Mr Adeyemi Peter informed the Tribunal that he had no objections to this prayer.

Judgement is hereby entered for the Appellant against the Respondent in the sum of N1, 005,000.00 (One Million and Five Thousand Naira) only, being the sum agreed by both parties as VAT and penalty due from the Respondent to the Appellant. The Respondent shall pay the judgement debt by 4 equal monthly installments of N251, 250.00 (Two Hundred and Fifty One Thousand, Two Hundred and Fifty Naira) monthly, from September 2014 to December 2014.

Representation

- Usman Shamaki Esq, with Fatima Grema for the Appellant.
- E.T Komolafe for the Respondent.

DATED AT JOS, THIS 21st DAY OF AUGUST 2014



HON. HASHIYA BEN UMAR (MRS)
(Presiding)

