

Rödl & Partner

PROVIDING ORIENTATION

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OECD Master File concept and CbC-Reporting –
international documentation requirements



Foreword

Dear Reader,

The BEPS Action Plan adopted more than 10 years ago addressed Base Erosion and Profit Shifting (BEPS) by Multinational Enterprise (MNE) groups and dealt with transfer pricing issues directly in four points of action. After the final report on Action 13 (“Transfer Pricing Documentation and Country- by-Country Reporting“) was published by the OECD in 2015, the three-tiered documentation approach consisting of Master File, Local File and Country by-Country Reporting can again be found in the OECD Transfer Pricing Guidelines (last updated in January 2022). Ten years after the BEPS Action Plan was published almost all developed countries and many of the so-called developing countries have implemented the three-tiered documentation concept into national law.

Many companies consider documentation obligations as a bureaucratic burden and often attach only minor importance to them. This misestimation usually leads to significant noncompliance costs in the event of a tax audit at the latest. Our many years of experience have shown that in tax audits all over the world, correct transfer pricing documentation prepared in due time is still key to minimizing these costs.

A necessary fundamental condition for this is, first of all, the knowledge of the statutory deadlines not only for filing all required documentation but also for possible notification obligations or similar.

With this publication, we would like to provide you with some guidance by presenting an overview of all relevant deadlines and provisions in more than 62 countries.

Please do not hesitate to contact our international transfer pricing group at Rödl & Partner if you need further support with the assessment of or compliance with the documentation obligations in your company group.

Sincerely yours



Michael Scharf



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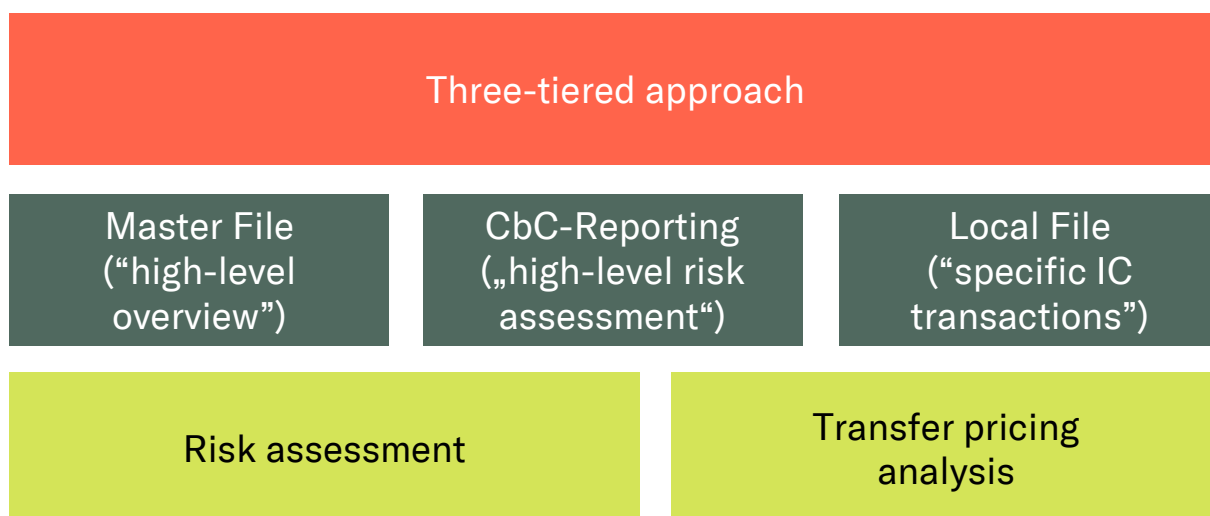
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Documentation

Transfer Pricing Documentation and Country-by-Country Reporting

The three-tiered documentation approach of the OECD consists of a Master File, a Local File and Country-by-Country Reporting (CbCR). The main idea is to improve transparency for tax administrations by providing sufficient information for the performance of risk assessments and transfer pricing inquiries. In addition, standardization aims, on the one hand, at reducing compliance costs of companies and, on the other hand, at simplifying the exchange of data and information between countries.



The Master File should provide a general overview of the MNE group business, placing the MNE group's pricing practices in a general economic, legal, financial and tax context. Compared to already existing Master File concepts, the chapters on intangible assets and financing in particular are new. In contrast to the Master File, the Local File provides information relating to intercompany transactions and is specifically related to the domestic taxpayer. The third component of the three-tiered approach is CbC Reporting, i.e. a country-specific report, which is generally compiled only by MNE groups with annual consolidated group revenue exceeding 750 million EUR. The CbC Reporting requires the MNE group to report aggregated information related to the global allocation of income, taxes paid, and certain indicators of economic activity for each country in which it operates.

The Master File and CbC Reporting will be helpful tools for risk assessment by tax authorities. However, the Local File will enable a more detailed transfer pricing analysis.

Documentation

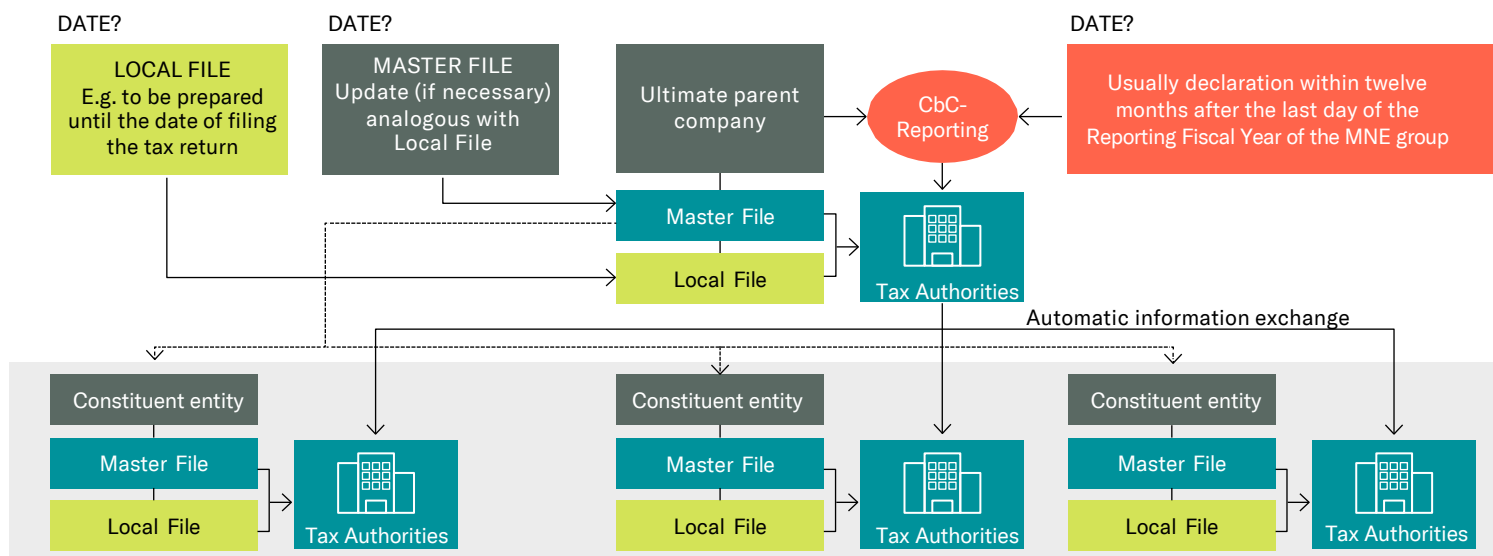


Illustration of the flow of information between the members of a MNE group and the tax authorities in a three-tier reporting structure.

In practice, the ultimate parent company is generally required to prepare the Master File and share it with the constituent entities in order to comply with the documentation requirements under tax law. The ultimate parent company has access to all essential tax information across all components. Depending on the existing intercompany transactions, the Local Files can be filed centrally by the ultimate parent company or can be independently filed by the local companies. The more interlinked and versatile the intercompany transactions between the individual constituent entities are, the less the centralization of information filing will be feasible. In general, the ultimate parent company of a MNE group is obligated to file a CbC report in the country where it is resident for tax purposes. The OECD concept provides that the competent authority in the country of residence of the ultimate parent company of a MNE group transfers the CbC reporting as part of an automatic information exchange process to all other countries in which the MNE group carries out business through subsidiaries or permanent establishments.

Most countries have implemented the three-tiered documentation approach in domestic law. Despite the basic idea of standardization, numerous local special features and deviations have emerged in the meantime which must be considered separately in transfer pricing documentation. Moreover, the implementation of public CbC Reporting means even greater transparency of information and taxation in the future, extending also to public insight into sensitive tax data. Therefore we continue to recommend understanding the transfer pricing issue not only as a compliance task but also as an opportunity to present the group to all stakeholders. Should you need support, please feel free to contact our experienced international transfer pricing group at Rödl & Partner.

Service Portfolio

Rödl & Partner's transfer pricing service line supports its international clients worldwide in the individual structuring, documentation and defence of cross-border business relationships within the group of companies. We work together, closely interlinked across all service lines. We think from a market perspective, where a tax team possesses all the capabilities to be successful and to realise the client's goals.

Rödl & Partner has many years of experience in supporting multinational enterprise groups in the area of transfer pricing. Together with our colleagues in over 50 countries, we can advise you in the following areas, also based on cross-border collaboration, if required:

<h3>Health Check</h3>  <ul style="list-style-type: none">- IC Maturity Check- Optimisation potential- Tax risk assessment- System design- Interface design	<h3>Digital Solutions</h3>  <ul style="list-style-type: none">- Transaction matrix- Segmentation- TP Controlling- Simulation- ERP-Integration- BI /Analytics- Digital agenda	<h3>Documentation</h3>  <ul style="list-style-type: none">- Master File- Local Files- Global coordination- Digital Realisation- Management of Due Dates	<h3>CbCR</h3>  <ul style="list-style-type: none">- Data generation- Data preparation- Report generation- Conversion to XML format- Transfer- CbCR risk analysis
<h3>Arm's length comparison</h3>  <ul style="list-style-type: none">- Selection of the type and scope of arm's length transactions- Benchmarking- Rating- Valuation- Adjustment calculations	<h3>Operational TP</h3>  <ul style="list-style-type: none">- SWOT analysis- Process recording- Roadmap to excellence- Best Practice Workshops- Coaching	<h3>Defence TP</h3>  <ul style="list-style-type: none">- Tax audit- Joint Audit- Mutual agreement procedure- APA- Objection procedure- Lawsuit	<h3>Legal TP</h3>  <ul style="list-style-type: none">- Procedural law- Duties to cooperate- Reporting requirements- Burden of proof- Usability- Access rights concerning tax audit- Data protection

Your added value

GUIDING

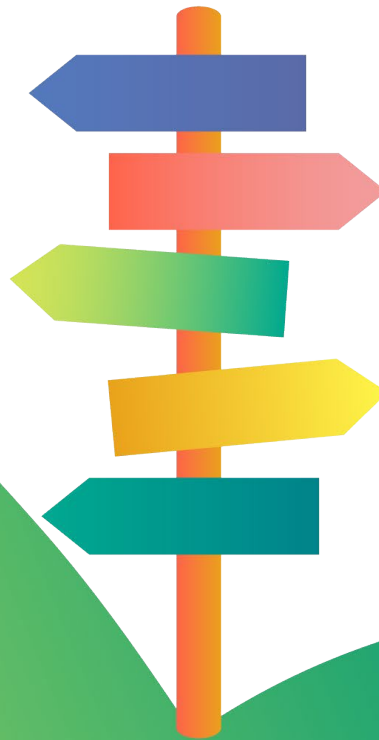
We will be happy to prepare an overview of global documentation obligations individually tailored to the needs of your company group. We will give you specific advice relating to the following questions:

General information:

- Have the OECD Master File concept and CbC Reporting been implemented into national law?
- Does a separate (deviating) national documentation concept exist?
- Since when has the OECD approach been implemented?

Specific information for your operational transfer pricing management:

- What thresholds trigger the documentation obligation or in which countries is it possible to initially refrain from preparing documentation?
- What (additional) national deadlines for notification, preparation and filing should be observed?
- In what language may the documentation be filed?



Hot topics

Latest developments

Pillar Two

As part of the OECD/G20 BEPS project to combat tax avoidance, Pillar II, also known as the Global Anti-Base Erosion (GloBE) rules, introduces a global minimum tax rate of 15% for multinational companies with consolidated revenues of over 750 million euros. These rules aim to ensure that large multinational companies pay at least this tax rate in every country where they operate. On October 28, 2024, The European Commission adopted a DAC 9 Directive proposal. This proposal regulates the cross-border exchange of the global minimum tax report between EU member states. The member state of the ultimate parent entity (UPE) receives the full minimum tax report, while other member states receive relevant parts depending on the implementation of Pillar Two or QDMTT (Qualified Domestic Top Up Tax). The exchange generally takes place three months after the submission deadline, and six months in the first year. The minimum tax report is to be standardized within the EU.

Pillar One - Amount B

As part of the OECD's Two-Pillar Solution, the developed approach of Amount B aims to simplify and better target the application of the arm's length principle for basic marketing and distribution activities. Jurisdictions can apply the approach for fiscal years beginning on or after January 1, 2025. The adoption of Amount B is still under consideration by many members of the Inclusive Framework, and the OECD will maintain a list of countries that implement Amount B. On January 24, 2025, the OECD published a consolidated report on Pillar One Amount B. This report summarizes previously published documents, specifically:

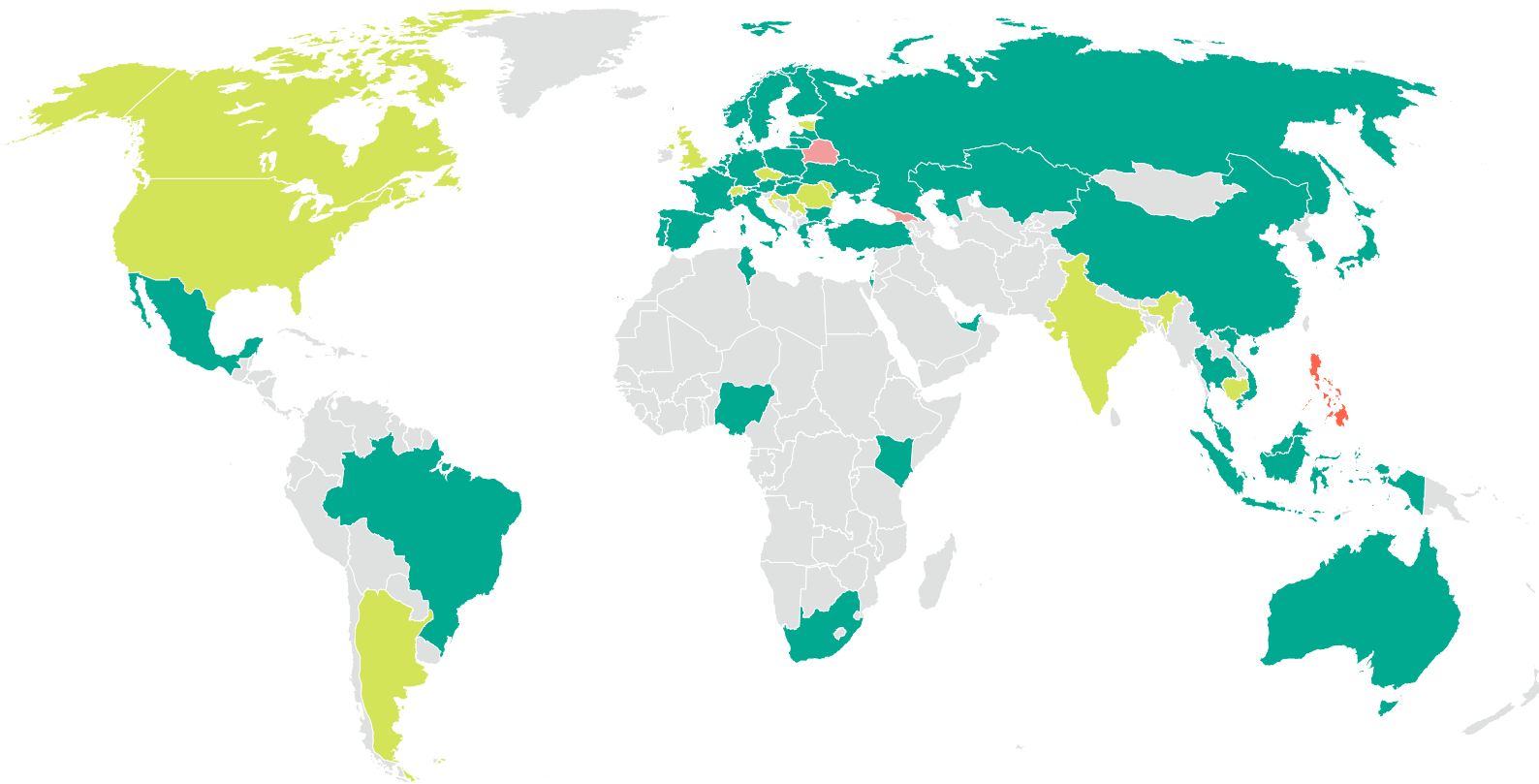
- Part I, Pillar One – Amount B (February 19, 2024);
- Part II, Statements on the definitions of "covered jurisdiction" and "qualifying jurisdiction" (June 17, 2024); and
- Part III, Model Competent Authority Agreement on the Application of Amount B (September 26, 2024).

EU Public CbCR

The European Union (EU) has introduced requirements for MNEs that are already subject to the OECD's country-by-country reporting requirements. These new EU Public CbCR regulations require MNEs to create and publicly disclose a new income tax dataset. On December 2, 2024, the European Commission published the final version of the template and data schema, which will come into effect for financial years beginning on or after January 1, 2025. All EU-based groups must create their EU Public CbCR and disclose it in their respective member state's official EU register as an XHTML dataset with iXBRL markup. Non-EU-based groups have the option to create an XHTML dataset and disclose it in an official EU public register.

BEPS Action 13 state of implementation in selected countries

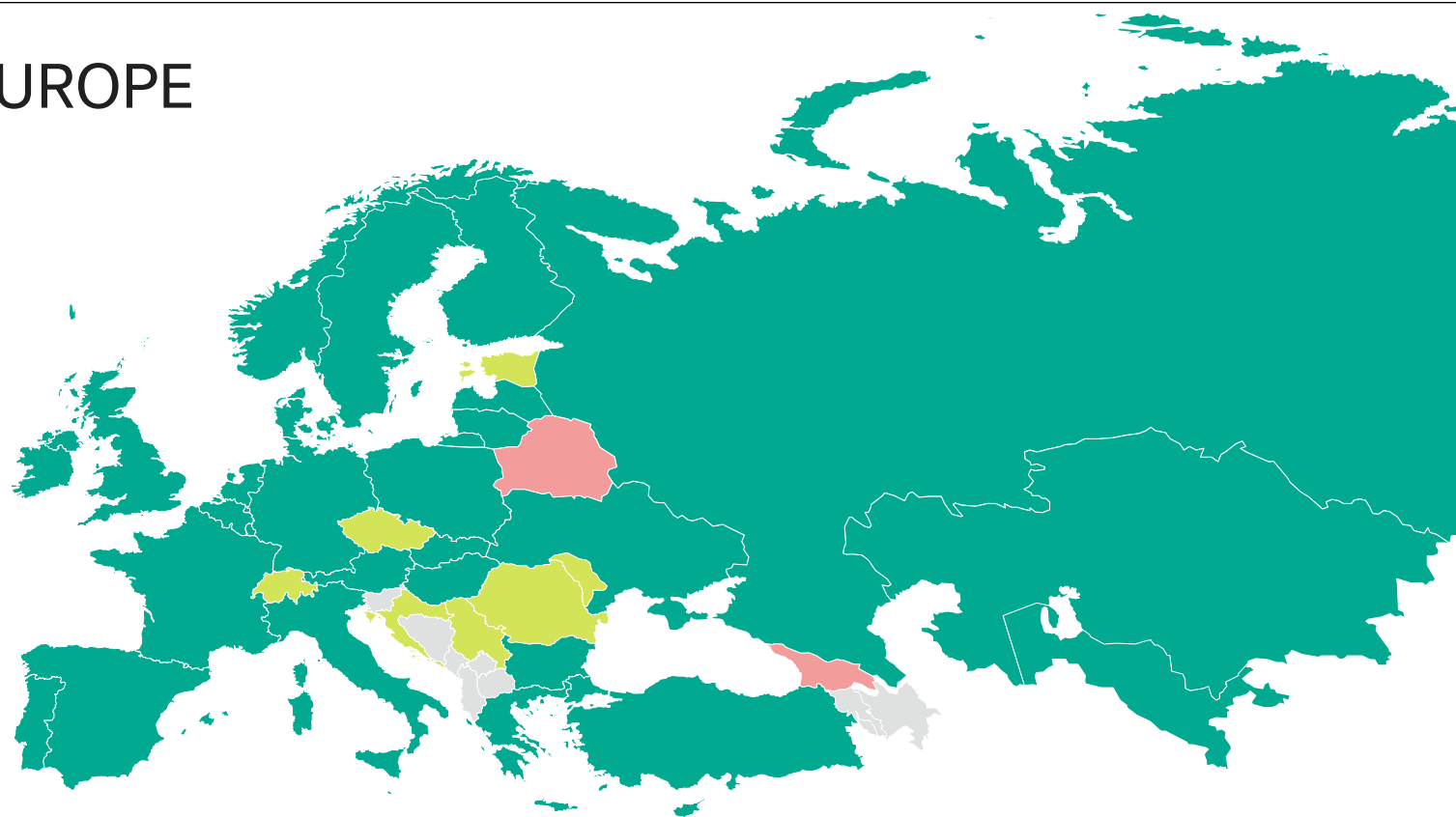
WORLD



- | | |
|---|--|
| ■ Argentina | ■ Nigeria |
| ■ Australia | ■ Philippines |
| ■ Brazil | ■ Russia |
| ■ Cambodia | ■ Singapore |
| ■ Canada | ■ South Africa |
| ■ China | ■ South Korea |
| ■ Georgia | ■ Thailand |
| ■ Hong Kong (S.A.R.) | ■ Tunisia |
| ■ India | ■ United Arab Emirates |
| ■ Indonesia | ■ USA |
| ■ Israel | ■ Vietnam |
| ■ Japan | |
| ■ Kazakhstan | <hr/> |
| ■ Kenya | ■ Implemented |
| ■ Malaysia | ■ Partially implemented |
| ■ Mexico | ■ Implementation expected |
| | ■ No implementation |

BEPS Action 13 state of implementation in selected countries

EUROPE



Austria	Netherlands
Belarus	Norway
Belgium	Poland
Bulgaria	Portugal
Croatia	Republic Moldova
Cyprus	Romania
Czech Republic	Serbia
Denmark	Slovakia
Estonia	Slovenia
Finland	Spain
France	Sweden
Germany	Switzerland
Greece	Turkey
Hungary	Ukraine
Ireland	United Kingdom
Italy	
Latvia	<hr/>
Lichtenstein	Implemented
Lithuania	Partially implemented
Luxembourg	Implementation expected
	No implementation



Argentina

Master File	Local File	CbCR
<ul style="list-style-type: none"> - The Master File has been implemented for FYs starting from 1 January 2018. - Thresholds: <ul style="list-style-type: none"> - The taxpayer is a member of a MNE Group with consolidated revenue higher than ARS 4 billion in the previous fiscal year; and - The transactions carried out with foreign associated enterprises exceed ARS 3 million (jointly) or ARS 300,000 (individually). - Language: Spanish only. - Penalties: Up to ARS 45,000 for non-compliance with the submission deadline. 	<ul style="list-style-type: none"> - In Argentina, a Local File (called TP Report or Study) has been in place since the fiscal year 1999. - Although it is not completely in line with BEPS 13, it contains – to a certain extent – similar information. - Thresholds: Transactions with foreign associated enterprises and/or transactions with counterparties located in noncooperative jurisdictions or in low or nil-tax jurisdictions exceed ARS 3 million (jointly) or ARS 300,000 (individually). - Submission deadline: Between the 23rd and the 27th day of the sixth month following the end of the fiscal year. - Duty of notification: Not applicable. - Also an informative statement of transactions must be filed, when the following thresholds are met: <ul style="list-style-type: none"> - Transactions with foreign associated enterprises and/or transactions with counterparties located in non-cooperative jurisdictions or in low- or nil-tax jurisdictions exceed ARS 3 million (jointly) or ARS 300,000 (individually); or - Exports and imports with independent parties exceed ARS 10 million (jointly). - Penalties: <ul style="list-style-type: none"> - Non-submission of information regarding transactions with foreign associated enterprises will result in a fine of ARS 10,000 (ARS 20,000 for foreign-owned taxpayers). - Failure to submit information regarding exports and imports with independent parties will result in a fine of ARS 1,500 (ARS 9,000 for foreign-owned taxpayers). 	<ul style="list-style-type: none"> - The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2017. - Threshold: Consolidated revenue of at least EUR 750 million in the previous year. - Preparation and submission deadline: Submission within twelve months of the end of the fiscal year. - Language: Spanish - Surrogate filing: Has been implemented - Secondary filing: Has been implemented - Duty of notification: Within three months of the end of the fiscal year on the website of the Argentinian tax authority. In addition, a secondary notification must be filed within two months of the CbCR submission deadline, which must contain a specific date of submission by a foreign entity. - Penalties: <ul style="list-style-type: none"> - A fine ranging between ARS 80,000 and ARS 200,000 for failure to notify; - In the case of failure to submit, the fine ranges between ARS 600,000 and ARS 900,000. - In addition, taxpayers will be subject to further sanctions: <ul style="list-style-type: none"> - Increased risk of tax audits in the future; - Suspension or exclusion from specific tax registers; and - Suspension from the applications to obtain exemption from the withholding tax. - Argentina is a signatory of Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”). - A TXT format similar to the OECD’s XML format has been implemented for data submission.



Australia



Master File

- The Master File concept according to BEPS Action 13 is incorporated into the domestic legislation.
- A CbC Reporting Entity is required to provide the Australian Taxation Office (ATO) with an English version of the Master File prepared by the CbC Reporting Parent.
- The Master File must be submitted electronically as an attachment to the Local File.
- Exemptions are possible in limited cases only (e.g., for the first year if the foreign parent is in a jurisdiction which has not yet adopted the Master File concept). Exemptions must be applied for and are not automatic.

Local File

- The Local File must be lodged by CbC Reporting Entities in a prescribed electronic format which is unique to Australia. There is a “short form” for companies which are characterized as small in Australia and satisfy the relevant eligibility criteria.
- Local File requirements are separate from the local Transfer Pricing Documentation requirements in Australia which apply to all entities in general, although there is a Simplified Transfer Pricing Documentation Option available for specific small local entities. It is therefore necessary both to meet the local documentation requirements (which apply to all companies) and to create the local file.
- Also, there is a requirement for CbC Reporting Entities to lodge General Purpose Financial Statements (GPFS) with the ATO at the time of lodging the annual company tax return unless they have already been lodged with the corporate regulator.

CbCR

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Language: Only in English
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: An entity is required to file notification of the lodgment of the CbC Report within 12 months of the year-end.
- Australia is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD’s XML format for data submission has been implemented.

– Requirements / thresholds:

- The above Master File, Local File and CbCR obligations all apply to a “CbC Reporting Entity” which is a member of a consolidated group of entities with a CbC Reporting Parent which generated annual consolidated revenue exceeding AUD 1 billion in the previous year. The status of a CbC reporting entity is reported in the annual company tax return (generally 6.5 months of the year-end).
- Preparation and submission deadline: Within twelve months of the end of the fiscal year (or within 12 months of year end of the parent where this differs to the reporting entity).
- The concept of a “Significant Global Entity” (SGE) extend to include groups headed by individuals or otherwise where no formal accounting consolidation is required. The SGE status involves additional integrity rules and the following stricter penalties:
 - Failure to file on time results in penalties of up to AUD 825,000 per filing obligation.
 - False or misleading statements can be fined at up to 150% of the tax shortfall or, if there is no shortfall, with a penalty of AUD 39,600. The penalty may be reduced if an adequate argumentation is presented.
 - Penalties arising from Transfer pricing adjustments may be reduced if local Transfer Pricing documentation requirements are met before the annual tax return is filed.
 - Penalty amounts are expected to increase again on 1 July 2026 under a three-year indexation cycle.



Austria

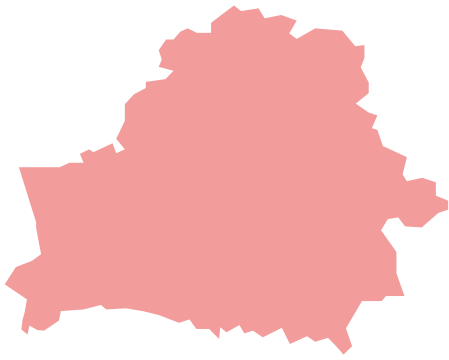
Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Requirements / thresholds:
 - An Austrian entity is part of a MNE group; and
 - The Austrian entity's revenue exceeded the amount of EUR 50 million in each of the two preceding years.
 - If the thresholds are not exceeded in Austria, the tax authorities may request the submission of a Master File if a Master File has been prepared by another group entity.
 - Even if the revenue is below the threshold, Transfer Pricing Documentation must be prepared based on the general recording and cooperation obligations of the taxpayer (§§124, 131 and 138 BAO).
- Preparation and submission deadline: The transfer pricing documentation must be prepared at the latest at the time of filing the tax return and provided to the tax authorities within 30 days upon request.
- Submission deadline: Upon request, within 30 days.
- Language: German or English.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Annual consolidated group revenue of at least EUR 750 million in the previous year.
- Preparation and submission deadline: No later than twelve months of the end of the fiscal year.
- Language: English
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: By the end of the fiscal year (form VPDG 1, electronically via FinanzOnline). For FY starting from 1 January 2022 onwards, a CbC notification only must be sent, when changes occurred.
- Penalties: Up to EUR 50,000.
- Austria is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Belarus

Master File

Local File

CbCR

- The Master File concept under BEPS Action 13 has not been incorporated into the domestic legislation. The Master File concept does not contravene the local legislation and is largely accepted.
- Local documentation requirements:
 - A documentation requirement applies to “large” taxpayers (annual revenue exceeding EUR 60 million) with a volume of export transactions with affiliated persons of more than BYN 2 million (EUR 580,000) during the year; or
 - Other taxpayers who are involved in “strategic” goods export transactions (crude oil and oil products, natural gas, potassium, raw wood, steel) with affiliated persons in the same volume (EUR 580,000 per year). The documentation must be prepared after the end of the fiscal year and submitted upon request. It may be requested by the tax authorities at any time starting from 1 August of the following year.
 - In the following cases a short version of the documentation (“economic justification”) must be submitted upon request (early preparation is not required):
 - Acquisition or sale of goods or services, lending of property, sale of securities, granting of loans by or to an offshore entity, or an affiliated foreign-domiciled person, or an affiliated entity which is CIT tax exempt in Belarus, with a transaction volume exceeding BYN 0.4 million (EUR 116,000) within a calendar year; or
 - Real estate transactions with an affiliated person or (regardless of the transaction volume). The economic justification should be provided upon request within the time limit specified by the tax authority (as a rule – ten working days).
 - Penalties: No sanctions are imposed for the missing documentation, but the tax authority may, on the basis of its own calculation, request the additional payment of corporate income tax.
- Requirements as to the content and form of the documentation/economic justification:
 - The documentation/economic justification must be prepared in accordance with the statutory template, but the submission of any additional information is explicitly permitted.
 - The statutory template for documentation/economic justification is a one-tier document (no differentiation between Master File and Local File, no CbCR).
 - Language: Russian or Belarusian

- The CbCR according to BEPS Action 13 has not been implemented yet.
- Documentation standards are gradually converging with the OECD formats, but there has been a slowdown since 2022.



Belgium

Master File

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Requirements/ thresholds: A Master File must be filed if the Belgian constituent entity exceeds one of the following criteria for the fiscal year immediately preceding the most recently closed fiscal year:
 - Total operating and financial revenue of more than EUR 50 million per Belgian constituent entity (excl. non-recurring revenue); or
 - Balance sheet total of more than EUR 1 billion per Belgian constituent entity; or
 - Annual average of more than 100 full-time equivalents (employees) per Belgian constituent entity.
- Preparation and submission deadline: Within twelve months of the end of the fiscal year of the MNE group.
- Language: English, French, Dutch, German
- Penalties: Failure to comply with the submission deadline can result in a fine ranging between EUR 1,250 and EUR 25,000 as from the second violation in the event that the violation was not committed in bad faith. If the violation was committed in bad faith, the fine amounts to EUR 12,500 for the first violation and EUR 25,000 as from the second violation.
- XML format for submission has been implemented.
- Note: If an MNE group has multiple Belgian constituent entities, each Belgian constituent entity that exceeds the thresholds for filing the Master File, must separately file the same Master File. The law does not permit for a single submission by one Belgian constituent entity covering the obligation of all Belgian constituent entities.

Local File

- Requirements/ thresholds: The same requirements as in the case of the Master File.
- Submission deadline: The Local File must be filed by the same submission deadline as the Corporate Income Tax Return of the Belgian constituent entity relating to the fiscal year. (Please note: The Corporate Income Tax Return and the Local File cannot be filed via the same portal – the Corporate Income Tax Return must be filed via BizTax and the Local File – via MyMinFinPro.)
- Language: English, French, Dutch, German
- Penalties: Failure to comply with the submission deadline can result in a fine ranging between EUR 1,250 and EUR 25,000 as from the second violation in the event that the violation was not committed in bad faith. If the violation was committed in bad faith, the fine amounts to EUR 12,500 for the first violation and EUR 25,000 as from the second violation.
- The Local File consists of 3 parts: A, B and C. Part A must always be filed if the Local File is required. Part B must be filed only if at least one of the business units of the Belgian entity has executed cross-border intra-group transactions of more than EUR 1 million. In such a case Part B must be completed for each business unit that has exceeded this threshold. It is permitted, when completing the detailed information per business unit (Part B) in the tables B3 to B6, to take into account a materiality requirement of EUR 25,000 per transaction. The same methodology (with or without materiality requirement) must be applied to all business units. Part C is optional and can be used for filing appendices.
- XML-Format for submission has been implemented.

CbCR

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: A MNE group must file the CbCR if it has generated consolidated revenue of EUR 750 million as shown in the consolidated financial statements of the group for the fiscal year immediately preceding the most recently closed fiscal year.
- Submission deadline: Within twelve months of the end of the fiscal year of the MNE group.
- Language: English, French, Dutch, German
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: The notification form must be filed by the end of the fiscal year of the MNE group. As of the fiscal year ending on 31 December 2019 or later, only changes have to be notified.
- Penalties: Failure to comply with the submission deadline can result in a fine ranging between EUR 1,250 and EUR 25,000 as from the second violation in the event that the violation was not committed in bad faith. If the violation was committed in bad faith, the fine amounts to EUR 12,500 for the first violation and EUR 25,000 as from the second violation.
- Belgium is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD's XML format for submission has been implemented.



Brazil

Master File

Local File

CbCR

- The transfer pricing regulations have been aligned with the OECD recommendations. Compliance with the new regulations will be optional in 2023 and mandatory from 2024.
- The Master File and Local File are now part of the Brazilian Transfer Pricing Legislation.
- Thresholds / requirements for preparing the Master File and Local File: The value of all controlled transactions is equal or more than BRL 15 million (less detailed study). From BRL 15 million to BRL 500 million the Master File and Local File submission study is more detailed.
- Companies that had less than BRL 15 million in intercompany transactions are exempt from submitting transfer pricing documentation.
- Deadline for the preparation: Once a year (last working day of December for FY 2023 and FY 2024). For other years, it will be in October of the following year. The documentation, comprising the Master File and the Local File, must be submitted through a digital process via the website of the Brazilian tax authority.
- Duty of notification: Yearly obligation. No notification obligation regarding the preparation of documentation; Calculated fiscal adjustments must be disclosed in the Corporate Income Tax Return for the following year (last business day of July).
- Language: Portuguese, English and Spanish
- Penalties:
 - Incomplete documentation: Penalty of 3% on the gross revenue of the period.
 - Submission not within the deadline/inaccurate documentation: Penalty of 0.2% per month over the gross revenue of the period
 - Additional penalty: In case of procedures that enables the tax authorities to inspect the Company, there is a 5% fine over the transaction amount.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold:
 - MNE groups with total consolidated revenue of more than BRL 2,260 billion in the previous fiscal year, if the parent company is resident in Brazil; or
 - Consolidated revenue of more than BRL 4 billion in the previous fiscal year if the parent company is resident abroad.
- Submission deadline: annually with the Brazilian Annual Corporate Income Tax Return (“ECF”).
- Language: Portuguese, English or Spanish
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: As part of the Annual Corporate Income Tax Return; by the last business day of July every year.
- Penalties:
 - Provision of incomplete or inaccurate information on transactions and financial operations in CbCR may result in a penalty of up to 3% of the transaction value.
 - Failure to file the CbCR is subject to a penalty ranging between BRL 500 and BRL 1,500 on a monthly basis.
 - Brazil is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
 - OECD’s XML format for submission has been implemented



Bulgaria

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation for FYs starting from 1 January 2020.
- Requirements / thresholds:
 - The Local File for intra-group transactions should be prepared, if
 - a) The net amount of the performed transactions for the reporting period exceeds:
 - BGN 400,000 – for transactions involving goods;
 - BGN 200,000 – for any other transactions;
 - b) Loans exceed BGN 1 million or charged interest in connection with loans exceeds BGN 50,000.
 - There is no obligation to prepare the Local File if:
 - a) As of 31 December, of the previous year two of the following criteria are not fulfilled:
 - Balance sheet total is BGN 38 million;
 - Net sales revenue is BGN 76 million;
 - Average number of employees is 250;
 - b) The entity is exempt from corporate income tax;
 - c) Only domestic intra-group transactions were performed;
 - d) The performed activity is subject to another tax.
- Deadline for the preparation:
 - The Local File should be prepared for the fiscal years from 1 January 2020 until 30 June of the year following the year which the Local File refers to. In case of any correction of the annual Corporate Income Tax Return, which leads to a change of the data included in the Local File, it has to be corrected within 14 days of the correction of the annual tax return, but not later than 30 September.
 - Where the legal entity, which is obliged to prepare the Local File, is part of a MNE group, it is also obliged to have available the prepared Master File. The Master File for the reporting year has to be available not later than 30 June of the year following the year of the preparation of the Local File.
- Submission deadline: In the case of requests within the tax audit procedure the term is determined by the tax authorities (usually seven days or 14 days). The term may be prolonged or temporarily suspended under certain circumstances.
- Duty of notification: No
- Language: According to Bulgarian law, at the request of the tax authorities, the documentation has to be provided to the tax authorities translated into the Bulgarian language.
- Penalties: In cases of non-compliance with the legal requirements a financial penalty will be imposed.
 - Failure to prepare a Local File where this is mandatory will result in a maximum penalty of 0.5% of the total value of the transactions for which the documentation should have been prepared. There is a presumption of failure to prepare a Local File if the documentation is not provided to the tax authorities upon their request within the prescribed period;
 - Failure to provide a Master File may result in a penalty of BGN 5,000 and BGN 10,000.
 - Disclosure of incomplete or incorrect data may result in a penalty of BGN 1,500 to BGN 5,000.
 - Repeated violation of the regulation mentioned above will result in a doubling of the penal sanctions.

- Effective for the fiscal years starting from 2016, if the CbCR is filed by the ultimate parent entity or for the fiscal years starting from 2017, if the CbCR is filed by the constituent entity.
- Threshold: The annual consolidated revenue is at least BGN 1,466 million (EUR 750 million) for the fiscal year preceding the reporting year.
- Submission deadline: Within twelve months of the end of the reporting fiscal year
- Language: Bulgarian
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: In the electronic format through the website of the NRA by the end of the reporting fiscal year. Information about the CbCR status within the MNE group and about which entity is required to file the CbCR should be disclosed.
- Penalties:
 - Failure to submit the report results in a penalty ranging between BGN 100,000 and BGN 200,000;
 - Submission of incomplete or incorrect data results in a penalty ranging between BGN 50,000 and BGN 150,000;
 - Failure to submit the notification results in a penalty ranging between BGN 50,000 and BGN 150,000).
- Bulgaria is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD's XML format for submission has not been implemented. The report is submitted via an electronic programme which is available on the NRA website.



Cambodia

Master File

Local File

CbCR

- The Ministry of Economy and Finance has issued Prakas No. 986, which is based on the OECD Transfer Pricing Guidelines for the documentation of transfer prices in Local Files. There are no special regulations for the Master File.
- The Prakas definition of related parties corresponds with the Cambodian Law on Taxation, according to which enterprises are related if:
 - They are members of the same group of enterprises; or
 - An enterprise controls another enterprise (i.e. ownership of 20% or more of the equity interest in the enterprise or voting power of the board of directors); or
 - An enterprise is controlled by another enterprise; or
 - Enterprises are under common control of a third party.
- Thresholds: No specific threshold. Any enterprise that undertakes related party transactions is required to maintain Local File to justify the arm's length nature of the transactions.
- Deadline for the preparation: Local File should be prepared annually and be available upon request by the General Department of Taxation.
- Submission deadline: At the request of the Cambodian tax authority; a specific submission deadline is determined on a case-by-case basis (typically seven working days).
- Duty of notification: Taxpayers must disclose intra-group transactions when filing the tax return.
- Language: Khmer or English
- Penalties: Failure to comply may result in:
 - Revocation of the company's certificate of tax compliance;
 - A tax penalty ranging from 10% to 40% of additional taxes arising from the TP adjustment;
 - Interest charge of 1.5% on late tax payment;
 - Criminal charges (e.g., imprisonment or further monetary punishment).

- Cambodia has not adopted/ implemented BEPS Action 13 for CbCR.
- Cambodia is not a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").



Canada

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has not been incorporated into the domestic legislation. A formal implementation of the OECD Master File concept is currently not planned since an equivalent concept already exists as part of the transfer pricing rules, however the current legislation is currently undergoing analysis and proposed amendments.
- The local documentation requirements:
 - In Canada, the transfer pricing rules are set out in section 247 of the Income Tax Act (ITA).
 - The ITA requires that a Canadian taxpayer documents its non-arm's length transactions with non residents and makes reasonable efforts to use arm's length transfer prices. In order to be considered to have made reasonable efforts, the taxpayer should have on file documentation regarding transfer pricing methods used.
 - Documentation should be kept up-to-date.
 - Submission deadline: Up-to-date documentation must be provided to Canadian tax authorities (CRA) within three months of receipt of a written request from CRA.
 - Penalties: Penalties of 10% of the transfer pricing adjustments may apply if the transfer pricing adjustments exceed either 10% of the taxpayer's gross revenues or CAD 5 million. Penalties will not be applied where the taxpayer has made reasonable efforts to determine and use arm's length prices and documented this accordingly by the due date.
 - Canada is considering reform of transfer pricing legislation in order to provide more explicit guidance and greater certainty in certain areas. Draft legislative proposals also include substantive changes and amendments that would update the rules to use modern legislative drafting conventions. Generally, it is expected that these proposed measures would apply on a prospective basis.
 - The government is proposing to generally align the current documentation requirements of subsection 247 with those of the Local file and make provision of the Master file mandatory in certain cases.

- The CbCR according to BEPS Action 13 has been implemented for fiscal years starting from January 2016.
- Threshold: Annual consolidated revenue exceeding EUR 750 million in the year preceding the reporting year.
- Submission deadline: The CbCR must be filed within twelve months of the end of the fiscal year. A Canadian taxpayer that meets the electronic filing requirements must file the RC4649 form electronically. Otherwise it can be paper-filed.
- Language: English or French
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Penalties:
 - Penalties may be applicable for failing to complete and file CbCR by the due date: CAD 25 per day (minimum CAD 100 and maximum CAD 2,500).
 - For failure to submit the report CAD 500 per month for up to 24 months, and after a demand to file the report has been served - CAD 1,000 per month for up to 24 months.
- Canada is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



China

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.

- Requirements / thresholds:
 - The enterprise undertakes cross-border transactions with associated enterprises and the group which the enterprise is a part of has already prepared a Master File; or
 - The total amount of intra-group transactions exceeds CNY 1 billion.
- Deadline for the preparation: Within twelve months of the end of the fiscal year of the group's ultimate parent company.
- Submission deadline: Within 30 days following the request of tax authorities.
- As compared to BEPS Action 13, additional information is required for the Master File in China.
- Duty of notification: It should be indicated in the annual corporate income tax (CIT) return whether the company is obliged to prepare the Master File for the year.
- Language: Chinese
- Penalties: CNY 10,000 if requirements are not met.

- Requirements/thresholds:
 - In the case of intra-group transfer of tangible assets exceeding the amount of CNY 200 million;
 - In the case of intra-group transfers of financial assets or of ownership of intangible assets exceeding the amount of CNY 100 million;
 - All other intra-group transactions exceeding the amount of CNY 40 million in total (e.g. interest on intercompany loans).
 - The enterprise, which engages in simple manufacturing (e.g. toll manufacturing or contract manufacturing), distribution or contract R&D activities for its overseas related parties, incurs a loss.
- Deadline for the preparation: 30 June of the following fiscal year
- Submission deadline: Within 30 days following the request of tax authorities
- As compared to BEPS Action 13, additional information is required for the Local File in China.
- Duty of notification: It should be indicated in the annual CIT return whether the company is obliged to prepare the Local File for the year.
- Language: Chinese
- Penalties: CNY 10,000 if requirements are not met.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Requirements / thresholds:
 - Ultimate parent entity of a MNE group is a tax resident in China and the group has generated annual consolidated revenue of more than CNY 5.5 billion in the preceding year; or
 - A Chinese entity has been commissioned by the MNE group to prepare the CbCR (the requirement to prepare the CbCR is governed by domestic tax law of the ultimate parent entity).
- Submission deadline: 31 May of the following year together with the annual CIT return.
- Language: Submission in Chinese and English
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: Along with the form for reporting intra-group transactions until 31 May of the following fiscal year.
- Penalties: From CNY 10,000 to CNY 50,000
- China is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Croatia



Master File

Local File

CbCR

- The incorporation of the Master File concept according to BEPS Action 13 into domestic legislation is expected. The Croatian tax authority (CTA) has not issued any guidelines on the implementation of the Master File concept yet.
- The Local File as such has not been implemented. However, pursuant to Article 3 paragraph 12 of the Rulebook on Amendments and Supplements to the Rulebook on Corporate Income Tax, the OECD Transfer Pricing Guidelines will be used to interpret the application of transfer pricing rules.
- Local documentation requirements:
 - Thresholds: No thresholds have been established concerning transfer pricing documentation.
 - Deadline for the preparation: No deadline for preparing the transfer pricing documentation has been prescribed by law. However, the law requires the transfer pricing documentation to be available along with the CIT return and provided to the tax authorities at their request.
 - Submission deadline: According to the Article 79 of the General Tax Act the prescribed deadline for the provision of documentation requested by tax authorities in general is eight days. However, in practice, taxpayers have up to 30 days to submit their TP documentation after receiving a request from the tax authority.
 - Duty of notification: There are no notification requirements. However, CTA usually requests some medium and all large entities to provide information about the transactions between associated parties and methods applied. This notification is to be submitted together with the CIT return.
- Language: Croatian
- Penalties.
 - Fines of up to EUR 26,540 may be imposed on a company or on the responsible individual within the company for every underestimation of the corporate income tax liability for a first violation.
 - Fines of up to EUR 39,810 may be imposed on a company or on the responsible individual within the company for every underestimation of the corporate income tax liability for a repeated violation.
 - Penalty interest will also be calculated starting from the date on which the tax was due.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: The parent of the MNE group must be headquartered in Croatia with the total consolidated revenue of at least EUR 750 million in the previous fiscal year.
- Submission deadline: Within twelve months of the end of the fiscal year for which the report was submitted.
- Language: Croatian
- Surrogate filing: Has been implemented
- Secondary filing: Has been Implemented
- Duty of notification (CbCN): Within four months of the end of the fiscal year, the taxpayer has to inform the local tax authority about the reporting entity and its own status. After the first notification, the company is no longer obliged to submit further notifications to tax administration as long as the identity and the tax residence of the entity submitting the CbCR on behalf of the MNE group do not change.
- Penalties: From EUR 260 to EUR 26,540 (first violation). From EUR 530 to EUR 39,810 (repeated violation)
- Croatia is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission of CbCR has been implemented.



Cyprus

Master File

- The Master File concept according to BEPS Action 13 has been implemented.
- Thresholds: Cypriot tax resident entities which are the ultimate parent or surrogate parent entity of an MNE group falling under the scope of Country-by-Country reporting have an obligation to prepare a Master file.
- Preparation deadline: Before the date of submitting the income tax return.
- Submission deadline: within 60 days upon request.
- Language: preferably English. However, upon request, a translation into Greek must be provided within 60 days.
- Sanctions: As with Local File.

Local File

- Thresholds: Aggregate value of transaction per category exceeds EUR 1,000,000 for the categories goods, services, transactions related to intangibles / intellectual property, other transactions. The threshold for financial transactions is EUR 5,000,000.
- In addition, each company must prepare a Summary Information Table annually and file it with the tax return (no threshold).
- Preparation deadline: before filing the income tax return. The deadline for the submission for 2022 is extended to 31 May 2025 and for 2023 to 30 November 2025.
- Submission deadline: within 60 days upon request
- Language: preferably English, at the request of the authorities a translation into Greek must be provided within 60 days.
- Penalties: Failure to submit Summary Information Table: EUR 500. Late submission of Master and/or Local File: EUR 5,000-20,000 depending on the duration of the delay.
- Quality Review: A person who holds a Practicing Certificate from the Institute of Certified Public Accountants (ICPAC) is expected to perform a Quality Review of the Cyprus Local file.
- The new transfer pricing legislation allows applying for an APA (Advance Pricing Agreement).

CbCR

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Annual consolidated revenue exceeding EUR 750 million in the previous year. Regulations have been extended to include subsidiaries.
- Submission deadline: Twelve months of the end of the reporting fiscal year.
- The deadline for the submission of CbC notifications for the 2023 reporting fiscal year is 31 December 2024.
- Usually, one-month extension is provided for the submission of the report (31 January 2025).
- Language: English
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented and will apply to fiscal years commencing on 1 January 2017.
- Duty of notification: As a rule, until the end of the FY. The submission is made electronically by means of a notification form.
- Penalties:
 - up to EUR 10,000 for noncompliance with the CbCR reporting obligations;
 - up to EUR 5,000 for failure to file the notification;
 - Penalties are limited to EUR 20,000.
- Cyprus is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented. CbCR and notification must be filed electronically in English using OECD's XML standardized electronic format.



Czech Republic

Master File

Local File

CbCR

- Local File and Master File are typically requested by the tax authorities during external tax audits.
- It is recommended by the tax authorities to follow the OECD TP Guidelines with regards to the Master File and the Local File.
- Submission deadline: At the request of tax authorities 8-30 days as part of a tax inspection.
- Language: In practice, the Master File is usually accepted also in English or German, but according to the law it should be prepared in Czech. The Local File is accepted only in the Czech language.
- Starting from the assessment period 2014, the volume of all cross-border intragroup transactions must be notified as an appendix to the Corporate Income Tax Return (with exceptions such as PEs). The deadline for such notification is three or six months of the end of the tax period.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Annual consolidated revenue exceeding EUR 750 million in the previous year.
- Submission deadline: Within twelve months of the end of the reporting fiscal year.
- Language: Czech or English. English is recommended.
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: In the case of first-time reporting, the deadline is generally by the end of the reporting fiscal year in the Czech language. Afterwards, only changes need to be reported (within 15 days of the reportable event).
- Penalties: Up to CZK 1.5 million. Up to CZK 500,000 for failure to notify.
- The Czech Republic is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD’s XML format for submission has been implemented.



Denmark

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Requirements / thresholds:
 - A group with more than 250 employees (Unlimited requirements to establish Master File and Local File) .
 - A group with fewer than 250 employees and a consolidated revenue below DKK 250 million, or a group's consolidated balance sheet total below DKK 125 million, is only obliged to establish TP-Documentation for transactions with group companies within non-DTA countries or countries outside the EU and the EEC, regardless of the transaction volume. This also applies for a Danish permanent establishment.
 - However, from 2021, the transfer pricing documentation is no longer required for controlled transactions between two Danish companies, except in the case of asymmetric taxation.
 - A majority shareholder, who is a natural person (and resident for tax purposes in Denmark) and engages in controlled transactions with a foreign company that is not resident for tax purposes in Denmark must prepare transfer pricing documentation for these transactions.
- Preparation and filing deadline: TP documentation must be prepared on an ongoing basis. Effective for fiscal years beginning on or after 1 January 2021, the TP documentation must be submitted to the Danish tax authorities no later than 60 days after the deadline for filing the tax return. If, for example, a company's fiscal year ends at the end of the calendar year, the company must file the tax return for the fiscal year 2025 by 30 June 2026 and the TP documentation by 29 August 2026.
- Duty of notification: No
- Language: Danish, Norwegian, Swedish or English
- Penalties: There are two levels of sanctions.
 - **Disclosure of information:** This applies to all controlled transactions within the scope of the income tax return. The penalty for providing incorrect or misleading information, whether intentionally or negligently, is the higher of the two amounts:
 - 0.5% of revenue of up to DKK 500 million, 0.1% of the remainder of up to DKK 1 billion and 0.05% of revenue of over DKK 1 billion (no cap); or
 - DKK 250,000 for companies with up to 50 employees. For every further 50 employees (up to 500 employees), this amount increases each time by DKK 250,000. In companies with more than 500 employees, the penalty is DKK 2.5 million.
 - All penalties are cumulative and may be increased by 50% if the breach relates to a systematic breach of the tax rules, which is the case if more than one of the above penalties is imposed.
 - **Preparation of TP documentation:** If the Group is not a SME, see above. A company may be fined up to DKK 250,000 per fiscal year, if the TP documentation is not submitted within the applicable deadline or if the submitted documentation is considered insufficient. If adequate documentation is submitted after the deadline, the standard penalty may be reduced to 50% or DKK 125,000 per year. If the Danish tax authorities make an upward adjustment based on the prices of the controlled transactions and assume that they do not comply with the arm's length principle, the documentation penalty will be increased by 10% of the total upward income adjustment.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Consolidated revenue of at least EUR 750 million (DKK 5.6 billion) in the previous fiscal year.
- Submission deadline: Twelve months of the end of the fiscal year for which the CbCR must be prepared.
- Surrogate filing: Has been implemented since the fiscal year 2017.
- Secondary filing: Has been implemented since the fiscal year 2017.
- Language: Danish, Norwegian, Swedish or English
- Duty of notification: A Danish constituent entity is required to inform the Danish tax authorities until the end of the reporting year about which ultimate parent/ surrogate parent files the CbCR in electronic form.
- The Danish constituent entity is required to make such notification on an annual basis. The notification is required online (the previous form is not valid anymore).
- Penalties: Ranging between EUR 10,000 and EUR 50,000 per company.
- Denmark is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Estonia

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been partially implemented. Also, Estonia has had in place a similar documentation concept that closely follows the Master File concept since 2007.
- Local documentation requirements:
- Requirements/ thresholds:
- For Estonian resident credit institutions, insurance companies and corporate groups registered on the stock market;
- If one transaction party is an entity with tax residency in a low-tax jurisdiction;
 - For Estonian resident corporate groups with at least 250 employees (including associated entities), or with consolidated revenue of at least EUR 50 million in the fiscal year preceding the transaction, or a consolidated balance sheet total of at least EUR 43 million;
 - For corporate groups operating in Estonia via a permanent establishment and having at least 250 employees (including associated entities), consolidated revenue of at least EUR 50 million in the fiscal year preceding the transaction, or a consolidated balance sheet total of at least EUR 43 million.
- Deadline for the preparation: Transfer pricing documentation is required only after a formal request has been sent by the Estonian Tax and Customs Board.
- Submission deadline: Transfer Pricing Documentation should be submitted to the tax authorities within 60 days of receiving their request.
- Duty of notification: No
- Language: The documents may be submitted in a foreign language. The tax authorities may, however, request a translation of the documents into Estonian, setting a reasonable deadline for submitting the translation.
- Penalties for non-compliance: Up to EUR 3,200 plus interest of 0.06% per day on the adjusted value (applicable in the case of non-compliance with the arm's length principle)

- The CbCR according to BEPS 13 has been implemented for FYs starting from 2016.
- Threshold: Consolidated revenue of at least EUR 750 million in the preceding year.
- Submission deadline: Within twelve months of the end of the reporting fiscal year.
- Language: Estonian or English
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: Within six months of the end of the fiscal year in English or Estonian.
- Penalties:
 - EUR 3,300 and extended statute of limitations for tax audits (five years) if the CbCR has not been filed;
 - Any constituent entity resident in Estonia can be required to file the CbCR if the notification has not been filed, and additionally, a penalty of EUR 3,300 can be imposed.
- Estonia is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD's XML format for submission has not been implemented yet.



Finland

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation based on Section 14a and 14b of the Act on Tax Procedure (“Laki Verotusmenettelystä”).
- Requirements / thresholds:
 - Number of employees: 250 or more (on a group level); or
 - Consolidated revenue of over EUR 50 million and consolidated balance sheet total of over EUR 43 million;
 - If the value of intra-group transactions with each of the associated enterprises during the fiscal year is less than EUR 500,000, a Master File is not required. A Local File must still be prepared, but there is a significant relief as regards its contents.
- Deadline for the preparation: Not earlier than six months of the end of the fiscal year.
- Submission deadline: Within 60 days after receiving a request from the tax authorities.
- Duty of notification: No
- Language: Finnish, Swedish or English
- Penalties: Maximum penalty of EUR 25,000

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016 based on Sections 14d and 14e of the Act on Tax Procedure (“Laki Verotusmenettelystä”).
- Threshold:
 - A parent entity of a MNE group and a foreign company with a PE in Finland for CIT purposes; and
 - Consolidated revenue of at least EUR 750 million in the previous year.
- Submission deadline: Within twelve months of the end of the fiscal year.
- Language: Finnish, Swedish or English
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: Generally by the end of the fiscal year.
- Penalties: Maximum penalty of EUR 25,000
- Finland is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD’s XML format for submission has been implemented.



France

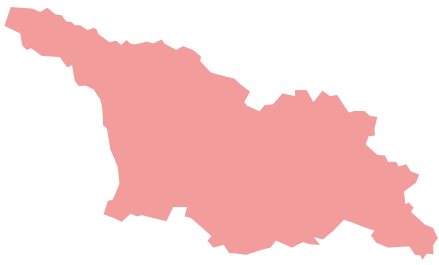
Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 was incorporated into domestic legislation in January 2018 and is therefore effective for tax audits starting from 2019 (“Finance Bill for 2018”).
- Requirements/ thresholds: Annual revenue or gross assets of at least EUR 150 million (as of 2024; calculated either at the level of the French entity or at the level of a direct or indirect parent company or subsidiary).
- Local File: Concept according to BEPS Action 13 including French specificities for financial year starting as of 1 January 2018 (e.g., the reconciliation of management accounts that might be used for transfer pricing purposes and of statutory accounts).
- Requirements/ thresholds: The aggregated amount by category of transactions carried out between the French company and one or more related companies exceeds EUR 100,000 for the financial year. Also, if the revenue is below the threshold, transfer pricing documentation can be requested by the French tax administration during a tax audit in order to understand the transactions with foreign associated enterprises.
- Deadline for the preparation: No specified deadline
- Submission deadline: Within 30 days after receiving a request (as part of a tax audit), an extension of 30 additional days (for 60 days in total) is possible.
- Duty of notification: None for the Master File and the Local File. However, companies with annual revenue or gross assets of at least EUR 50 million (calculated either at the level of the French company or at the level of a direct or indirect parent company or subsidiary) must complete for 2257-SD (simplified TP documentation) annually. This submission can be made as part of the annual corporate income tax return (beginning of May), but no later than the beginning of November.
- Languages: French is preferred. Files in English are not officially accepted but may be accepted in practice.
- Penalties: Minimum penalty of EUR 50,000 (as of 2024) per audited year. In the case of a serious breach up to 0.5% of the value of undocumented transactions or 5% of the income tax adjustment.
- Enforceability of the documentation: In case the transfer pricing method deviates from the set out in the documentation there will be a presumption of profit transfer if there is a difference between the company’s income and the amount it would have achieved if the documented transfer pricing policy had been respected (as of 2024).
- The deadlines and duties are identical for the Master File and the Local File.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Consolidated revenue of at least EUR 750 million in the previous year.
- Submission deadline: Within twelve months of the end of the reporting fiscal year.
- Language: Report should be filed in English.
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: Along with the annual corporate income tax return at the beginning of May for companies closing the year on 31 December and submitting the CbCR in France. No notification duty when automatic exchange of CbCR is implemented and another country submits the CbCR (the list of countries concerned is set out in a French regulatory act and includes EU Member States).
- Penalties: Non-compliance with the CbCR and notification requirements results in a penalty of up to EUR 100,000.
- France is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).



Georgia

Master File

Local File

CbCR

- The implementation of the Master File concept according to BEPS Action 13 into the domestic legislation is expected.
- Since 14 June 2016, Georgia has been a member of the Inclusive Framework on BEPS that brings together over 100 countries and jurisdictions to collaborate on the implementation of the Base Erosion Profit Shifting (BEPS) Package.
- Companies in Georgia are obligated to submit the transfer pricing documentation only if it is requested by the tax authorities.

- The CbCR according to BEPS Action 13 is expected.
- Georgia is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").



Germany

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- The OECD's recommendations were implemented with slight modifications. The nature, content and scope of the documentation are laid down in the German Regulation on Documentation of Profit Allocation.
- Effective from January 1, 2025, in addition to the documentation of facts and the documentation of the appropriateness of the transfer prices applied in the Local File, a so-called transaction matrix will also be required. This is intended to provide detailed information about the company's cross-border transactions.
- Thresholds for preparing the Master File: Entity with revenue of at least EUR 100 million in the previous year.
- Thresholds for preparing the Local File:
 - Supply of goods: EUR 6 million in the previous year;
 - Other transactions: EUR 600,000 in the previous year.
- Deadline for the preparation: No. However, taxpayers are advised to prepare a record-keeping documentation consisting of a transaction matrix and a Master File.
- Submission deadline: As of the 2025 fiscal year, the overview of business transactions (transaction matrix), the Master File, and documentation on extraordinary transactions must be provided within 30 days upon request. In addition, the documentation no longer needs to be explicitly requested in the context of a tax audit but must also be provided within 30 days after announcement of the tax audit order. The Local File must initially only be submitted upon specific request, but then also within 30 days.
- Duty of notification: No
- Language: As a rule, the Master and the Local File must be submitted in German. Upon request, the documentation may be submitted in English.
- Penalties:
 - Tax administration can assess the revenue (shifting the burden of proof to the taxpayer);
 - Failure to submit the transaction matrix: Penalty surcharge of EUR 5,000;
 - Failure to submit or submission of inadequate documentation: Penalty ranging between min. 5% and max. 10% of the adjusted income; however no less than EUR 5,000;
 - Late submission: Penalty of EUR 100 per day from the first day of expiry of the deadline (with the upper limit of EUR 1 million).

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Reported consolidated revenue of at least EUR 750 million in the previous year.
- Submission deadline: Within twelve months of the end of the reporting fiscal year. Evaluation and storage of records for 15 years.
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: Submission along with the annual tax return.
- Penalties: Non-compliance with the CbCR requirements results in a penalty of up to EUR 10,000.
- Language: The CbCR tables must be completed in the following languages:
 - Table I and II: German or English
 - Table III: English only
- Germany is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Greece



Master File

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Thresholds: A Greece-based company that is an entity of a MNE group and that is required to prepare a Local File according to the thresholds, has to prepare a Master File as well.
- Deadline for the preparation: There is no preparation deadline for the Master File itself.
- Submission deadline: Upon request, the Master File must be submitted within 30 days, usually in the context of a tax audit.

Local File

- Thresholds:
 - Intercompany transactions of more than EUR 200,000 and annual revenue of more than EUR 5 million;
 - Intercompany transactions of more than EUR 100,000 and annual revenue of less than EUR 5 million.
- If threshold to document is met, all intercompany transactions, regardless of the amount, must be documented.
- Language: Greek
- Deadline for the preparation: There is no preparation deadline for the Local File itself. The local documentation file should be prepared until the deadline for the submission of the annual income tax return.
- Submission deadline: Upon request, the Local File must be submitted within 30 days, usually in the context of a tax audit. However, a summary table / transaction matrix must be submitted annually with the tax return to the authorities by the last working day six months of the end of the financial year.
- Penalties:
 - For failure to submit the transaction matrix: A penalty amounting to 0.1% of the value of the unreported intercompany transactions; min. EUR 2,500; max. EUR 10,000.
 - For late submission starting 30 days after the request: A penalty of EUR 5,000. However, if the delay exceeds 60 days, this increases to EUR 10,000, and if the delay exceeds 90 days or there is no submission, the penalty amounts to EUR 20,000.

CbCR

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 1 January 2016.
- Threshold: Consolidated revenue of at least EUR 750 million in the previous year.
- Submission deadline: The last working day of the financial year if the financial year coincides with the calendar year.
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: Last day of the reporting period.
- Penalties: Late or inaccurate filing of the CbC report: EUR 10,000; failure to file the CbC report: EUR 20,000.
- Language: The CbCR tables must be completed in Greek.
- Greece is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Hong Kong (S.A.R.)

Master File	Local File	CbCR
<ul style="list-style-type: none"> - The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation. - Thresholds: A Hong Kong (S.A.R.)- based constituent entity of an MNE group is generally required to prepare a Master File. This does not apply to fiscal years in which two of the following conditions are met: <ul style="list-style-type: none"> - Entity's annual revenue: Not more than HKD 400 million; - Entity's balance sheet total: Not more than HKD 300 million; - Entity's average number of employees: Not more than 100. - Deadline for the preparation and submission: Within nine months of the end of the group's fiscal year. - Duty of notification: not specified - Languages: English or Chinese - Penalties: HKD 50,000 or HKD 100,00 	<ul style="list-style-type: none"> - Thresholds: A Hong Kong (S.A.R.)-based constituent entity of an MNE group is generally required to prepare a Local File. - This does not apply to fiscal years in which two of the following conditions are met: <ul style="list-style-type: none"> - Entity's annual revenue: Not more than HKD 400 million; - Entity's balance sheet total: Not more than HKD 300 million; - Entity's average number of employees: Not more than 100. - If the volume of the following types of controlled transactions does not exceed the following thresholds, no documentation is necessary for that type of the transaction: <ul style="list-style-type: none"> - Transfer of real properties (whether movable or immovable but excluding financial assets and intangibles) is not more than HKD 220 million; - Transfer of tangibles is not more than HKD 110 million; - Transfer of financial assets and intangibles is not more than HKD 110 million; - Other transactions are not more than HKD 44 million. - Deadline for the preparation and submission, notification requirements, languages and penalties are the same as for the Master File. 	<ul style="list-style-type: none"> - The CbCR according to BEPS 13 has been implemented for FYs starting from 2018. - Threshold: Consolidated revenue of at least EUR 750 million (or HKD 6.8 billion) for the previous fiscal year. - Deadline for the submission: Within twelve months of the end of the relevant fiscal year or by the date specified by an auditor (whichever is earlier). - Languages: English or Chinese - Surrogate Filing: Has been implemented - Secondary Filing: Has been implemented; Even if requisite conditions are met, a Hong Kong (S.A.R.) entity is not required to file the CbCR if the CbCR for the relevant reporting period has been filed by another Hong Kong (S.A.R.) entity of the group subject to the reporting obligation. - Duty of notification: Every Hong Kong (S.A.R.) entity is required to file a notification within three months of the end of the relevant fiscal year containing the relevant information to determine the obligation to file a CbCR. The entity will receive a document confirming the filing of such a notification. - Penalties: <ul style="list-style-type: none"> - For failure to submit: HKD 50,000. A further penalty of HKD 100,000 and HKD 500 per day will be imposed if the violation continues after conviction. - In the case of intention to provide false or misleading information, or to commit fraud: HKD 50,000 and imprisonment for three years. - Hong Kong (S.A.R.) is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA"). - OECD's XML format for submission has been implemented.



Hungary

Master File

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Thresholds: All transactions or transaction groups exceeding the volume of HUF 100 million must be documented.
- Deadline for the preparation:
 - If the ultimate parent entity prepares the Master File: Within twelve months of the end of the fiscal year;
 - If the Hungarian entity prepares the Master File: Within the deadline for submitting the corporate income tax return.
- Submission deadline: Only at the request of the tax authorities, usually at short notice (within three days).
- Duty of notification: A notification is not necessary due to the obligation to prepare the Master File.
- Language: English, French, German or Hungarian
- Penalties: Maximum penalty of up to HUF 5 million for each transaction which must be documented, per fiscal year. In the case of repeated breach of obligations, the penalty may be increased to HUF 10 million.

Local File

- The Local File must be prepared according to BEPS Action 13.
- Thresholds: All transactions or transaction groups exceeding the volume of HUF 100 million must be documented. As of 2023, the Local File structure has been divided into two sections:
 - *General Section*: This part provides an overview of the company, including its organizational structure, business strategy, and key competitors.
 - *Transaction-Specific Sections*: Each transaction or transaction group must be detailed individually, covering the parties involved, functional analysis, the transfer pricing method applied, and benchmarking results.
- Deadline for the preparation: The Local File must be prepared until the submission of the corporate income tax return (i.e. within five months of the end of the fiscal year).
- Submission deadline: Within three days. Benchmark analyses must be prepared at least every three years and must be reconstructible. The financial data of the benchmark study can be updated in two consecutive years.
- Duty of notification: There is an obligation to report the creation of the local file, as the main data must be reported along with the tax return.

CbCR

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016 or 2017 (if the Hungarian entity is required to file the CbCR).
- Deadline for the preparation and submission: The CbCR should be filed within twelve months of the end of the fiscal year.
- An exception in the first fiscal year is possible for entities whose ultimate parent entity has not implemented the CbCR yet.
- Threshold: Consolidated revenue of at least EUR 750 million in the previous year.
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: Electronic filing until the end of the reporting year
- Penalties: HUF 20 million
- Hungary is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD’s XML format for submission has not been implemented. Instead, a special electronic format is prescribed for filing the CbCR with the Hungarian tax authority.



India

Master File	Local File	CbCR
<ul style="list-style-type: none"> - The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation. - Requirements / thresholds: Consolidated revenue for the previous reporting year must be at least INR 5 billion (approx. EUR 55 million) and additionally either the aggregate value of international transactions is at least INR 500 million or transaction volumes exceed INR 100 million regarding intangibles. - Submission deadline: Annually until the deadline for filing the corporate income tax return i.e., 30 November. - Any company (with effect from FY 2019-2020 whether or not it has made an international transaction during the year) which does not exceed the above thresholds must submit general information in Part A of the Form 3CEAA. If the thresholds are exceeded, Part A and Part B of the Form 3CEAA must be submitted. - Duty of notification: Notification report in the Form 3CEAB must be filed by the entity concerned at least 30 days before the expiration of the submission deadline. With effect from FY 2020-2021, where more than one constituent entity of an MNE group are required to file Form 3CEAA, a designated entity of the Group may file the notification for all obliged entities of the group, irrespective of its residential status in India. - The above reports must be made available to the tax office and should be accessible to the tax officer carrying out the audit. - The contents of the Master File are similar to those under BEPS Action 13, except for slight deviations. - Language: English - Penalties: Failure to submit the Master File results in a penalty of INR 500,000. 	<ul style="list-style-type: none"> - The already existing Local File requirements are to a large extent consistent with the Master File concept described under the OECD's three-tiered approach to transfer pricing documentation. - Threshold: The aggregate value of international transactions exceeding INR 10 million (approx. EUR 110 thousand); additional requirements for local transactions - Preparation deadline: With effect from FY 2019-2020, the deadline for filing Form 3CEB is one month prior to the due date of filing the income tax return. Therefore, the deadline is on or before 30 October. - Submission deadline: Upon request, within 30 days with the possibility of extension for additional 30 days. - Duty of notification: No - Language: English - Penalties: 2% of the value of international transactions or of specified domestic transactions for failure to maintain or report, or for reporting misleading information to the relevant tax officer. 	<ul style="list-style-type: none"> - The CbCR according to BEPS Action 13 has been implemented for FYs starting from April 2016. - Threshold: Consolidated revenue of the fiscal year preceding the reporting year is at least INR 68 billion (approx. EUR 750 million). - Submission deadline: Within twelve months of the end of the reporting year. - Language: English - Surrogate filing: Has been implemented - Secondary filing: Has been implemented - Duty of notification: Two months prior to the submission deadline - Penalties: <ul style="list-style-type: none"> - Failure to submit the CbCR: INR 5,000-15,000 per day of delay (approx. EUR 55-165 per day of delay); - For subsequent failures: INR 50,000 per day (approx. EUR 550 per day); - Inaccurate information in the CbCR INR 500,000 (approx. EUR 5,495). - India is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA"). - A data transmission format similar to the OECD's XML format has been implemented.



Indonesia

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Requirements / thresholds:
- Annual consolidated total revenue in the previous fiscal year exceeded IDR 50 billion (if the taxpayer has operated for less than twelve months, the revenue should be annualised); or
 - The value of annual transactions with associated enterprises in the previous fiscal year exceeded:
 - IDR 20 billion for transactions involving the transfer of tangible assets; or
 - IDR 5 billion for each transaction involving services, interest payments, intangibles or other transactions defined as high-risk transactions; or
 - The associated enterprise is based in a country or jurisdiction with a lower rate of corporate income tax (CIT) than the rate applicable in Indonesia (22%).
- Deadline for the preparation of the Master File and the Local File: Within four months of the end of the fiscal year.
- Submission deadline: In case of tax audit or compliance monitoring, within 1 month after being requested by the tax authority. In case of general request, within 14 days after being requested by the tax authority. The information on the availability date must be filed along with the annual CIT return in the disclosure form.
- Duty of notification: In a separate disclosure form along with the CIT return.
- Language: The documentation must be filed in the local language. Taxpayers who have an approval to use a foreign language or currency may prepare the documentation in that foreign language, however it also needs to be accompanied with the translated Indonesian version.
- Penalties:
 - Failure to submit the disclosure form along with the CIT return results in an administrative penalty of IDR 1 million and, CIT return may be deemed incomplete and will trigger a potential tax audit.
 - If the Master File and Local File are not submitted upon request or exceeding the submission deadline, tax authority will disregard the documents and will examine taxpayer's arm's-length principle by their own assessment. Penalty of monthly interest rate (max. 24 months) and uplift factor of 15-20% will be imposed.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Consolidated revenue of IDR 11 trillion in the previous fiscal year (equivalent to ca. EUR 750 million).
- Submission deadline: Within twelve months of the end of the fiscal year. The CbCR must be filed along with the CIT return. Working papers must be attached.
- Language: The CbCR must be filed in the local language.
- Surrogate filing: Has been implemented.
- Secondary filing: Has been implemented.
- Duty of notification: The CbCR notification must be submitted along with the CIT return for the constituent entity.
- Penalties: Failure to submit the CbCR along with the CIT return results in an administrative penalty of IDR 1 million, the CIT return may be deemed incomplete and will trigger a potential tax audit.
- Indonesia is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for data submission has been implemented.



Ireland

Master File

- The Master File concept according to BEPS Action 13 has been implemented.
- Requirements / thresholds: Where an Irish taxpayer forms part of a Multinational Enterprise (MNE) Group and the total consolidated global revenue of the MNE group reaches or exceeds a EUR 250 million threshold, they need to prepare and have available a Master File.
- Preparation deadline: No later than the date on which the tax return for the tax period must be filed. The obligation to prepare the Master File must be disclosed in the annual CIT return.
- Penalties: Both fixed and variable penalties may be imposed in relation to any transfer price adjustment.

Local File

- Where an Irish taxpayer forms part of a multinational group of a Multinational Enterprise (MNE) Group and the total consolidated global revenue of the MNE group reaches or exceeds a EUR 50 million threshold, they need to prepare and have available a Local File.
- There is an escape clause for small or medium-sized enterprises ("the SME exemption"). In order to fall within the SME exemption, an enterprise must have:
 - Less than 250 employees; and either
 - revenue not exceeding EUR 50 million or
 - total assets not exceeding EUR 43 million.
- Every Irish entity must prepare a Local File. However, companies are allowed to prepare a consolidated "Country File" for all Irish entities of an MNE Group. The Country File will contain essentially the same content as a Local File. However, it must also include qualitative and financial information at entity level. Where financial information is consolidated in the Country File, individual companies will not be treated as having complied with their TP documentation obligations.
- Preparation deadline: Together with the local tax return. The obligation to prepare a Local File must be disclosed in the CIT return.
- Penalties: If a taxpayer is required to prepare documentation and fails to provide it within 30 days of being requested to do so, the fine will be EUR 25,000 plus EUR 100 per day as long as the failure continues.

CbCR

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Ultimate parent entity of the MNE Group is based in Ireland and generated a consolidated group revenue of at least EUR 750 million in the previous year.
- Deadline for the preparation and submission: Within twelve months of the end of the fiscal year.
- Surrogate Filing: Has been implemented.
- Secondary Filing: Has been implemented.
- Duty of notification: Yes, by the end of the fiscal year.
- Penalties: A penalty of EUR 19,045 will be imposed for incorrect filing or failure to file the CbCR, plus another EUR 2,535 per each day of delay.
- Ireland is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Israel

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation in June 2022.

- **Thresholds:** The Israeli entity is part of a Multinational Enterprise (MNE) Group with consolidated revenue exceeding NIS 150 million (approx. EUR 40 million) in the previous fiscal year.
- **Submission deadline:** The Master File must be filed within 30 days upon request.
- **Language:** English or Hebrew

- **Requirements/Thresholds:** The Local File must be submitted only upon request of the Israeli tax authority. No threshold.
- **Submission deadline:** The Local File must be filed within 30 days upon request. However, the Israeli tax authority expects taxpayers to prepare documentation on a regular basis, as they are required to indicate on Form 1385 whether a transfer pricing analysis has been carried out.
- **Language:** English or Hebrew

- The CbCR according to BEPS Action 13 has been implemented.
- **Threshold:** An MNE Group must file the CbCR if it has generated consolidated revenue of at least ILS 3.4 billion (approx. EUR 908 million) in the previous fiscal year.
- **Submission deadline:** Within twelve months of the end of the fiscal year.
- **Surrogate filing:** Has been implemented.
- **Secondary filing:** Has been implemented.
- **Duty of notification:** Within twelve months of the end of the fiscal year.
- The ITA has introduced an additional disclosure Form 1585 to classify the taxpayer's compliance requirements.
- Israel is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Country-specific regulations



Italy

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been generally incorporated into the domestic legislation.
- OECD's recommendations were implemented with slight modifications. The nature, content and scope of the documentation are laid down in two Circular Letters published by the Italian Fiscal Authority, one published on 23 November 2020 and the other on 26 November 2021.
- Requirements/ Thresholds: None
- Deadline for the preparation: By the date of submission of the tax return for the corresponding year (digital signature with the corresponding signature date is required).
- Submission deadline: Within 20 days after receiving a request from the tax authority that is made usually as part of an external tax audit. No submission required e.g. along with the annual tax return.
- Duty of notification: Yes (along with the annual tax return)
- Language: As a rule, the Local File must be submitted in Italian. The Master File can be submitted also in Italian or in English. Attachments to the Master File and to the Local File can be filed in any language but must be translated either into English or Italian upon request by the Italian tax authority.
- Penalties: In case of non-compliance of the documentation 70% of the assessed additional tax.

- The CbCR according to BEPS Action 13 has been implemented by the decree dated 23 February 2017 for FYs starting from 2016.
- Threshold: Consolidated group revenue of at least EUR 750 million in the previous year.
- Submission deadline: Within twelve months of the end of the fiscal year. Evaluation and storage of records for 15 years.
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: Along with the annual tax return (this applies to the Italian parent company and Italian subsidiaries).
- Penalties: From EUR 10,000 to EUR 50,000 per company
- Language: Italian. Table 3 of the report has to be filed in both Italian and English.
- Italy is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Japan

Master File

Local File

CbCR

– The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.

- Requirements/ thresholds: All Japanese corporations and foreign corporations with a Japanese PE that is a Constituent Entity of a Multinational Enterprise (MNE) Group with total consolidated revenue of JPY 100 billion or more in the preceding year.
- Submission deadline: Twelve months of the end of the ultimate parent entity’s fiscal year. Form available from e-Tax (only in Japanese). Additionally, a PDF file must be filed.
- Language: Japanese or English
- Duty of notification: Japanese corporation or foreign corporation’s PE in Japan.
- Penalties: A fine of up to JPY 300,000 in case of non-submission without good reason.

- Requirements / thresholds: Corporations with the total volume of transactions with foreign associated enterprises of at least JPY 5 billion in the previous fiscal year, or with the total volume of transactions involving intangibles (sum of inflows and outflows) of at least JPY 300 million are obliged to file the contemporaneous documentation (CD).
- Preparation deadline: By the due date of the tax return.
- Submission deadline: By the date designated by the tax auditor; as a rule it is within 45 days for corporations bound by the CD requirement and within 60 days for corporations not bound by the CD requirement.
- Language: Any language, but a translation into Japanese may be requested.
- Sanctions: In the event of non-submission the tax authority estimates the arm’s length price (application of the so-called “presumptive taxation” rule).

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: All Japanese corporations and foreign corporations with a PE that is a Constituent Entity of a Multinational Enterprise (MNE) Group with total consolidated revenue of JPY 100 billion or more in the preceding year.
- Submission deadline: Within twelve months of the end of the ultimate parent entity’s fiscal year.
- Language: English
- Direct filing: Japanese corporation (limited to Ultimate or Surrogate Parent Entity).
- Local filing: Japanese corporation or foreign corporation’s PE in Japan that is a member of a corporate group.
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Penalties: Fine of up to JPY 300,000 in case of non-submission without good reason.
- Duty of notification: By the end of the fiscal year (CbC law sec. 7)
- Japan is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD’s XML and CSV format for submission has been implemented. Additionally, a form available from e-Tax (only in Japanese) must be filed.

Duty of Notification for the ultimate parent entity:

- Threshold: All Japanese corporations and foreign corporations with PE that is a Constituent Entity of a Multinational Enterprise (MNE) Group with total consolidated revenue of JPY 100 billion or more in the preceding year.
- Submission deadline: By the end of the ultimate parent entity’s fiscal year. Form available from e-Tax.
- Language: Japanese
- Penalty: No



Kazakhstan

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.

- Requirements/ thresholds:
 - An ultimate parent of an MNE, a subsidiary, a consolidated entity of an MNE Group or MNE's permanent establishment has carried out international transactions (cross-border operations with non-residents);
 - The group generated an annual consolidated group revenue of at least EUR 750 million (approx. KZT 378 billion) in the previous fiscal year and the parent entity of an MNE is resident in Kazakhstan.
 - Submission deadline: No later than within twelve months of the date of receiving the request from the State Revenue Committee of the Ministry of Finance (hereinafter referred to as "Tax Committee").

- Requirements/ thresholds:
 - Annual revenue of the local entity of more than 5 million multiplied by the minimum calculation index (MCI 2023: 3,450); thus, the threshold is: KZT 17.25 billion (approx. EUR 34.5 million).
 - Submission deadline: The Local File must be filed in the prescribed form no later than 12 months after the end of the fiscal year. Thus, reporting for the first reporting period (2019) should be submitted no later than 31 December 2020.

- Language: Russian or Kazakh
- Penalties: Non-submission may result in a fine of up to EUR 2,500, depending on the entity's size, revenue and number of employees.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Requirements / threshold: The group generated annual consolidated group revenue of at least EUR 750 million (KZT 378 billion) in the previous fiscal year and the parent entity of a MNE is resident in Kazakhstan.
- Submission deadline: If the ultimate or representative parent entity of an MNE is resident in Kazakhstan, the CbCR must be submitted no later than twelve months after the end of the reporting year. Companies or permanent establishments located in Kazakhstan that are part of an MNE group but are not the ultimate or representative parent entity are only required to submit the CbCR upon request.
- Language: Kazakh and Russian if the filing entity is registered in Kazakhstan; English possible, if the filing entity is not registered in Kazakhstan.
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: The Tax Committee shall be notified no later than September of the year following the reporting fiscal year.
- Penalties: Non-submission: up to EUR 2,500, depending on the size of the company. For repeated non-submission: up to EUR 5,200, depending on the size of the company.
- Kazakhstan is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has not been implemented yet.



Kenya

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- **Thresholds:** Consolidated group revenue of more than KES 95 billion (approx. EUR 750 million) in the previous year.
- **Submission deadline:** For both Master and Local File, the deadline is six months after the end of the reporting period.
- **Language:** The legislation does not specify the language in which the TP documentation must be submitted.
- **Penalties:** Failure to comply with documentation requirements is subject to a penalty of 10% of the tax due or KES 100,000, whichever is higher.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2022.
- **Threshold:** The parent of an MNE group must be headquartered in Kenya with the total consolidated group revenue of at least KES 95 billion (approx. EUR 750 million) in the preceding fiscal year.
- **Notification deadline:** By the last day of the reporting year.
- **Language:** The legislation does not specify the language in which the CbCR must be submitted.
- **Surrogate filing:** Has been implemented
- **Secondary filing:** Has been Implemented
- **Penalties:** Taxpayers who fail to comply with the above legislation shall be subject to a penalty of 10% of the tax due or KES 100,000, whichever is higher.
- Kenya is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").



Latvia

Master File

- The Master and Local File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Requirements / thresholds:
 - The Master File must be submitted if the total value of transactions with associated enterprises exceeds EUR 15 million; or
 - Revenue of the company exceeds EUR 50 million and the total value of transactions with associated enterprises exceeds EUR 5 million.
 - If the revenue of the company is below EUR 50 million and the total value of transactions with associated enterprises is between EUR 5 million and EUR 15 million, the Master File must be submitted within one month after receiving a request.
- Submission deadline: Twelve months after the end of the fiscal year.
- Language: Latvian or English. If the Masterfile is submitted in English, a translation into Latvian may be requested.

Local File

- Requirements/ thresholds:
 - The Local File must be submitted, if the total value of transactions with associated enterprises exceeds EUR 5 million;
 - If the total value of transactions with associated enterprises exceeds EUR 250,000 but is below EUR 5 million, the Local File must be submitted within one month after receiving a request.
- Submission deadline: Twelve months after the end of the fiscal year.
- Language: Latvian.

CbCR

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Annual consolidated group revenue in the reporting year of at least EUR 750 million.
- Submission deadline: Within twelve months of the end of the reporting year.
- Language: Latvian
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: Until the last day of the reporting year.
- Penalties: The maximum penalty for non-submission is EUR 3,200.
- Latvia is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has not been implemented. Other formats are recommended (e.g. ODP, ODE, DOCX, XLSX, PDF).

- Penalties: Up to 1% of the value of transactions. The penalty is limited to a maximum of EUR 100,000.



Liechtenstein

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- The implementation of the Master File concept is formally regulated by Article 31 et seq. SteV and is based on the OECD TP Guidelines.
- Requirements / thresholds:
 - Taxpayers being members of an MNE group (participation of at least 25%); and
 - A group with a consolidated revenue exceeding CHF 900 million in the previous reporting year;
 - Transactions concerning the purchase and sale of goods of CHF 1 million, or all other income and expenses of CHF 250,000 (Article 31b (1) et seq. SteV).
- Submission deadline: At the request of the tax authority, within 60 days.
- Language: The documentation may be filed in German or English.
- Duty of notification: No
- Penalties: Non-compliance with the assessment proceedings (Article 135 SteG) may result in a penalty of up to CHF 1,000 or, in severe cases, up to CHF 10,000.
- Liechtenstein has also implemented documentation obligations for entities which are not part of an MNE group but exceed all size-related criteria according to Article 1064 (2) PGR (balance sheet total of CHF 25,9 million; net revenue of CHF 51,8 million in the previous year; average of 250 employees)

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2017 (CbC law, sec. 30).
- Threshold: Consolidated group revenue of at least CHF 900 million in the previous reporting year (CbC law sec. 2 sub-sec. 2c).
- Submission deadline: Within twelve months after the end of the reporting fiscal year (CbC law sec. 6 sub-sec. 4);
- Language: German or English (CbC-V, sec. 3)
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Notification duty: Report to the tax office until the last day of the fiscal year concerned.
- Penalties: Up to CHF 250,000 for intentional breach of notification or reporting requirements and up to CHF 100,000 for negligent breach of duties (CbC law sec. 20) as well as up to CHF 20,000 for the breach of the obligation to disclose information (CbC law sec. 21).
- Liechtenstein is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Lithuania

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Thresholds:
 - The taxpayer is obliged to prepare the Master File if it is a part of a taxable MNE group and its annual revenue exceeded EUR 15 million in the previous fiscal year.
 - The taxpayer is obliged to prepare the Local File if its annual revenue for the previous fiscal year exceeded EUR 3 million.
 - Transactions below EUR 90,000 are not to be documented.
- Deadline for the preparation: The 15th day of the 6th month of the following fiscal year.
- Submission deadline: After receiving a request from the tax authority.
- Duty of notification: No
- Language: As a rule – Lithuanian, but the documentation in English is usually accepted in practice.
- Penalties: EUR 1,820-5,590 for non-compliance with the procedure of preparing the TP documentation (in the case of repeated infringements, the penalty is EUR 3,770-6,000).

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Consolidated group revenue of at least EUR 750 million in the preceding year.
- Submission deadline: Within twelve months of the end of the reporting fiscal year.
- Language: The CbCR must be prepared in the Lithuanian language.
- Surrogate filing: Has been implemented.
- Secondary filing: Has been implemented.
- Duty of notification: By the end of the reporting fiscal year.
- Penalties: Up to EUR 390 for noncompliance with the CbCR and notification requirements.
- Lithuania is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD’s XML format for submission has been implemented.



Luxembourg

Master File

Local File

CbCR

- The Transfer Pricing Documentation should be in line with the rules set out in the Transfer Pricing Guidelines of the Organisation for Economic Cooperation and Development(OECD).
- The implementation of the Master File concept in accordance with BEPS Action 13 has not been formally incorporated into the domestic legislation yet, however in March 2023 a draft bill and regulations have been submitted to parliament in order to do so.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- New public CbCR regulations have been implemented in domestic law and will enter into force for accounting periods beginning on or after On or after 22. June 2024. The information has been added in brackets.
- On or after 22. June 2024: The disclosure has to be done on the website of the UPE or the standalone undertaking;
- On or after 22. June 2024: The reporting entity has to be either the UPE, the standalone EU entity, or the qualifying EU entities.
- Threshold: Applies to MNEs with consolidated group revenue equal to or exceeding EUR 750 million in the previous year. Regulations extend to subsidiary entities. (The new minimum threshold will be of EUR 750 million for two consecutive fiscal years.)
- Submission deadline: Must be filed no later than twelve months after the last day of the reporting fiscal year of an MNE group.
- Language: The CbCR can be filed in English.
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: The entity must notify the tax authority by the end of the fiscal year. Notification is to be made via e-notification through the “My Guichet” system.
- Penalties: A maximum penalty of EUR 250,000 may be imposed in case of incorrect or late filing. In addition, the statute of limitations for tax audits may be extended. (New liability for board members and penalties can be set between EUR 500 to EUR 25,000.)
- Luxembourg is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD’s XML format for submission has been implemented.



Malaysia

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Thresholds for the Local File (with effect from fiscal year 2023):
 - Entities with gross business income of more than MYR 30 million in total and engaging in cross-border controlled transactions totaling MYR 10 million or more annually; or
 - Entities receiving or providing controlled financial assistance of more than MYR 50 million annually;
- Taxpayers in the following categories are exempt from preparing a Local File (with effect from fiscal year 2023):
 - Individuals not carrying on a business;
 - Individuals carrying on a business (including partnerships) who only engage in domestic controlled transactions;
 - Persons who entered into controlled transactions amounting to not more than MYR 1 million; or
 - Persons who entered solely into domestic controlled transactions with another person where both parties do not enjoy tax incentives, are taxed at the same headline tax rate; or do not suffer losses for two consecutive years prior to the controlled transactions.
- Entities who enter into a controlled transaction but do not meet the abovementioned threshold and exemption are required to prepare a Minimum Transfer Pricing Documentation.
- Deadline for the preparation: Starting from the fiscal year 2023, the Local File must be prepared and completed prior to the due date for the corporate income tax return filing. There is no specific deadline for the preparation of the Master File.
- Submission deadline: The Master File and the Local File do not have to be submitted along with the tax return. However, they should be submitted within 14 days after receiving a request from the tax authority. Starting from fiscal year 2023, there is an additional requirement that taxpayers are required to date Local File (i.e., the date of completion). In order to be contemporaneous, the date of completion of Local File should be prior to the due date for the corporate income tax return filing.
- Duty of notification: Taxpayers must indicate (by ticking the box) in the tax return if they are required to prepare transfer pricing documentation and disclose the amount of transactions with associated enterprises. If applicable, taxpayers are also required to disclose detailed information on the company (e.g., functional characterisation, business restructuring, research and development activities, intellectual property, etc.)
- Language: English or Malay
- Penalties:
 - Failure to provide contemporaneous transfer pricing documentation within 14 days from the date of service of a written notice would be subject to a fine between MYR 20,000-MYR 100,000 for each year of assessment or imprisonment of up to 6 months, or both
 - Surcharge on TP adjustments: up to 5% surcharge on every transfer pricing adjustment made by the tax authorities (both upward and downward adjustments).

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2017.
- Threshold: The CbCR applies to multinational enterprises headquartered in Malaysia with consolidated group revenue exceeding MYR 3 billion in the preceding fiscal year.
- Submission deadline: The CbCR must be submitted to the tax authority within twelve months of the end of the fiscal year.
- Language: English or Malaysian
- Surrogate filing: Has been implemented
- Secondary filing: Has not been implemented
- Duty of notification: By the end of the fiscal year. Starting from the fiscal year 2021, the CbCR notification will be part of the tax return.
- Penalties: From MYR 20,000 to MYR 100,000 for notification failure.
- Malaysia is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (“CbC MCAA”).
- OECD’s XML format for submission has been implemented.

Legally effective for fiscal years from 1 January 2017. Penalty for failure to submit contemporaneous transfer pricing documentation and a surcharge on transfer pricing adjustments are effective from 1 January 2021. The new Transfer Pricing Rules for contemporaneous transfer pricing documentation is applicable for fiscal years from 1 January 2023.



Mexico

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Requirements / thresholds:
 - Mexican companies that have the obligation to have a tax report prepared by a CPA on their financial statements;
 - Mexican companies with a revenue of at least MXN 1,062,919,860 in the previous year (for 2024); or
 - Entities whose shares are listed on the stock exchange; or
 - Companies being members of the optional tax regime for corporate groups; or
 - PEs of foreign residents.
 - Taxpayers that are related parties of companies that have the obligation to have a tax report prepared by a CPE on their financial statements.
- Deadline for the preparation and submission of the Master File: If the fiscal year ends in the months between June and December, the Master File must be submitted no later than by 31 December of the following year. If the fiscal year ends in the months between January and May, the Master File must be submitted no later than by the end of the corresponding month of the following year.
- Deadline for the preparation and submission of the Local File: No later than by 15th May of the following year.
- Duty of notification: No
- Language: The Master File may be filed in English or Spanish. The Local File must only be prepared in Spanish.
- Penalties: Ranging between MXN 199,630 and MXN 284,220 for failure to submit the Local File or the Master File. The same applies if the Local File or the Master File contains incorrect or incomplete information; further non-financial penalties.
- In addition to the Local File, companies in Mexico that generated MXN 13 million or more in taxable income in the previous year and engaged in transactions with associated enterprises are required to file a multiple information return (DIM), regardless of the transaction amount. The DIM must be submitted by 15th May of the following year.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Consolidated group revenue of at least MXN 12 billion in the previous fiscal year.
- Submission deadline: Until 31 December of the following year; except for companies whose fiscal year does not correspond to the calendar year (deadlines are the same as those for the Master File).
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Notification duty: No
- Languages: Spanish.
- Penalties: From MXN 199,630 to MXN 284,220 for non-submission of the CbCR or filing an incomplete / incorrect CbCR; further non-financial penalties.
- Mexico is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD’s XML format for submission has not been implemented. The CbCR is filed using the transmission form available from the tax authorities’ website.



Netherlands

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Requirements/ thresholds: MNEs with annual consolidated group revenue of at least EUR 50 million.
- Deadline for the preparation: The document should be prepared by the taxpayer by the deadline for filing the CIT return, i.e. five months of the end of the fiscal year. The deadline for the preparation may be extended by an additional eleven months (5 + 11).
- Submission deadline: No submission required. In the case of a tax audit, the documentation should be provided immediately. In practice, a period of approx. four weeks is granted.
- Duty of notification: No
- Language: English or Dutch
- Penalties: If the documentation is not available during a tax audit, the burden of proof may shift from the tax inspector to the taxpayer. In the case of misconduct, a penalty of up to 25% and in the case of fraud – of up to 50% may be imposed on the legal maximum. In addition to the above penalties, fines may also be imposed of up to EUR 16,750 (as of January 1, 2025) or up to four years imprisonment.
- The existing regulations on the local Transfer Pricing Documentation continue to apply in addition to the requirements arising from BEPS Action 13. In the case of a consolidated group revenue of below EUR 50 million, the standard local Transfer Pricing Documentation must be prepared in accordance with local regulations.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Ultimate parent company of a Multinational Enterprise (MNE) Group with an annual group revenue of over EUR 750 million in the previous year.
- Submission deadline: Within twelve months of the end of the reporting fiscal year.
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification:
 - Usually before the end of the fiscal year;
 - Notification via electronic portal;
 - Violations against the notification obligation are subject to the same penalties as listed below.
- Language: English or Dutch
- Penalties: Fines of up to EUR 650,000 (as of January 1, 2025) or up to four years imprisonment. A shift of the burden of proof applies in all cases.
- The Netherlands is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD’s XML format for submission has been implemented.



Nigeria

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Requirements/ thresholds: The threshold is set at NGN 300 million.
- Duty of notification and deadline for the preparation: The tax authority requires all companies to provide precise information on transactions with associated enterprises together with their corporate income tax return within six months of the end of the fiscal year. The tax authority assumes that taxpayers carrying out significant transactions have prepared the Transfer Pricing Documentation and have it in place at all times.
- Submission deadline:
- If controlled transactions of a company reach a value of NGN 300 million or more, the Master File and the Local File must be submitted within 21 days of receiving a request from the Federal Inland Revenue Service (FIRS);
- If controlled transactions of a company are below NGN 300 million, the Master File and the Local File must be submitted within 90 days of receiving a request from FIRS.
- Language: English
- Penalties:
- Failure to submit the disclosure form by the due date: The greater of NGN 10 million or 1% of the value of the undisclosed controlled transaction(s) for the first month, and NGN 10,000 for each day the failure continues.
- Making an incorrect disclosure: The greater of NGN 10 million or 1% of the value of the controlled transactions incorrectly disclosed.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from January 2018.
- Threshold: Multinational enterprise groups originating from Nigeria with consolidated revenues of NGN 160 billion.
- Submission deadline: Twelve months of the end of the fiscal year.
- Language: English
- Surrogate filing: Has been implemented
- Secondary filing: Has been temporarily suspended.
- Duty of notification: Nigerian subsidiaries of foreign MNEs are required to notify the FIRS of the identity and tax residence of the entity filing the CbCR on behalf of the group. This notification is expected to be filed no later than the last day of the group's fiscal year.
- Penalties:
 - Duty of notification: NGN 5 million for the failure to file a notification and NGN 10,000 for each further day the failure continues.
 - NGN 10 million for the failure to file the CbCR within the statutory deadline and NGN 1 million for each further month in which the failure continues. Filing incorrect or false report results in a penalty of NGN 10 million.
- Nigeria is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- The OECD XML format for submission has not been implemented. However, an OECD-approved format has been implemented instead.



Country-specific regulations



Norway

Master File

Local File

CbCR

- As Norway has implemented a local documentation concept since 2008, which is almost equivalent to that of the OECD, the concept according to BEPS Action 13 can be regarded as implemented.
- A Norwegian-based company belonging to an MNE group that is required to file an RF-1123 will also be required to prepare a Master and Local File. However, there is an exception for SMEs which meet the following conditions:
 - Less than 250 employees;
 - Revenue not exceeding NOK 400 million;
 - Balance sheet total not exceeding NOK 350 million.
- Deadline: upon request within 45-days. However, it is strongly recommended to prepare/update the transfer pricing documentation on an ongoing basis.
- Penalties: The general sanctions of the tax law apply.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Consolidated group revenue of at least NOK 6,5 billion for the previous fiscal year.
- Submission deadline: no later than twelve months after the end of the fiscal year
- Surrogate Filing: Has been implemented
- Secondary Filing: Has been implemented;
- Duty of notification: yes, together with the tax return.
- Language: English
- Norway is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Philippines

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has not been incorporated into the domestic legislation yet.
- Local documentation requirements:
 - There are two documentations required for transfer pricing: (1) Information
 - Return on Transactions with Related Party (BIR Form No 1709) and (2) Local File.
 - Duty of notification (BIR Form No 1709): annually as an attachment to the corporate income tax return, only applicable for taxpayers who meet the three conditions below:
 - The taxpayer is required to file an annual income tax return;
 - The taxpayer has transactions with a domestic or foreign related party during the concerned taxable period; and
 - The taxpayer falls under any of the following categories:
 - a) large taxpayer;
 - b) taxpayers enjoying tax incentives;
 - c) taxpayers reporting net operating losses for the current taxable year and the immediately preceding two (2) consecutive taxable years; or
 - d) a related party that has transactions with (a), (b) or (c).
 - Thresholds for Local File: only applicable for taxpayers who are required to submit the BIR Form No 1709 and meet any of the threshold below are required to prepare Local File:
 - a) Annual gross sales/revenue for the subject taxable period exceeding PHP 150,000,000, irrespective of the source, and the total amount of related party transactions (RPTs) with foreign and domestic related parties exceeds PHP 90,000,000; or
 - b) Sale of tangible goods involving the same related party exceeding PHP 60,000,000 within the taxable year; or
 - c) Service transaction, payment of interest, utilisation of intangible goods or other related party transaction involving the same related party exceeding PHP 15,000,000 within the taxable year; or
 - d) If the TPD was required to be prepared during the immediately preceding taxable period for exceeding (a) to (c).
- Deadline for preparation: Local File must be prepared prior to the due date for the corporate income tax return filing.
- Submission deadline: Local File must be submitted to the BIR within 30 calendar days upon receipt of request by the tax authority during tax audit subject to a non-extendible period of 30 calendar days based on meritorious grounds.
- Language: English
- Penalties:
 - Late filing or non-filing of BIR Form No. 1709 is penalised with not less than PHP 1,000 but not more than PHP 25,000. In case of repetition of offense, the maximum penalty of PHP 25,000.
 - For transfer pricing adjustments, there are no specific penalties for transfer pricing issues. Therefore, the provisions of the tax code and other applicable laws regarding the imposition of penalties and other appropriate sanctions will be applied, i.e., a 25% surtax (50% in case of fraud) is generally imposed on tax deficiencies. The interest is imposed on the deficiency tax (but not on the surtax) at 20% per annum.

- The CbCR according to BEPS Action 13 has not been implemented yet.
- The Philippines is not a signatory to the Multilateral Competent Authority Agreement on the Exchange of CbCR (Country-by-Country Reporting) as part of the OECD/G20 BEPS project.



Poland

Master File

Local File

CbCR

– The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.

- Requirements / thresholds: Consolidated group revenue exceeded PLN 200 million in the previous fiscal year.
- Deadline for the preparation: Twelve months of the end of the fiscal year.
- Submission deadline: 14 days for the Master File at the request of the tax authority. 30 days for the translation of the Master File into Polish (if the Master File was prepared in English) of receiving a request.
- Duty of notification: No
- Language: English or Polish (at the request of the tax authorities).
- Penalties: See Local File

- Requirements/ thresholds:
 - Sale/purchase of goods, assets, taking out/ granting of loans, suretyships PLN 10 million;
 - Sale/purchase of services, intangible assets, rental, lease, licences PLN 2 million;
 - Transactions with an entity based in a tax haven
 - a) financial transactions PLN 2.5 million
 - b) other transactions PLN 0.5million.
- Benchmarking analysis obligatory for documented transactions except for transactions carried out by micro and small enterprises and transactions carried out with unrelated enterprises based in tax havens.
- Deadline for the preparation: 10 months of the end of the fiscal year.
- In addition, the TPR form with transfer pricing related information must be completed annually and sent no later than 11 months after the end of the fiscal year.
- Submission deadline: Local File: within 14 days at the request of the tax authority; 30 days for additional transactions indicated by the inspectors.
- Duty of notification: A statement confirming the preparation of the Local File and the arm's length nature of a transaction is included in the TPR form.
- Language: Polish
- Penalties:
 - 10% of the amount of the misstated/ overstated tax loss not disclosed;
 - 20%, if the tax base for the tax liability exceeds PLN 15 million in the portion of the excess over this amount, or if the taxpayer has not submitted the transfer pricing documentation;
 - 30% if the above-mentioned circumstances occur simultaneously.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Applies to the ultimate parent entity of an MNE group with tax residency in Poland (in some cases a subsidiary or a PE are required to submit the CbCR).
- Threshold: Consolidated group revenue of at least PLN 3,250 million or EUR 750 million in the previous fiscal year.
- Submission deadline: Within twelve months of the end of the reporting fiscal year.
- Language: Polish
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Penalty: Up to PLN 1 million
- Duty of notification: Within three months of the end of the fiscal year.
- Poland is signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR ("CbC MCAA").
- OECD's XML format for submission has been implemented.



Portugal

Master File

Local File

CbCR

- The transfer pricing documentation organized as Master File / Local File, in accordance with BEPS Action 13, is incorporated and approved in the Ministerial Order 268 / 2021 of 26 November 2021, provided that it contains the elements listed in the national regulation (relevant information and its supporting documentation as well as documentation regarding cost contribution arrangements and intragroup service provision). For SMEs, a „simplified file“ was adopted that mitigates certain requirements.
- Requirements/Thresholds: Companies with a total annual revenue less than EUR 10,000,000 are exempt from preparing the transfer pricing documentation. If the limit is exceeded, the exemption shall apply to controlled transactions (with associated enterprises) with a total amount not exceeding EUR 500,000 and up to EUR 100,000 per counterparty.
- Deadline for the preparation: Transfer pricing documentation must be prepared until the 15th day of the seventh month of the end of the fiscal year.
- Submission deadline: Transfer pricing documentation must be submitted by taxpayers whose situation is monitored by the Large Taxpayer’s Unit until the 15th day of the seventh month of the end of the fiscal year. The remaining taxpayers must only submit the documentation, upon request by the tax authority.
- Duty of notification: Each year, taxpayers must submit a Declaration of Tax and Accounting Information (IES), which contains information about the associated enterprises, the value of each controlled transaction and the availability of the documentation. For the Local File, this is the last day of the fifth month following the end of the fiscal year. Taxpayers must include in Appendix H, Tables 031 and 032 of the Annual Accounting and Tax Information (IES), information regarding transfer pricing.
- Language: Portuguese although upon request, the Tax Authorities may accept the submission of documents in their original language.
- Penalties: Ranging between EUR 1,000 to EUR 10,000, plus a 5% surcharge per each day of the delay, will be imposed for failure to comply with the documentation requirements. For any inaccuracies in the provided information a penalty of EUR 1,000 to EUR 22,500 will be imposed.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: MNEs with annual consolidated revenue equal to or exceeding EUR 750 million in the previous year. This threshold also applies to subsidiaries under certain conditions.
- Submission deadline: The CbCR must be filed electronically, using Form 55, within twelve months of the end of the group’s fiscal year.
- Language: Portuguese
- Surrogate filling: Has been implemented
- Secondary filling: Has been implemented as from 1 January 2017.
- Companies must also submit Form 54, where they identify the reporting entity, within five months of the end of the fiscal year or until the last day of the 5th month following the end of the tax period (in cases where the tax period does not correspond with the calendar year).
- MNEs with annual consolidated revenue exceeding EUR 750 million will now be under the obligation to make that information publicly available.
- The corporate income tax information must be published as a report on the entity’s website within a maximum period of 12 months after the date of the balance sheet of the fiscal year to which the report relates. The report, that must be prepared in the same language in which the Financial Statements are presented and in, at least one of the official languages of the European Union, must include information related to all the ultimate parent or standalone undertakings activities and remain publicly available for a minimum period of 5 consecutive years. This publicity requirement can be waived under certain conditions.
- Penalties: A penalty ranging between EUR 1,000 and EUR 10,000, plus a 5% surcharge per each day of the delay, will be imposed for failure to provide the CbCR or to file a notification.
- For any inaccuracies in CbCR a penalty of EUR 1,000 to EUR 22,500 will be imposed.
- Portugal is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (“CbC MCAA”).
- OECD’s XML format for submission has been implemented.



Republic Moldova

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has not been implemented and is not expected. However, the Republic of Moldova introduced local documentation requirements in December 2022 which follow the OECD's Transfer Pricing Guidelines and came into effect on 1 January 2024. On 9 February 2024, a subordinate transfer pricing regulation was published (Order of the Ministry of Finance No. 9 of 26 January 2024). Among other important aspects, this regulation sets out how the tax authorities will control whether prices set between affiliated parties are in line with market levels.
- Under the new provision, all taxpayers engaged in transactions with affiliates with a total annual value exceeding MDL 1,000,000 may be subject to review for compliance with the arm's length principle for controlled transactions. Failure to comply with this principle may result in the tax authorities adjusting these transactions, recalculating CIT liabilities and imposing significant fines.
- Local documentation requirements: A local transfer pricing documentation containing both group and entity-level information is required as well as a standardized form providing information about transactions with associated enterprises.
- Thresholds:
 - The contemporaneous preparation and submission is expected if the total value of transactions with associated enterprises during the tax period is equal to or exceeds MDL 50 million (excluding VAT).
 - If the total value of transactions with associated enterprises during the tax period is more than MDL 20 million but less than MDL 50 million (excluding VAT), the transfer pricing documentation will only need to be prepared and submitted upon request of the tax authorities.
- Submission deadline: If the taxpayer is subject to the continuous documentation requirement, the transfer pricing form must be submitted by 25 March of the following year. Otherwise, the taxpayer must prepare and submit the transfer pricing documentation within 60 calendar days of receiving the request.
- Penalties:
 - Failure to file the transfer pricing form and/or documentation by the due date: MDL 30,000-50,000;
 - Failure to file the transfer pricing form and/or documentation at all: MDL 300,000-500,000;
 - False or misleading information resulting in tax avoidance is punishable by a fine of MDL 150,000-200,000.

- The CbCR according to BEPS Action 13 has not been implemented and is not expected.
- Republic Moldova is not a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").



Romania

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has not been incorporated into domestic legislation yet. However, the Local File should contain Group information as mandated by Order 442/ 2016 regarding the transfer pricing content.
 - Local documentation requirements:
 - Requirements/ thresholds:
 - Large companies (based on the classification by the tax authority) whose transactions with related parties exceed the following thresholds:
 - EUR 200,000 for interest paid/ received;
 - EUR 250,000 for services acquired/ rendered;
 - EUR 350,000 for transactions involving receipt or supply of goods.
 - Deadline for the preparation and submission: This category of taxpayers (large) has the obligation to prepare and have available the Transfer Pricing Documentation by the time the annual Corporate Income Tax Return is filed with the Romanian tax authorities (i.e. by the 25th of the third month of the end of the fiscal year).
 - Submission deadline: It must be presented upon request of the tax authority within maximum ten days, even outside a tax audit, but no earlier than ten days after the deadline for filing the Corporate Income Tax Return.
 - Medium and small companies whose transactions with associated enterprises exceed the following thresholds:
 - EUR 50,000 for interest paid/ received;
 - EUR 50,000 for services acquired/ rendered;
 - EUR 100,000 for transactions involving receipt or supply of goods;
 - Submission deadline: Submission of documentation upon request of the tax authority as part of a tax audit, within 30-60 days. It is possible to extend this deadline for up to 30 days.
 - Language: Romanian
 - Duty of notification: No
 - Penalties: Failure to submit the Transfer Pricing Documentation or submitting an incomplete documentation may result in fines ranging between RON 12,000 and RON 14,000 (or between EUR 2,500 and EUR 3,100) and assessment of transfer prices by the tax authorities based on generally available information on comparable transactions or based on their self-prepared benchmarking study.
- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
 - Threshold: A Romanian tax resident entity that is the ultimate parent entity of a Multinational Enterprise (MNE) group with consolidated revenue of EUR 750 million or more in the previous year and is required to prepare consolidated financial statements of the group.
 - Submission deadline: Within twelve months of the fiscal year end.
 - Language: Romanian and other official EU language.
 - Surrogate filing: Has been implemented
 - Secondary filing: Has been implemented
 - Duty of notification: Until the end of the reporting year of an MNE, but no later than the deadline for submitting the income tax return for the previous fiscal year.
 - Penalties:
 - For late submission or incomplete/ incorrect data a penalty ranging from RON 30,000 (approx. EUR 6,100) to RON 50,000 (approx. EUR 10,200) applies;
 - For non-submission a penalty ranging from RON 70,000 (ca. EUR 14,400) to RON 100,000 (ca. EUR 20,500) applies.
 - Romania signed the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
 - OECD’s XML format for submission has been implemented.

- Romania was the first EU Member State to implement public CbC-Reporting into national law. Therefore, already for financial years starting from 1 January 2023, the CbC-Report information must be published within 12 months of the end of the financial year at the latest.
- In Romania, not only MNEs with a group turnover of more than EUR 750 million are subject to public CbC-Reporting, but also all MNEs that have a medium or large subsidiary in Romania, regardless of whether they are groups based in a non-EU country or in the EU. This represents an extension of the scope of application of the EU Directive.



Russia

Master File

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Requirements / thresholds:
 - Tax residents in Russia - annual consolidated group revenue of at least RUB 50 billion for the period prior to the reporting fiscal year;
 - Tax residents in foreign country - depending on the local thresholds of the holding company's country of residence.
- Submission deadline: Within three months of receiving a request from the tax authority, but not earlier than twelve months and not later than 36 months after the reporting fiscal year-end.
- The Master File shall be filed with the tax authorities in electronic form.
- Language: In Russian. Amounts may be reported in the currency in which the parent company prepares its consolidated financial statements.
- Penalties: A fine of RUB 1,000,000 will be imposed for failure to submit the Master File.

Local File

- Local File requirements were introduced in 2012 and are already to a large extent in line with BEPS Action 13.
- Requirements / thresholds: Cross border "controlled transactions" meeting the following criteria must be documented:
 - Transactions exceeding RUB 120 Million:
 - Cross-border transactions with foreign associated enterprises;
 - Transactions with special groups of goods (oil and goods derived from oil; ferrous metals; nonferrous metals; mineral fertilizers; precious metals and precious stones);
 - Cross-border transactions with a party in an offshore zone. Starting 1 January 2024, the list of offshore zones is extended by all EU countries and other countries indicated in Decree of President. Some exemptions are foreseen.
 - Domestic transactions with associated enterprises must also be documented when certain criteria are met. In practice limited number of domestic transactions fall under TP regulations.
- Submission deadline: The documentation must be submitted to the tax authority upon request, but not before 1st June of the year following the reporting period. The deadline is 30 labor days.
- Duty of notification: Notification must be filed until 20 May.
- The Local File shall be filed with the tax authority in electronic form.
- Language: In Russian, with numerical data in RUB currency.
- Penalties: A fine of RUB 1,000,000 will be imposed for failure to submit the Local File. For cross-border transactions a fine of 100% of the amount of unpaid tax but not less than RUB 500.000 (penalties not applicable for transactions performed in the period between 1 January 2022 and 31 December 2023).

CbCR

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2017.
- Thresholds: the same as for Master File
- Submission deadline: The CbCR is submitted by the holding company or an authorized group company, if they are residents of the Russian Federation, no later than twelve months of the end of the reporting period; other MNE participants submit a CbCR upon request of the tax authority.
- Duty of notification: Notification must be filed within eight months of the end of the reporting fiscal year.
- Language: Russian, with numerical data in currency of consolidated reports
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Penalties: A fine of RUB 500,000 will be imposed for failure to submit the notification or for submitting the notification containing inaccurate information. A fine of RUB 1,000,000 will be imposed for failure to submit the CbCR or for submitting the CbCR containing inaccurate information.
- Russia is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented and the preliminary version (implemented starting from May 2018) is compliant with the OECD's XML format.



Serbia

Master File

Local File

CbCR

- The form of the TP report is precisely defined and is mostly reconciled with BEPS Regulations, albeit the documentation could be considered as a hybrid form between BEPS Master File and Local File.
- No bill for the implementation of the Master File has been drafted to date.
- Local documentation requirements:
 - Thresholds: Transactions with associated enterprises exceeding, in total, the volume of RSD 8,000,000 (approx. EUR 66,000).
 - Deadline for the preparation: The documentation must be prepared until 29 June of the following year.
 - Submission deadline: The taxpayer must submit the documentation until 29 June.
 - Duty of notification: No
 - Language: Serbian tax authorities accept only documents in the Serbian language.
 - Penalties: The tax authorities will request additional information from the taxpayer, if required. In the case of taxpayer's failure to respond within 30 days, penalties ranging between RSD 100,000 and RSD 2 million can be imposed.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from January 2020.
- Threshold: Consolidated revenue exceeded EUR 750 million in the previous fiscal year.
- Submission deadline: Within twelve months of the end of the reporting fiscal year.
- Serbia is not yet a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has not been implemented.



Singapore

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into domestic legislation. However, Singapore has not adopted the application of the Master File and Local File as separate documents. Sec. 34F of the Singapore Income Tax Act outlines the comprehensive requirements for the preparation of the Transfer Pricing Documentation (“TPD”).
- Requirements/ thresholds: Effective 2019, TPD must be prepared if either the annual gross revenue derived from trade exceeds SGD 10 million or TPD was required to be prepared for the previous assessment period.
 - Companies are exempt from the obligation to prepare TPD if their gross revenue is below SGD 10 million for the reference period and the two immediately preceding periods.
 - Previous TPDs can be used for the following two years if relevant facts in the TPD are the same as in the prior years.
- Taxpayers are exempt from preparing TPD for certain related party transactions where specified thresholds are met.
- Preparation deadline: The same as the deadline for filing the tax return (30 November for paper filing, 15 December for electronic filing) for the documentation to be considered contemporaneous. The date of preparing TPD needs to be indicated.
- Submission deadline: Within 30 days following IRAS’ request; no submission along with the tax return is required.
- Duty of notification: A separate form must be completed and submitted along with the tax return if the value of transactions with associated enterprises exceed SGD 15 million.
- Language: English
- Penalties:
 - A surcharge of 5% for transfer pricing adjustments, regardless of whether the adjustment is taxable or not. Remission of the surcharge may be considered by IRAS for taxpayers that are cooperative during a transfer pricing audit and have solid compliance records
 - Penalties of SGD 10,000 may be imposed for:
 - Failure to prepare the TPD until the date of filing the tax return;
 - Failure to prepare the TPD in accordance with the TPD rules;
 - Failure to keep the TPD on file for a period of five years;
 - Failure to submit the TPD within 30 days following IRAS’ request; and
 - Providing false or misleading information to IRAS.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2017.
- Threshold:
 - The ultimate parent entity (“UPE”) of an MNE group is tax resident in Singapore;
 - The consolidated group revenue was at least SGD 1,125 million in the preceding fiscal year; and
 - The MNE group has subsidiaries or operations in at least one foreign jurisdiction.
- Submission deadline: twelve months of the end of the UPE’s fiscal year.
- Surrogate filing: Has not been implemented
- Secondary filing: Has not been implemented
- Duty of notification: No; if the company is headquartered in Singapore, notification of specific information has to be made three months before the filing deadline for CbCR.
- Languages: English
- Penalties:
 - Late submission or failure to submit the CbCR: A fine of up to SGD 5,000. If the fine is not paid, a penalty of imprisonment for up to six months;
 - The CbCR containing false/ misleading information: A fine of up to SGD 10,000 and imprisonment for up to two years.
- Singapore is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD’s XML format for submission has been implemented.



Slovakia

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- The BEPS Action 13 requirements largely apply to the “Complete Documentation” and partly to the “Basic Documentation”.
- Thresholds: Documentation obligation for transactions over EUR 10,000 or credit/ loans with the amount over EUR 50,000 (so-called significant controlled transactions according to the definition of the CIT Act).
- Details and scope regulated in an Instruction from the Ministry of Finance
- Three types of documentation - depending on the taxable entity and the transaction (domestic/ cross-border, immaterial/ material - materiality is tested for determining the scope of documentation according to accounting principles):
 - Complete documentation: e.g. for cross-border transactions with a volume exceeding EUR 10 million; for material cross-border transactions of companies subject to the IFRS accounting obligations; for material cross border transactions with entities located in tax havens; for applications for Advance Pricing Agreements or for Corresponding Adjustments, for Mutual Agreement Procedures (MAP); for material cross-border transactions of taxpayers with tax reliefs;
 - Basic documentation: e.g. for cross-border transactions with a volume exceeding EUR 1 million; for material cross-border transactions of the taxpayer with revenues exceeding EUR 8 million in the tax period; for material domestic transactions of taxpayers with tax reliefs;
 - Abbreviated documentation (prepared as a form): e.g., for immaterial transactions of taxpayers with tax reliefs, for material transactions of the taxpayer with revenues exceeding EUR 100,000, for a taxpayer reporting a tax loss, for a taxpayer claiming a tax loss.
- Deadline for the preparation: No official deadline, usually within the deadline for the submission of the tax return.
- Submission deadline: Within 15 days of receiving a request from the tax authority or the Financial Directorate; electronic filing.
- Language: Submission in foreign languages possible, however, the tax office or tax directorate may also request translation into Slovak (submission deadline is then 15 days).
- Penalties: Fines of up to EUR 3,000 in the case of non-compliance.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016 or 2017 (Act No. 442/ 2012 Coll).
- Threshold: Consolidated revenue of at least EUR 750 million in the previous year.
- Legal effectiveness:
 - Fiscal years as from 1 January 2016 for ultimate parent entities with tax residency in Slovakia;
 - As from 1 January 2017 for subsidiaries with tax residency in Slovakia (if the reporting duty was delegated to those entities).
- Submission deadline: Within twelve months of the end of the fiscal year
- Language: Slovakian
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: Within the deadline for filing the tax return (on a separate form), i.e. as a rule, three months of the end of the fiscal year.
- Penalties:
 - In the case of non-compliance with the CbCR: A fine of up to EUR 10,000;
 - In the case of a breach of the duty of notification: A fine of up to EUR 3,000.
- Slovakia is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- XML format for submission has been implemented.



Slovenia

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been implemented.
- Requirements/ thresholds: No thresholds as all transactions with associated enterprises must be documented regardless of the amount.
- Deadline for the preparation: By the end of March for the previous fiscal year or within three months of the end of the fiscal year if different than the calendar year.
- Submission deadline: During the tax audit within 90 days at the latest.
- Duty of notification: By the end of March for the previous fiscal year (deadline for filing the corporate income tax return)
- Language: English or Slovenian
- Penalties: Up to EUR 30,000

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2017.
- Threshold: Consolidated revenue of EUR 750 million or more.
- Submission deadline: Twelve months after the last day of the fiscal year.
- Language: Either in Slovenian or in the language agreed with the tax authority.
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: By the end of March for the previous fiscal year or within three months of the end of the fiscal year if different than the calendar year.
- Penalties: Up to EUR 30,000 for the entity and up to EUR 4,000 for the person in charge.
- Slovenia is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



South Africa



Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Requirements / thresholds:
 - The company is required to file the CbCR in South Africa; or
 - The value of all cross-border transactions with associated enterprises exceeds ZAR 100 million in the year of assessment (Master File and Local File). These companies must also provide specified records for transactions that exceed ZAR 5 million; or
 - The local entity (resident) pays over royalties or fees to non-residents.
- Submission deadline:
 - Within twelve months after the last day of the group's fiscal year, if the company is required to file Master File, Local File and CbCR.
 - Companies which are not required to submit the CbCR in South Africa, but which exceed the threshold for submitting Master File and Local File are required to submit Master File and Local File within twelve months of the end of the reporting fiscal year.
- Duty of notification: Yes
- Language: English
- Penalties: ZAR 250 per month up to ZAR 16,000 per month

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Consolidated group revenue exceeding ZAR 10 billion or EUR 750 million in the previous fiscal year
- Deadline for the preparation or submission: Within twelve months of the end of the reporting fiscal year of an MNE.
- Language: English
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification:
 - Any Constituent Entity of an MNE group that is resident for tax purposes in South Africa must notify South African Revenue Service (SARS) no later than twelve months of the end of the reporting fiscal year of such a MNE about whether it is the Ultimate Parent Entity or the Surrogate Parent Entity.
 - Where the Constituent Entity is neither the Ultimate Parent Entity nor the Surrogate Parent Entity, it must notify SARS of the identity and tax residence of the Reporting Entity, no later than twelve months of the end of the reporting fiscal year of such an MNE group.
- Penalties: ZAR 250 per month up to ZAR 16,000 per month.
- South Africa is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbC Reports (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



South Korea

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into domestic legislation. Article 11 of the Korean Adjustment Of International Taxes Act outlines the comprehensive requirements for the preparation of the Transfer Pricing Documentation (“TPD”).
- Requirements/ thresholds: All Korean corporations and permanent establishments of foreign corporations which meet the following two conditions cumulatively:
 - Annual revenue of over KRW 100 billion; and
 - Annual transaction volume of over KRW 50 billion with a foreign associated enterprise
- Deadline for the preparation and submission: Within twelve months of the end of the fiscal year.
- Duty of notification: No other duty except submission to the Korean National Tax Service.
- Language: Korean. English is possible but a Korean version must be additionally submitted within one month.
- Currency: Korean Won (KRW)
- Penalties: KRW 30 million for the following cases:
 - Failure to submit the complete TPD including Master File, Local File and Country-by-Country Reporting within the deadline;
 - Providing false or misleading information or incomplete TPD.
- Other local documentation requirements should be met along with filing the corporate tax return. In case of non-submission of those documents, the requested documents are to be provided to the Korean tax authorities within 60 days. Otherwise a penalty of up to KRW 100 million may be imposed on the taxpayer for non-compliance.
- Non-compliance with the requirement to file the statement of transactions with associated enterprises is subject to a non-compliance penalty of KRW 5 million per each statement.
- As of 1 January 2023, new requirements will apply to the data reporting exemption for transactions with associated enterprises.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from January 2015.
- Threshold: All Korean corporations and PEs of foreign corporations with the total consolidated revenue of over KRW 1,000 billion or EUR 750 million in the preceding year.
- Submission deadline: Within twelve months of the end of the fiscal year.
- Language: Korean or English
- Surrogate filing: N/A
- Secondary filing: N/A
- Duty of notification: No other duty except submission to the Korean National Tax Service.
- Penalties: Same penalties as for Master and Local File.
- Korea is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD’s XML format for submission has been implemented.



Spain

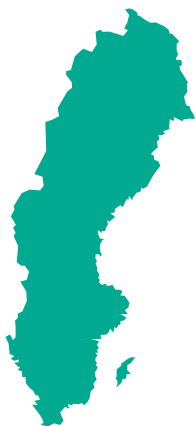
Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation. However, some local requirements differ from those established by the OECD.
- Thresholds: Annual consolidated revenue of at least EUR 45 million and the total volume of all intercompany transactions between the same two associated enterprises exceeding the amount of EUR 250,000 in a fiscal year.
- Deadline for the preparation: The Master File and the Local File must be prepared within six months and 25 days after the end of the fiscal year.
- Submission deadline: At the request of the tax authority; either immediately or at a date specified by the tax authority.
- Duty of notification: Information on intercompany transactions must be notified using the Tax Form 232 (Modelo 232) and submitted within eleven months of the end of the fiscal year for all fiscal years beginning as from 1 January 2016.
- Language: The Master File and the Local File may be submitted in English. However, a translation into Spanish may be requested by the tax authority.
- Penalties:
 - A penalty of EUR 1,000/per data unit and EUR 10,000/per data set may be imposed for incomplete documentation (non-submission or submission containing incomplete/ inaccurate information). The penalty is limited to the lower of 10% of all transactions or 1% of the revenue.
 - In the case of TP adjustments with incomplete documentation, a penalty of 15% of the adjusted amount will be imposed.
- Starting from the fiscal year 2015, Spain has introduced simplified documentation requirements for entities belonging to groups of companies with annual revenue of below EUR 45 million. A further simplified Local File must be filed by taxpayers belonging to an MNE with consolidated revenue of at least EUR 10 million but less than EUR 40 million. Taxpayers belonging to an MNE with consolidated revenue of less than EUR 10 million must file a tax form called Modelo FOV.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Consolidated revenue of at least EUR 750 million in the previous year.
- Submission deadline: Within twelve months of the end of the reporting fiscal year.
- Language: Spanish; Annex III in Spanish and English
- Surrogate filing: Implemented
- Secondary filing: Implemented
- Duty of notification: Before the end of each fiscal year based on the consolidated revenue of the previous fiscal year. A special tax form is available for this purpose (Modelo 231).
- Penalties: No specific penalties. However, non-submission or submission of inaccurate data will be sanctioned pursuant to the General Tax Law.
- Spain is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Sweden

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation.
- Requirements/ threshold (consolidated on a group level):
 - > 250 employees; and
 - > SEK 450 million revenue or > SEK 400 million balance sheet total;
 - Both conditions must be fulfilled in the preceding fiscal reporting year;
 - Regarding the Local File: Transactions with a volume of less than SEK 5 million do not require documentation. For intangible assets, this exemption only applies if they are not deemed material for the company.
- Deadline for the preparation: Deadline for the preparation is the same as the deadline for filing the corporate income tax return, i.e. six months after of end of the financial year (1 July for calendar year). Filing of the TP documentation is not obligatory. However, the TP documentation should be submitted to the Swedish Tax Agency upon its request (therefore, no deadline for submission).
- Submission deadline: Upon request; According to the legislation "within a reasonable period of time", but as a rule within 30 days.
- Duty of notification: No duty of notification has been determined in the legislation currently in force, but further instructions are to be issued by the Swedish Tax Agency.
- Language: Swedish, Danish, English or Norwegian.
- Penalties: Sanction for non-submission; Tax surcharges of 40% of the tax amount based on the corporate income tax return.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Requirements: Ultimate parent companies of multinational groups; Swedish subsidiaries if the ultimate parent company is required to file the CbCR.
- Threshold: Consolidated revenue of at least SEK 7 billion in the previous year.
- Submission deadline: Twelve months of the end of the fiscal year.
- Language: The CbCR can be filed in Swedish, Danish, English or Norwegian, whereas English is recommended.
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification:
 - As a rule, before the end of the fiscal year;
 - Notification must be filed individually by each Swedish entity being part of the group;
 - Notification may be filed in Swedish or English.
- Penalties: Special sanctions for non-submission of the CbCR have not been specified yet. Therefore, general rules regarding fines for non-compliance apply instead.
- Sweden is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Switzerland

Master File

Local File

CbCR

- A full implementation of the documentation approach according to the OECD guidelines with Master File and Local File in domestic law is currently not planned in Switzerland.
- However, it should be noted that Switzerland has unreservedly committed to reviewing the appropriateness of transfer prices based on the OECD guidelines.
- Local documentation requirements:
 - No threshold and submission deadlines have been determined. Cost-benefit analyses are used for reference on a case-by-case basis. Consequently, this involves a margin of discretion.
 - The usual due dates for regular assessment procedures must be observed (as a rule, within 30 days). An extension of this deadline is possible.
 - Duty of notification: No
 - Language: The Master File and/or the Local File in a foreign language (esp. English) are generally accepted by the Swiss tax authorities, although a translation into an official national language (German, Italian, French) may be required.
 - Penalties: Non-compliance with the assessment proceedings (according to sec. 174 DBG) may result in a penalty of up to CHF 1,000 or in severe cases of up to CHF 10,000.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2018 (section 30f ALBAG).
- Threshold: Consolidated revenue of at least CHF 900 million in the previous fiscal year (sec. 6 ALBAG).
- Submission deadline: Within twelve months after the end of the reporting fiscal year (sec. 11 ALBAG).
- Language: The CbCR may be compiled in German, French, Italian or English (sec. 4 ALBAG).
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: Within 90 days of the end of the fiscal year (sec. 10, sub.-sec. 4 ALBAG).
- Penalties: Up to CHF 50,000 for failure to submit a report on time and up to CHF 100,000 for submitting a report containing inaccurate or incomplete information (sec. 12 & 25f ALBAG).
- Switzerland is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Thailand

Master File

Local File

CbCR

- Requirements/ thresholds for Local File: Taxpayers generating total revenue of THB 200 million or more per one accounting year and has related party transactions. Regulations in relation to the preparation and lodgment of the Master File have yet to be issued.
- Deadline for the preparation and submission:
 - Disclosure Form: To be prepared and submitted within 150 days from the close of the accounting period of the fiscal year (together with the submission of annual tax returns).
 - Documentation: The Local File should be prepared and kept on file for five years from the submission of the TP disclosure form. Taxpayer is required to submit the TP Documentation within 60 days of receiving a request from the Thai Revenue Department ("TRD"). Taxpayer can request a 180-day extension for the first request from the TRD and 60 days for subsequent requests.
- Duty of Notification: Disclosure Form: A report filed with the annual tax return that contains information on intercompany relations and the value of intercompany transactions in each accounting period.
- Tax refund: Tax refund resulting from a transfer pricing adjustment may be requested within three years from the due date for filing the tax return or within 60 days of receiving written notice of a transfer pricing adjustment from the TRD.
- Language: Thai
- Penalties:
 - Failure to submit Disclosure Form or submitting incorrect information: penalty not exceeding THB 200,000;
 - Tax shortfall: Penalty of 100-200% on tax shortfall;
 - Interest on penalties: 1.5% surcharge per month, capped at 100% of the tax shortfall.

- The CbCR according to BEPS Action 13 has been implemented and is effective for FYs commencing on or after 1 January 2021.
- Threshold:
 - The consolidated revenue was at least THB 28,000 million in the preceding fiscal year.
- Submission deadline: Within 12 months of the end of the fiscal year of the ultimate parent entity.
- Duty of notification: Within 12 months of the end of the fiscal year of the ultimate parent entity.
- Surrogate filing: has been implemented
- Secondary filing: has been implemented
- Penalties: THB 2,000 for failure to file the CbCR by the due date
- Thailand is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



Tunisia

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation in October 2019 and is therefore effective for tax audits starting from 2021 (Finance Bill for 2020).
- Requirements / thresholds:
 - Total operating and financial revenue of more than TND 200 million;
 - Transactions between companies must exceed TND 100,000 excluding tax for each transaction category;
- Submission deadline: Documents must be filed within the deadline for filing the annual corporate income tax return (25 days of the beginning of the third month following the last fiscal year, starting from 2020).
- Language: In French; files in English are not officially recognised but can be accepted in practice.
- Duty of notification: The submission deadline is 40 days of receipt of a request from the Tunisian tax authorities. There is no possibility to extend this deadline.
- Penalties: Up to TND 10,000 for non-compliance with the submission deadline and TND 50 for every case of providing incorrect or incomplete information in the case of files, maximally TND 5,000.
- According to the currently applicable local requirements, a price reduction in transactions between associated enterprises may result in an adjustment by the tax authority.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2020.
- Threshold: Annual consolidated revenue of more than TND 1.636 million in the previous year.
- Submission deadline: Within twelve months of the end of the reporting fiscal year.
- Language: In French; Files in English are not officially recognised but can be accepted in practice.
- Surrogate filing: Not yet defined
- Secondary filing: Not yet defined
- Duty of notification: The submission deadline is 40 days of receipt of a request from the Tunisian tax authorities. There is no possibility to extend this deadline.
- Penalties: Up to TND 50,000 for non-compliance with the submission deadline and TND 100 for every case of providing incorrect or incomplete information in the case of files, maximally TND 10,000.
- Tunisia is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has not been implemented yet.



Turkey

Master File

- The Master File concept according to BEPS Action 13 has been implemented for fiscal years starting from 2019.
- Thresholds: The Master File must be prepared by corporate taxpayers whose assets and net revenue exceed TRY 500 million.
- Deadline for the preparation: Within twelve months of the end of the reporting fiscal year.
- Submission deadline: At the request of tax authority.
- Duty of notification: No
- Language: Turkish

Local File

- Every entity with tax residency in Turkey and executing cross-border transactions is required to prepare the Local File.
- The Local File includes the preparation of two sets of documents:
 - Annual transfer pricing report;
 - Transfer pricing form.
- Thresholds:
 - No threshold for preparing the annual transfer pricing report;
 - Transfer pricing form: Total transaction volume of more than TRY 30,000.
- Deadline for the preparation: Within the deadline for filing the CIT return (30th April if the fiscal year is the calendar year).
- Submission deadline: Within 15 days of receipt of a request from the Tax Administration.
- Duty of notification: No
- Language: Turkish

CbCR

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from January 2019.
- Threshold: Ultimate parent companies of MNE groups whose consolidated revenue exceeded EUR 750 million in the previous year.
- Turkish taxpayers that are a part of a domestic or a foreign MNE group which meets the CbCR requirements are required to file an electronic notification regarding CbCR filing.
- Submission deadline: By the end of twelve months following the end of the reporting fiscal year.
- Deadline for notification: Within six months after the end of reporting fiscal period.
- Language: Turkish
- Surrogate filing: Not defined
- Secondary filing: Not defined
- Turkey is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- Implementation of OECD’s XML format for submission is expected.

Penalty: There is no specific tax loss penalty in Turkish tax legislation for transfer pricing adjustments. However, a fixed, special procedural non-compliance penalty is applicable under repeated Article 355 of the Turkish Tax Procedures Code in the event of failure to submit, late submissions, or incorrect disclosure. Furthermore, taxpayers who fulfill transfer pricing documentation requirements are eligible for a 50% reduction in the tax loss penalty amount imposed during a tax inspection.



Ukraine

Master File

- The Master File concept according to BEPS Action 13 has been incorporated into national legislation.
- Requirements / thresholds: consolidated revenue of an MNE group for the preceding year of at least EUR 50 million.
- Deadline for the preparation: None.
- Submission deadline: within 90 calendar days of receipt of the tax authority's request, which will not be earlier than twelve months of the end of fiscal year.
- Duty of notification: Report on controlled transactions and notification about participation in an MNE group must be filed until 1 October of the fiscal year following the reporting year
- Language: Ukrainian. Documents in foreign language must be accompanied by translation.
- Penalties:
 - Three hundred times the living minimum for failure to submit the Master File and the report on controlled transactions (in 2025 the penalty is UAH 908,400);
 - Fifty times the living minimum for failure to submit the notification about participation in an MNE group (in 2025 the penalty is UAH 151,400);
 - Further penalties may be imposed for continuing noncompliance of the reporting and documentation obligations, and for incomplete disclosure.

Local File

- The Master File concept according to BEPS Action 13 has been incorporated into domestic legislation.
- Requirements / thresholds:
 - UAH 150 million – the taxpayer's annual revenue; and
 - UAH 10 million – value of transaction(s)
 - For transactions between a nonresident entity and its Ukrainian permanent establishment only the second threshold (UAH 10 million value of transaction(s)) must be met.
- Deadline for the preparation: No
- Submission deadline: 30 calendar days of receipt of the tax authority's request, which will not be sent earlier than 1 October of the following year.
- Duty of notification: Same as for the Master File
- Language: Ukrainian
- Penalties: 3% of the value of undocumented transactions but not exceeding two hundred times the living minimum (in 2025 this penalty is UAH 605,600).
- Further penalties may be imposed for non-compliance of the reporting and documentation obligations, and for incomplete disclosure.

CbCR

- The CbCR according to BEPS Action 13 has been implemented.
- Thresholds: Annual consolidated MNE Group revenue of at least EUR 750 million in the previous year.
- Penalties: A thousand-times the living minimum for failure to submit the CbCR (in 2025 this penalty is UAH 3,028,000).
- Ukraine is a signatory of the "CbC MCAA" since November 2022.
- OECD's XML format for submission has been implemented.



United Arab Emirates

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation since 9 December 2022.
- Thresholds for preparing the Master File: Either revenue of more than AED 200 million or MNE group with a consolidated group revenue AED of 3.15 billion.
- Thresholds for preparing the Local File: Either revenue of more than AED 200 million or MNE group with a consolidated group revenue of AED 3.15 billion
- Preparation deadline: Must be submitted within 30 days following a request from the authority
- Submission deadline: A taxable person not meeting the conditions for a Master or a Local File is still required to maintain reasonable records to support the arm's length nature of the taxable person's transactions or arrangements with its related parties. The FTA can request such information to be produced within 30 days following a request by the FTA, or by any such other later date as the FTA directs.
- Duty of notification: Every taxable person that is a constituent company of a MNE Group
- Language: Arabic or English
- Penalties: Penalty range not precisely defined (estimated AED 10,000 – 1 million)
- TP Disclosure Form to be filed with the tax return.
 - Disclosure requirement depending on defined thresholds.
 - Thresholds for transactions with related parties: If the aggregate value of all transactions with related parties exceeds AED 40 million.
 - Once this primary threshold is surpassed, individual transaction categories exceeding AED 4 million must also be disclosed.
 - Thresholds for transactions with connected persons: If the aggregate value of transactions with at least one connected person (including their related parties) exceeds AED 500,000.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2019.
- Threshold: Annual consolidated revenue of at least AED 3.15 billion in the previous year.
- The deadline for the submission of CbC notifications is the last day of the fiscal year.
- Submission deadline: Twelve months of the end of the reporting fiscal year.
- Language: English
- Surrogate filing: Has not been implemented (not allowed).
- Secondary filing: Has not implemented (not required).
- Penalties: Penalties of AED 50,000 - 1 million; AED 1 - 1.25 million for failure of notification.
- The UAE is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD's XML format for submission has been implemented.



United Kingdom

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 was historically not implemented directly in the United Kingdom (UK). The UK, however, generally followed the OECD TP Guidelines regarding the documentation.
- According to the new Transfer Pricing Records Regulation 2023 (in force from 09 August 2023), for accounting periods beginning on or after 1 April 2023, taxpayers will need to officially prepare the Master and Local File in accordance with the requirements of the OECD TP Guidelines. This legislation applies to large business/ large groups (above EUR 750 million consolidated revenue).
- The proposal to implement an accompanying Summary Audit Trail (SAT) has not yet been implemented. His Majesty's Revenue and Customs (HMRC) is expected to make a decision to when the SAT requirements are to be introduced and to outline the information that will be required for this.
- Part four of the Taxation (International and Other Provisions) Act 2010 (TIOPA) sets out the following in relation to transfer prices: HMRC requires Transfer Pricing Documentation to follow the Chapter V of the 2017 OECD TP Guidelines. However, HMRC will also accept any documentation prepared in accordance with the EU's Code of Conduct. Entities that wish to follow the EU's Code of Conduct on transfer pricing documentation must inform HMRC in writing.
- Thresholds: Consolidated revenue exceeding EUR 750 million.
- Submission deadline: Within 30 days after receiving a request from HMRC.
- Duty of notification: Notification is not required.
- Penalties: Penalties may be imposed if an entity is unable to provide the correct Transfer Pricing Documentation. HMRC does not indicate any specific amounts of penalties

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold: Consolidated group revenue of at least EUR 750 million in the previous year.
- Submission deadline: Within twelve months of the end of the reporting fiscal year.
- Language: English
- Surrogate filing: Has been implemented
- Secondary filing: Has been implemented
- Duty of notification: From 26 July 2023, there is no longer a requirement to submit a CbCR notification to HMRC.
- Penalties: Non-compliance with the CbCR results in a penalty ranging between GBP 300 and GBP 3,000.
- The UK is a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD'S XML format for submission has been implemented.
- In line with the OECD, the UK has implemented BEPS pillar 2 rules into UK legislation. It is important to note that CbC filing data will be made available to the UK tax authority when considering BEPS Pillar 2 filings.

Country-specific regulations



USA

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has not been incorporated into domestic legislation. Furthermore, a formal implementation of the OECD Master File concept is currently not planned since an equivalent concept is already in place.
- Local documentation requirements:
 - Requirements/ thresholds: The requirements for the preparation of the documentation are outlined in "Section 6662" of the Internal Revenue Code. There are no minimum thresholds for the preparation of the Local File documentation.
 - Deadline for preparation: Prior to filing of the federal income tax return each year.
 - Duty of notification: No
 - Penalties: 20% to 40% of additional tax payment due as a result of any proposed or ongoing adjustment related to transfer pricing made during an IRS audit.

- The CbCR according to BEPS Action 13 has been implemented for FYs starting from 2016.
- Threshold:
 - Annual consolidated group revenue of at least USD 850 million in the previous fiscal year;
 - Multinational enterprise (MNE) groups with a US based parent.
- Submission deadline: The CbCR must be filed annually using Form 8975 as part of corporate taxpayer's federal income tax return.
- The deadline for filing the annual CIT return is the 15th day of the fourth month following the end of the fiscal year for corporations and the 15th day of the third month following the end of the fiscal year for flow-through entities (in principle, LLCs and S Corps). Flow-through entities may be treated as corporations for tax purposes via an election filed on Form 8832. A six-month extension of the deadlines is possible.
- Surrogate filing: allowed only when the U.S. MNE designates another U.S. business entity as the surrogate.
- Secondary filing: Has not been implemented
- Duty of notification: No
- Penalties: Between USD 10,000 and USD 50,000 in case of noncompliance with the CbCR.
- The USA is not yet a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the "CbC MCAA").
- OECD'S XML format for submission has been implemented.



Vietnam

Master File

Local File

CbCR

- The Master File concept according to BEPS Action 13 has been incorporated into the domestic legislation through the introduction of three-tiered TP Documentation. The Master File is a component of the TP Documentation, and its preparation is subject to specific thresholds mentioned below. Legal basis: Decree 20/2017/ND-CP (“Decree 20”) and Circular 41/2017/TT-BTC (“Circular 41”) effective 1 May 2017. Effective 20 December 2020, Decree 132/ 2020/ND-CP (“Decree 132”) came into effect and replaced Decree 20.
- Thresholds: Taxpayers who meet the following conditions are exempt from the obligation to prepare the TP Documentation (i.e., Local File, Master File, and CbCR).
 - Only domestic transactions between associated enterprises where the associated enterprises are subject to the same tax rate and neither party enjoys tax incentives;
 - Revenue of below VND 50 billion and total volume of all transactions with associated enterprises of below VND 30 billion in a fiscal year;
 - Taxpayer signed an APA and submits annual APA report(s); or
 - Revenue of below VND 200 billion and taxpayers performing routine functions in transactions and applying the following EBIT to revenue ratios in the case of the following business activities: Distribution (5%), Manufacturing (10%), Processing (15%).
- Deadline for the preparation and submission: Before the date of submitting the annual tax return:
 - Disclosure Form: Within 90 days of the end of the financial year (together with the submission of the annual tax return).
 - Documentation: No deadline; however, the documentation should be prepared by the date of lodging tax returns to avoid penalties.
 - Submission upon request: the documentation must be submitted within 30 days. An extension of the deadline by 15 days is possible.
 - Duty of notification: Disclosure Form: Form 01 (Disclosure on the relationship and transactions with associated enterprises); Form 02 (Checklist for the Local File); Form 03 (Checklist for the Master File); and Form 04 (CbCR – applicable to companies with ultimate parent company in Vietnam with global consolidated revenue of at least VND 18,000 billion and having operations in many countries).
- Language: Vietnamese
- Penalties:
 - Failure to comply with disclosure requirements: VND 8 million to VND 15 million;
 - Tax adjustment: 20% penalty on additional taxes. Additional penalties of up to three times the outstanding tax due may be imposed if a tax evasion or fraud is found.
 - Interest: 0.03% interest per day on the outstanding tax due if a transfer pricing adjustment is made.

- The CbCR according to BEPS Action 13 has been implemented from 1 May 2017 (Art.10 No.4c).
- Threshold:
 - The ultimate parent entity (“UPE”) in Vietnam is responsible to prepare and submit the CbCR if the annual consolidated revenue is at least VND 18 trillion in the reporting fiscal year.
 - Subsidiaries whose ultimate parent company is outside Vietnam, are not required to submit the copy of the CbCR in case the CbCR is made available to the Vietnamese tax authority as part of the AEOI procedures.
- Submission deadline : Within twelve months of the end of the fiscal year of the UPE at the latest.
- Surrogate filing: Has not been implemented
- Secondary filing: Has not been implemented
- Duty of notification: In case the UPE designates a reporting entity, which is a Vietnam tax resident, then the taxpayer is required to submit the notification letter to the tax authority by the end of the UPE’s fiscal year at the latest.
- Language: Vietnamese
- Penalties: See Master File and Local File
- Vietnam is not yet a signatory of the Multilateral Competent Authority Agreement on the Exchange of CbCR (the “CbC MCAA”).
- OECD’s XML format for submission has not been implemented.

Country-by-Country Reporting

Duty of notification towards national tax authorities

CbC Reporting requires submitting notifications to the respective national tax authorities. The aim of the notification is to identify the reporting entity of the MNE group and to provide this information to the tax authorities.

Locally, there are differences in when and how the notification must be provided. Some countries require notification by the end of the fiscal year; other countries demand notification along with the corporate income tax return in the year following the reporting fiscal year.

The following table provides an overview of whether or not a notification is required in the respective country and of the deadlines for filing the notification.

Notification requirements in selected countries:

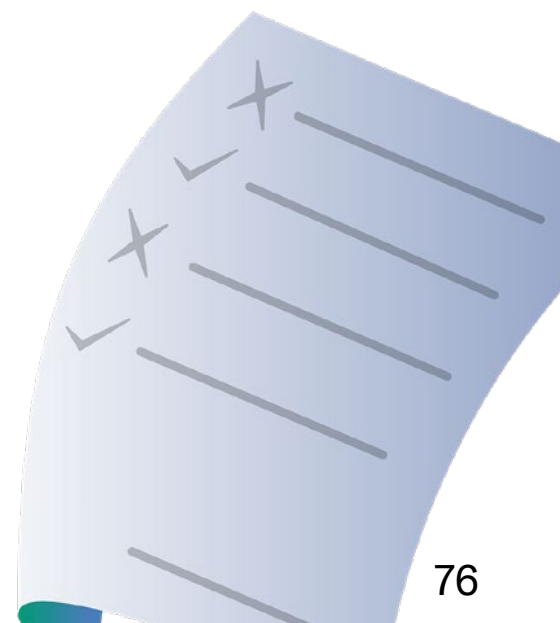
Country	Duty of notification	End of the reporting fiscal year	In the subsequent fiscal year
Argentina	✓	✗	✓
Australia	✓	✗	✓
Austria	✓	✓	✗
Belarus	✗	✗	✗
Belgium	✓	✓	✗
Brazil	✓	✗	✓
Bulgaria	✓	✓	✗
Cambodia	✗	✗	✗
Canada	✗	✗	✗
China	✓	✗	✓
Croatia	✓	✗	✓
Cyprus	✓	✓	✗
Czech Republic	✓	✓	✗
Denmark	✓	✓	✗

Country-by-Country Reporting

Country	Duty of notification	End of the reporting fiscal year	In the subsequent fiscal year
Estonia	✓	✗	✓
Finland	✓	✓	✗
France	✓	✗	✓
Georgia	✗	✗	✗
Germany	✓	✗	✓
Greece	✓	✓	✗
Hong Kong (S.A.R.)	✓	✗	✓
Hungary	✓	✓	✗
India	✓	✗	✓
Indonesia	✓	✗	✓
Ireland	✓	✓	✗
Israel	✓	✗	✓
Italy	✓	✗	✓
Japan	✓	✓	✗
Kazakhstan	✓	✗	✓
Kenya	✓	✓	✗
Latvia	✓	✓	✗
Liechtenstein	✓	✓	✗
Lithuania	✓	✓	✗
Luxembourg	✓	✓	✗
Malaysia	✓	✗	✓
Mexico	✗	✗	✗
Netherlands	✓	✓	✗
Nigeria	✓	✓	✗
Norway	✓	✗	✓
Philippines	✗	✗	✗
Poland	✓	✗	✓
Portugal	✓	✗	✓
Republic Moldova	✗	✗	✗

Country-by-Country Reporting

Country	Duty of notification	End of the reporting fiscal year	In the subsequent fiscal year
Romania	✓	✓	✗
Russia	✓	✗	✓
Serbia	✗	✗	✗
Singapore	✗	✗	✗
Slovakia	✓	✗	✓
Slovenia	✓	✗	✓
South Africa	✓	✗	✓
South Korea	✗	✗	✗
Spain	✓	✓	✗
Sweden	✓	✓	✗
Switzerland	✓	✗	✓
Thailand	✓	✗	✓
Tunisia	✓	✗	✗
Turkey	✓	✗	✓
Ukraine	✗	✗	✗
United Arab Emirates	✓	✓	✗
United Kingdom	✗	✗	✗
USA	✗	✗	✗
Vietnam	✓	✓	✗



About us

As attorneys, tax advisers, management and IT consultants and auditors, we are present with 116 own offices in 50 countries. Worldwide, our clients trust our around 6,000 colleagues.

The history of Rödl & Partner goes back to its foundation as a solo practice in 1977 in Nuremberg. Our aspiration to be on hand wherever our internationally active clients are led to the establishment of our first, own offices, commencing with Central and Eastern Europe in 1991. Alongside market entry in Asia in 1994, the opening of offices in further strategic locations followed, in Western and Northern Europe in 1998, USA in 2000, South America in 2005 and Africa in 2008.

Our success has always been based on the success of our German clients: Rödl & Partner is always there where its clients see the potential for their business engagement. Rather than create an artificial network of franchises or affiliates, we have chosen to set up our own offices and rely on close, multidisciplinary and cross-border collaboration among our colleagues. As a result, Rödl & Partner stands for international expertise from a single source.

Our conviction is driven by our entrepreneurial spirit that we share with many, but especially German family-owned companies. They appreciate personal service and value an advisor they see eye to eye with.

Our 'one face to the client' approach sets us apart from the rest. Our clients have a designated contact person who ensures that the complete range of Rödl & Partner services is optimally employed to the client's benefit. The 'caretaker' is always close at hand; they identify the client's needs and points to be resolved. The 'caretaker' is naturally also the main contact person in critical situations.

We also stand out through our corporate philosophy and client care, which is based on mutual trust and long-term orientation. We rely on renowned specialists who think in an interdisciplinary manner, since the needs and projects of our clients cannot be separated into individual professional disciplines. Our one-stop-shop concept is based on a balance of expertise across the individual service lines, combining them seamlessly in multidisciplinary teams.

What sets us apart

Rödl & Partner is not a collection of accountants, auditors, attorneys, management and tax consultants working in parallel. We work together, closely interlinked across all service lines. We think from a market perspective, from a client's perspective, where a project team possesses all the capabilities to be successful and to realise the client's goals.

Our interdisciplinary approach is not unique, nor is our global reach or our particularly strong presence among family businesses. It is the combination that cannot be found anywhere else – a firm that is devoted to comprehensively supporting German businesses, wherever in the world they might be.

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TYPESETTING & LAYOUT:

Global Function Marketing, Communications & Business Development – Julia Winkler

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