



**IN THE TAX APPEAL TRIBUNAL
IN THE LAGOS ZONE
HOLDEN AT LAGOS
BEFORE**

K. SOFOLA (SAN) (CHAIRMAN)
C. A. AJAYI (MRS) (HON MEMBER)
D. H. GAPSISO (ESQ) (HON MEMBER)
C. ASUZU (ESQ) (HON MEMBER)
MUSTAFA BULU IBRAHIM (HON MEMBER)

APPEAL NO: TAT/LZ/CIT/067/2014

BETWEEN

MAERSK NIGERIA LIMITED

V

FEDERAL INLAND REVENUE SERVICE

_____ **APPELLANT**

_____ **RESPONDENT**

JUDGMENT

The Appellant commenced this appeal by a Notice of Appeal dated 7th August 2014. The Respondent filed its Respondent's Reply dated 27th November 2014 and hearing subsequently commenced.

Upon conclusion of hearing, both parties expressed their desire to opt for amicable settlement and parties were granted permission by this Honourable Tribunal to pursue out-of-tribunal settlement.

The Parties have met and agreed as follows:



1. That the Appellant's outstanding company income tax liability for the 2007-2011 years of assessment is ₦49,657,936.
2. That the Appellant's outstanding education tax liability for the 2007-2011 years of assessment is ₦3,226,890.
3. That the Appellant's outstanding withholding tax liability for the 2006-2010 years of assessment is ₦26,702,324.
4. Upon this judgment, the Notices of Assessment Nos. LTO/NO/LI/CIT/TISED/SB/GA/ADD/056A-056D for company income tax, LTO/NO/LI/ET/TISED/SB/GA/ADD/056A-056D for education tax, and LTO/NO/LI/WHT/TISED/SB/ADD/021 for withholding tax shall be withdrawn and discharged by the Respondent.
5. As a replacement for the discharged Notice of Assessment Nos: LTO/NO/LI/CIT/TISED/SB/GA/ADD/056A-056D; LTO/NO/LI/ET/TISED/SB/GA/ADD/056A-056D; and LTO/NO/LI/WHT/TISED/SB/ADD/021, the Respondent shall upon this judgment, issue fresh notices of assessment reflecting that:
 - i. the Appellant's outstanding company income tax liability for the 2007-2011 years of assessment is ₦49,657,936.
 - ii. the Appellant's outstanding education tax liability for the 2007-2011 years of assessment is ₦3,226,890.
 - iii. the Appellant's outstanding withholding tax liability for the 2006-2010 years of assessment is ₦26,702,324.
6. The Appellant shall upon the service of the fresh notices of assessment on it, pay the respective sums of ₦49,657,936, ₦3,226,890 and ₦26,702,324 to the Respondent as the balance of its tax liability for the said years of assessment.



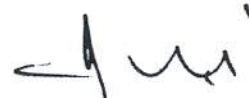
7. Irrespective of the grounds of the Appellant's appeal and the reliefs sought by the Appellant against the Respondent in this appeal No. TAT/LZ/CIT/067/2014, the Appellant shall pay as stated herein, and the Respondent shall accept Appellant's payment of the said ₦49,657,936; ₦3,226,890 and ₦26,702,324 as full and final settlement of the Respondent's claims of outstanding tax payable by the Appellant in respect of the 2006 - 2011 years of assessment.
8. The Respondent shall upon this judgment and the payment of the above sum, stand wholly discharged from any present or future claim (s) or demands by the Respondent arising in any way whatsoever from any matter connected directly or indirectly with payment of tax, penalty or interest due to the Respondent for the years of assessment covered by this appeal.
9. The Parties shall bear their respective legal costs and expenses incurred in the prosecution of this appeal.
10. This is the final judgment of the Honourable Tribunal in this appeal.

Legal Representation:

Ms A. Adewusi with J. Dasun Esq. for the Appellant.

Mrs A. A. Iriogbe for the Respondent.

DATED AT LAGOS THIS 18TH DAY OF MAY 2016



KAYODE SOFOLA SAN

(Chairman)

