



Transfer pricing alert Belgium

Additional guidance on Transfer Pricing reporting

The Belgian tax authorities published a new practice note (2017/C/56) which includes additional guidance to comply with the new transfer pricing ("TP") reporting requirements in Belgium.

Website BEPS 13

Several updates with additional guidance have also been made available on the [website](#) of the Belgian tax administration. The [website](#) provides the following information:

- A copy of the practice note
- A copy of the forms to be completed
- Due dates to submit the forms
- Detailed filing instructions to submit the forms
- Links to relevant documents from the OECD

Practice note

General definitions

Additional explanation is provided further detailing the general definitions. This facilitates the assessment of whether operations in Belgium would be subject to the new TP

documentation regulations. The practice note specifies that the term “group entity” should be interpreted in a broad sense, as envisaged by the OECD.

A Local form and Master form also need to be submitted if the taxable base is determined on a lump sum basis.

All forms can be prepared and filed in English. Upon a tax audit, the Belgian tax authorities may request a translation.

Filing deadline and instructions

The due dates for companies with a financial year coinciding with the calendar year are approaching:

- Local form: 27 September 2017
- CbC notification: 30 September 2017

These forms can be submitted by email. As from 1 October, the platform provided by the Belgian tax authorities should be used to submit the information required.

Local form

Since the Local form constitutes an integral part of the corporate tax return, it should be filed by the same due date as the corporate tax return. Failure to file the Local form in due time could result in an ex officio assessment by the Belgian tax authorities.

The Belgian tax authorities published a specific Local form, which needs to be submitted for financial years starting as of 1 January 2016. Access to this specific Local form is available through [this link](#).

CbC reporting

Additional clarifications are provided regarding the Belgian GAAP accounts to be included in specific fields of the CbC report.

The due date for CbC reports is within 12 months after the financial year-end of the parent entity submitting the CbC reports. CbC reports can be submitted as of 30 November 2017. The digital application to electronically submit the CbC report is not yet operational.

For additional guidance, the Belgian tax authorities refer to the OECD explanatory documents.

Contacts

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