

## NOTES AND INSTRUCTIONS – SUPPLEMENTARY FORM (S9)

1. The basis period must be the same as that stated in item 7.2 of the Profits Tax Return.
2. “Multinational enterprise group” means a group that includes:
  - (a) two or more enterprises of which the tax residence is in different jurisdictions; or
  - (b) an enterprise that is resident for tax purposes in one jurisdiction and is subject to tax in another jurisdiction with respect to the business carried out through a permanent establishment in that other jurisdiction.
3. This refers to the total consolidated group revenue as reflected in the group’s consolidated financial statements for the period that ends immediately before the basis period. For a group with its ultimate parent entity resident in Hong Kong, the threshold amount of the total consolidated group revenue is HK\$6.8 billion. For a group with its ultimate parent entity resident in a jurisdiction other than Hong Kong, the threshold amount is the one specified under the laws or regulations of that jurisdiction for country-by-country reporting or an amount equivalent to EUR750 million as at January 2015.
4. “Connected person” means a person as defined in section 14G(1) of the Inland Revenue Ordinance (Cap. 112) (“IRO”).
5. “Total income” means all types of income including lease payment, service income, interest income, exchange gains, hedging gains, other ordinary business income, proceeds from the sale of capital assets and other non-taxable income derived from any business activities of the Corporation.
6. “Gross lease payments” means the aggregate amount of the gross lease payments (whether or not they are periodic payments and including any sum payable under a residual value guarantee) earned by or accrued to the Corporation under the lease during the basis period concerned.
7. “Outgoings and expenses” means the aggregate amount of any outgoings and expenses deductible under Part 4 of the IRO to the extent to which they are incurred during the basis period concerned by the Corporation in the production of the gross lease payments.
8. If the 20% tax base concession applies, the amount of net lease payments earned should be computed as follows:  
(Gross lease payments [section 4.3] – Outgoings and expenses [section 4.4]) x 20%
9. This amount refers to the disposal gain in respect of an aircraft that has been used for carrying out a qualifying aircraft leasing activity for a continuous period of at least three years immediately prior to its disposal and would be treated as a capital gain not chargeable to profits tax.
10. “Concessionary trading receipts” means the trading receipts and other sums in respect of which assessable profits are chargeable at concessionary tax rate under section 14H(1) of the IRO.
11. “Normal trading receipts” means any trading receipts and other sums, other than concessionary trading receipts.
12. The Relevant Activities refer to the core income generating activities undertaken by the Corporation in relation to its business as a qualifying aircraft lessor for producing qualifying profits chargeable at concessionary tax rate.
13. A person is associated with another person if one of the relevant persons was participating in the management, control or capital of the other relevant person, or the same person or persons was or were participating in the management, control or capital of each of the relevant persons.
14. An example of such situation is that the employees concerned were employed by an associated person of the Corporation and were seconded by the associated person to the Corporation for the carrying out of the Relevant Activities. The remunerations of the employees were fully or partially borne by the Corporation.
15. An example of such situation is that an associated person of the Corporation engaged in the provision of services related to aircraft leasing. The Relevant Activities were carried out by the associated person at a fee charged to the Corporation on an arm’s length basis.
16. If associated person(s) was/were involved in the carrying out of the Relevant Activities, the details reported should include those of the employees of the associated person(s) who carried out the Relevant Activities.
17. If associated person(s) was/were involved in the carrying out of the Relevant Activities, the amount of operating expenditure reported should include the remunerations borne by the Corporation in respect of the employees of the associated person(s) who carried out the Relevant Activities (see Note 14), and/or the service fee incurred by the Corporation for the Relevant Activities carried out by the associated person(s) (see Note 15).
18. This supplementary form must be signed by the same person signing the tax return.