

# Gabon

## Overview of CbC reporting requirements

First reporting fiscal year: Commencing on or after 1 January 2017

Consolidated group revenue threshold: XOF 49,967,750,000

Filing deadline: 12 months following the end of the reporting fiscal year

Local filing required: Yes

Surrogate parent entity filing permitted: Yes

First review of the domestic legal framework: 2017/2018

## Summary of recommendations

Area of implementation	Recommendations for improvement
Domestic legal and administrative framework	<p>It is recommended that Gabon finalise its requirements, in particular to:</p> <ul style="list-style-type: none"> <li>complete or introduce the definitions of “Constituent Entity”, “Group” and “MNE Group” which appear to be incomplete or missing, and</li> <li>define the requirements on the content of a CbC report.</li> </ul> <p>It is recommended that Gabon take steps to ensure that local filing only occurs in the circumstances permitted under the minimum standard.</p> <p>It is recommended that Gabon clarify that the annual consolidated group revenue threshold calculation rule applies in line with the OECD guidance on currency fluctuations in respect of an MNE Group whose Ultimate Parent Entity is located in a jurisdiction other than Gabon.</p>
Exchange of information framework	<p>It is recommended that Gabon take steps to have qualifying competent authority agreements in effect with jurisdictions of the Inclusive Framework that meet the confidentiality, consistency and appropriate use conditions and with which Gabon has an international exchange of information agreement in effect that allows for the automatic exchange of tax information.</p> <p>It is recommended that Gabon take steps to implement the necessary processes or written procedures to ensure that the exchange of information is conducted in a manner consistent with the terms of reference relating to the exchange of information framework.</p>
Appropriate use	<p>It is recommended that Gabon take steps to ensure that the appropriate use condition is met ahead of the first exchanges of information.</p>

## The domestic legal and administrative framework

It is recommended that Gabon finalise its requirements particularly to:

- complete or introduce the definitions of “Constituent Entity”, “Group” and “MNE Group” which appear to be incomplete or missing, and
- define the requirements on the content of a CbC report.

This recommendation remains in place since the 2017/2018 peer review.

Gabon has a legislative requirement for local filing which is in effect despite Gabon not yet meeting all of the consistency, confidentiality and appropriate use conditions. It is therefore recommended that Gabon take steps to ensure that local filing only occurs in the circumstances permitted under the minimum standard.

Where the MNE Group draws up, or would draw up, its Consolidated Financial Statements in a currency other than that specified by Gabon, the reference to Gabon's threshold has the effect as if it were a reference to the equivalent in that currency at the average exchange rate for the accounting period. While this provision would not create an issue for MNE Groups whose Ultimate Parent Entity is a tax resident in Gabon, it may be incompatible with the guidance on currency fluctuations for MNE Groups whose Ultimate Parent Entity is located in another jurisdiction, if local filing requirements were applied in respect of a Constituent Entity (which is a Gabon tax resident) of an MNE Group which does not reach the threshold as determined in the jurisdiction of the Ultimate Parent Entity of such a Group.

This is an unintended consequence of having a local filing requirement and it is therefore recommended that Gabon clarify that the annual consolidated group revenue threshold calculation rule applies in line with the OECD guidance on currency fluctuations in respect of an MNE Group whose Ultimate Parent Entity is located in a jurisdiction other than Gabon.

### The exchange of information framework

Gabon has no bilateral relationships in place for the exchange of CbC reports nor processes to ensure that the exchange of information is conducted in a manner consistent with the terms of reference relating to the exchange of information framework.

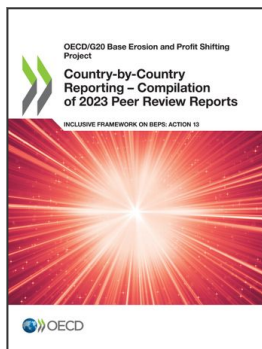
It is recommended that Gabon take steps to have qualifying competent authority agreements in effect with jurisdictions of the Inclusive Framework that meet the confidentiality, consistency and appropriate use conditions and with which Gabon has an international exchange of information agreement in effect that allows for the automatic exchange of tax information. This recommendation remains in place since the 2017/2018 peer review.

It is recommended that Gabon take steps to implement the necessary processes or written procedures to ensure that the exchange of information is conducted in a manner consistent with the terms of reference relating to the exchange of information framework. This recommendation remains in place since the 2018/2019 peer review.

### Appropriate use of CbC reports

Gabon does not yet have controls in place to ensure the appropriate use of CbC reports.

It is recommended that Gabon take steps to ensure that the appropriate use condition is met ahead of the first exchanges of information. This recommendation remains in place since the 2017/2018 peer review.



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