

**POSITION DESCRIPTION – October 2023**


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**POSITION TITLE:**     **Principal Auditor [Transfer Pricing]**

**LOCATION:**           **FRCS Head Office, Suva**

**REPORTS TO:**       **Director Intelligence, Compliance & Investigation**

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**THE ORGANIZATION**

The Fiji Revenue and Customs Service (FRCS) is a statutory Service established under the FRCA Act 1998. FRCS is an agent for the State for administration and enforcement of Tax and Customs laws in Fiji. Our Vision is to be a world class Service delivering excellence in revenue collection, border protection, trade, and travel facilitation. Our organizational Values are - One Organization, Leadership, Valuing Employees, Integrity, Results Focus and Partnership Development.

**POSITION PURPOSE**

The Principal Auditor Transfer Pricing is a specialist position is responsible for ensuring compliance for entities engaging in cross border transactions. Responsibilities include the conduct of the transfer pricing risk review, transfer pricing audits, finalising Advance Pricing Agreement (APA), interpret and apply the tax legislation, Double Tax Agreement (DTA), OECD Model Tax Convention & OECD Transfer Pricing Guidelines, preparation for the Mutual Agreement Procedure (MAP), audit of other non-transfer pricing issues/areas, and provide advice on complex transfer pricing issues faced by multinational corporations. The position ensures taxpayer compliance with the Fiji Tax Legislative requirements and protects Fiji’s tax base from possible profit shifting arrangements and complex tax planning by multi-national enterprises (MNE).

As such the role extends beyond the normal audit functions as it requires the officer to conduct extensive research and have extensive economic knowledge of the industry that the taxpayers operate in. This is achieved through dissecting the commercial and financial relations and the economically relevant circumstances of the conditions entered and comparing the economically relevant circumstance of related transactions/entities to those of the independent entities to arrive at the arm’s length.

**KEY ACCOUNTABILITIES**

KEY RESULTS AREAS	KEY RESULTS AREAS
<b>Core Responsibilities</b>	<u>Transfer Pricing Risk Analysis and Audit</u> <ul style="list-style-type: none"> <li>• Undertake taxpayer risk profiling and transfer pricing risk review to identify risk areas for transfer pricing audit</li> <li>• Examination and analysis of transfer pricing documents</li> <li>• Determine business characterisation</li> <li>• Establish business key functions performed, material assets used, important risks assumed, business strategy, market conditions, supply chain and value chain</li> </ul>

- Undertake independent delineation of transaction and functional analysis on business activities based on OECD guidelines
- Undertake in-depth research on industry, relative to the market conditions, business strategy and comparison of economically relevant circumstances to the specific case
- Critique taxpayers benchmarking study
- Selection and application of transfer pricing methodologies
- Undertake independent transfer pricing benchmarking study using specialised external database and calculate the relevant arm's length range
- Testing arm's length outcome for controlled transactions
- Reference to relevant Fiji tax legislations, OECD provisions, and international accounting standards is done throughout the audit process.
- Administrative audit functions such as maintenance of audit files, preparation of briefs and reports, issuing correspondences, amending business returns, and reconciling statements of tax accounts
- Peer review of team cases

#### Advanced Pricing Arrangement (APA)

In addition to the transfer pricing audit functions, the following is required in finalising the APA:

- Undertake review of taxpayers APA application including transfer pricing documentation, financials and group consolidated accounts
- Collate further information from third party sources
- Lead and participate in the negotiation to reach an agreed transfer pricing arrangement for a specified term
- Drafting, reviewing and finalising the APA document
- Administrative functions of preparing Issue Paper and maintenance of APA file
- Conduct annual reviews for APA annual compliance reports

#### Large and International Audits

- Undertake risk profiling to identify risk areas
- Conduct and finalise audit on complex international tax issues in relation to large entities

#### Advisory function

- Provide business support and advise to internal and external stakeholders regarding transfer pricing arrangements with respect to cross-border transactions
- Attend to any internal specific queries in relation to transfer pricing

	<p><u>Additional Tasks</u></p> <ul style="list-style-type: none"> <li>• Liaison with international organisations in the area of transfer pricing</li> <li>• Preparation for Mutual Agreement Procedures</li> <li>• Developing and maintaining internal database on taxpayers engaging in cross border transactions</li> <li>• Attend to any projects undertaken by the Division</li> </ul>
<p><b>PEOPLE, LEADERSHIP AND MANAGEMENT</b></p>	<ul style="list-style-type: none"> <li>• Administration and guidance on the Professional Development Plan for new transfer pricing auditors</li> <li>• Mentor and provide advice to colleagues with issues on cross border transactions and other audit issues</li> <li>• Liaison with international parties on securing assistance and engage in discussions regarding transfer pricing</li> <li>• Prepare educational materials and advice regarding taxpayers transfer pricing obligations</li> <li>• Conduct technical trainings to other teams in the division</li> <li>• Attend internal and externally conducted training as well as self-development via international e-learning platforms</li> <li>• Contribute as part of the Audit Review Panel (ARP) which scrutinizes and approves the audit issues presented by auditors</li> <li>• Participate and contribute as part of the Principal Auditor (PA) forum in discussing grey technical areas and compiling administrative tasks assigned to the PA's</li> <li>• Recommend budget submission for changes to be made to the tax legislation to address/ clarify tax issues that will impact the tax base and recommend changes to the business process</li> <li>• Plan and prepare team budget for expenses relating to the conduct of the core functions</li> <li>• Manage transfer pricing cases; research, discussions, analysis, constantly updating on changes in the international laws and best practises</li> <li>• Facilitate engagement or renewal of database used in conducting industry benchmarking</li> <li>• Additional duties as directed by management</li> </ul>
<p><b>PLANNING, EXECUTION AND REPORTING</b></p>	<ul style="list-style-type: none"> <li>• Prepare and plan audits based on the risk areas identified during the audit profiling and risk review stage, continue updating the plan as and when new issues/risk areas are identified</li> <li>• Ensure the audit is executed based on the audit plan in a timely manner</li> <li>• Liaison with third party sources for gathering information and evidence</li> <li>• Conduct industry benchmarking on local comparable from internally sourced data and international comparable using the subscribed database</li> <li>• Conduct relevant in-depth research on industry, economic conditions, global markets, other tax jurisdictional laws and case laws to support audit position</li> </ul>

	<ul style="list-style-type: none"> <li>• Conduct internal meetings with other FRCS sections as required</li> <li>• Conduct external meetings with taxpayers and third parties</li> <li>• Prepare case briefs and reports as requested by management</li> <li>• Prepare and present audit details and outcomes to the Audit Review Panel</li> <li>• Maintain audit files with proper referencing</li> <li>• Prepare detailed audit report once case is finalised</li> <li>• Ensure that the case details are updated in the NTIS audit module</li> <li>• Ensure audits are completed within the budgeted hours and resources</li> <li>• Adhere to the audit manual and relevant standard operating procedures</li> <li>• Prepare and submit the monthly report</li> <li>• Prepare ad hoc reports as and when required by management and executive team</li> </ul>
<b>SYSTEMS AND PROCESS</b>	<ul style="list-style-type: none"> <li>• Review and provide comments on Standard Interpretation Guideline (SIG)</li> <li>• Review and provide comments on the Audit Standard Operating Procedures (SOP) and audit manuals</li> <li>• Participate and contributed towards the Fiji Tax Legislation rewrites</li> <li>• Create awareness and market the use of subscribed Transfer Pricing database</li> <li>• Improving process via consultation with overseas agencies</li> <li>• Improve audit process in consultation with NTIS</li> <li>• Improve processes in consultation with other internal divisions</li> <li>• Review and Improve Transfer Pricing Guidelines</li> <li>• Contribute towards review/redrafting of transfer pricing regulations</li> <li>• Develop Advance Pricing Arrangement Guideline</li> <li>• Develop Transfer pricing audit manual</li> <li>• Develop standard operating procedure document for transfer pricing functions</li> </ul>
<b>PARTNERSHIP AND CUSTOMER SERVICES</b>	<ul style="list-style-type: none"> <li>• Develop relationship with customers as a platform for customer service, education and awareness</li> <li>• Create public awareness of customer obligation through drafting of public notice</li> <li>• Develop partnership with international agencies to improve service delivery</li> <li>• Engage with other divisions in FRCS to meet work deliverables and facilitate customer service</li> </ul>
<b>MONITORING, AUDIT, INVESTIGATION AND REPORTING</b>	<ul style="list-style-type: none"> <li>• Conduct Transfer Pricing audit; continuous correspondence with taxpayer, analysis of the taxpayers transfer pricing documentation (TPD), critique taxpayers benchmarking studies, develop FRCS independent functional analysis, conduct extensive research on industry and formulate the economic relevant circumstances, conduct independent bench marking studies, test the transfer pricing methods (TPM), determine the arms-length outcome</li> <li>• Propose the findings to the taxpayer and start the negotiation process</li> </ul>

	<ul style="list-style-type: none"> <li>• Prepare for and facilitate negotiations for Advance Pricing Arrangement (APA) by conducting relevant market and economic research, benchmarking and testing the TPM</li> <li>• Prepare for and facilitate negotiations for Mutual Agreement Process (MAP)</li> <li>• Conduct non-transfer pricing audits</li> <li>• The conduct of audit will involve administrative functions such as the maintenance of the audit files, seeking legal opinion if required, issuance of administrative notice, updating facts and evidence worksheet, penalty matrix, preparation of audit reports, presentation to audit review panel (ARP), amendment to the relevant returns and continuous correspondence with the taxpayer</li> <li>• Undertaking and monitoring ad hoc projects assigned by management</li> <li>• Providing guidance and monitoring team members deliverables</li> <li>• Continuous liaison, consultations and discussions with internal stakeholders to assist and strengthen audit stance</li> <li>• Continuous liaison, consultations and discussions with external stakeholders to assist and strengthen audit stance</li> <li>• Ensure to be within the accepted timelines and standards when conducting audits</li> </ul>
<b>RISK MANAGEMENT AND SECURITY</b>	<ul style="list-style-type: none"> <li>• Identify people and organisational risk and report to relevant managers</li> <li>• Liaise with Internal assurance on risk management</li> <li>• Report external threats faced in the conduct of audit functions</li> <li>• Raise any conflict of interest faced in the role as FRCS officer</li> <li>• Ensure compliance with the FRCS Code of Conduct, FRCS Act and relevant policies</li> </ul>
<b>HEALTH, SAFETY AND WELLNESS</b>	<ul style="list-style-type: none"> <li>• Encourage high standards of health, safety and wellness amongst employees</li> <li>• Ensure compliance to relevant Occupational Health and Safety (OHS) obligations and support of health, safety and wellness initiatives are supported and that relevant policies are understood, followed and implemented by employees</li> </ul>

## DELEGATIONS

As may be delegated by management from time to time.

## PERSON SPECIFICATION

Job Title Criteria	Essential	Desirable
<b>Qualifications</b>	<ul style="list-style-type: none"> <li>▪ Post Graduate Diploma in Accounting, Finance, Economics, International Trade or in any related fields</li> </ul>	<ul style="list-style-type: none"> <li>▪ Master's in commerce or related fields.</li> </ul>
<b>Knowledge and Skills</b>	<ul style="list-style-type: none"> <li>▪ Fiji Tax Legislation</li> <li>▪ OECD Model Tax Convention</li> <li>▪ OECD Transfer Pricing Guidelines</li> </ul>	<ul style="list-style-type: none"> <li>▪ International Financial Reporting Standards</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Double Tax Agreements</li> <li>▪ Excellent Communication skills particularly with MNE representatives</li> <li>▪ Conduct extensive research</li> <li>▪ Lead and work within a team</li> <li>▪ Deliver within the timelines</li> <li>▪ Manage multiple complex cases</li> <li>▪ Negotiation Skills</li> <li>▪ Analytical Skills</li> <li>▪ Attention to detail</li> <li>▪ Tax software system literacy</li> <li>▪ Intelligence information gathering</li> <li>▪ Possess business acumen</li> </ul>	
<b>Previous Experience</b>	<ul style="list-style-type: none"> <li>▪ Minimum of 10 Years work experience in Taxation, Audit and related fields of Finance Economics</li> <li>▪ Policy Research and Analysis</li> <li>▪ Sound knowledge of business financial reports and industries</li> <li>▪ Experience in International tax issues</li> </ul>	
<b>Personal Attributes</b>	<ul style="list-style-type: none"> <li>▪ Professionalism</li> <li>▪ Strong Interpersonal Skills</li> <li>▪ Detail oriented</li> <li>▪ Integrity</li> <li>▪ Holistic Thinker</li> <li>▪ Initiative/ Innovative</li> <li>▪ Proactive</li> <li>▪ Result focus</li> <li>▪ Confidence</li> <li>▪ Team player</li> </ul>	

#### ORGANISATIONAL VALUES

<b>V</b>	Valuing Employees
<b>A</b>	Always Customer Focussed
<b>L</b>	Lead by Example
<b>U</b>	Unite in Partnership with Clients, Government and Stakeholders
<b>E</b>	Emphasis on Results

**PERFORMANCE COMPETENCY INDICATORS**

As a Principal Transfer Pricing Specialist at FRCS, your performance is measured through the Organisational Performance Management System. This includes performance outcome criteria for your area of responsibility. These are agreed and reviewed annually with Manager/Director.