



Transfer pricing alert Belgium

Belgian transfer pricing filing deadlines for 2016

The deadlines for complying with Belgium's transfer pricing reporting requirements for 2016 for financial years (FYs) coinciding with the calendar year are approaching rapidly:

- **Local form:** The local form must be filed with the corporate tax return that is due on 27 September 2017;
- **CbC notification:** The CbC notification must be filed by 30 September 2017 (before 31 December 2017 for FY 2017);
- **Master form:** The master form is due by 31 December 2017; and
- **CbC report:** The CbC report is due by 31 December 2017 where a Belgian entity is filing the report.

The forms must be downloaded from the website of the Belgian tax authorities and are available in [Dutch](#) and [French](#).

The authorities are developing a separate application to submit the forms, which should be available in the near future.

Additional OECD guidance on CbC reporting

On 6 April 2017, the OECD released [additional guidance](#) on the implementation of CbC reporting under BEPS action 13, which clarifies several interpretation issues related to the data to be included in the CbC report. The following five items are addressed in the guidance:

1. Definition of revenue;
2. Definition of related parties;

3. Accounting principles / standards for determining the existence of, and membership in, a group;
4. Treatment of major shareholdings; and
5. Definition of total consolidated group revenue.

The Belgian tax authorities are recommending that taxpayers apply the new CbC guidelines as soon as possible. However, since many taxpayers already were in the process of preparing their CbC reports at the time the additional guidance was released, the tax authorities have confirmed that they will not impose a penalty if the CbC report is not in line with the new OECD guidance. However, taxpayers must notify the tax authorities where and in which respects the reported data differs from the new OECD guidance.

Multinational groups and Belgian group companies that are required to file a CbC report must do so in compliance with the new OECD guidelines for reporting periods starting on or after 1 June 2017.

Contacts

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