



Transfer pricing alert Belgium

Belgian transfer pricing reporting deadlines are approaching

For financial years starting on or after 1 January 2016, entities that meet one of the reporting thresholds will need to submit transfer pricing documentation forms to the Belgian tax authorities.

Reporting thresholds

Local form and Master form

The Local form (LF) and Master form (MF) thresholds are identical. The thresholds are based on the annual accounts (non-consolidated basis) of the year preceding the reporting period. The forms need to be submitted to the Belgian tax authorities if **one** of the following thresholds is exceeded:

- Combined operating and financial income of EUR 50 million (excluding non-recurring income)
- A balance sheet total of EUR 1 billion
- Annual average number of 100 FTEs

Country-by-Country report and notification

The Country-by-Country (CbC) Report must be submitted if the consolidated gross revenue exceeds EUR 750 million in the reporting period preceding the last closed accounting year.

When the CbC threshold is met, a CbC notification must also be submitted to the Belgian tax authorities. This CbC notification discloses which entity will be filing the CbC Report on behalf of the group.

Reporting due dates

The LF needs to be submitted as part of the corporate tax return. As the tax authorities are still working on a digital application in the meantime, the LF can be sent to the email address BEPS13@minfin.fed.be. For companies with a calendar year end, the due date to submit the form is **27 September 2017**.

The MF and CbC Report need to be submitted within 12 months after the FYE. For companies with a calendar year end, the due date to submit the forms is **31 December 2017**.

The CbC notifications are due on **30 September 2017**.

Content of the LF

The LF consists of 3 sections:

- General information section (A)
- Detailed information per business unit (B)
- Appendices (C)

It should be noted that sections A and C are mandatory for accounting years starting on or after 1 January 2016. These sections consist of more qualitative information, describing the activities and reporting lines.

Section B enters into force for accounting years starting on or after 1 January 2017. This section requires detailed quantitative information. This may imply that segmented data is needed within the organisation to provide the requested information.

Penalties for non-compliance

A monetary penalty, between EUR 1,250 and EUR 25,000, will be applied for non-compliance.

Next steps

The Deloitte contacts below are available for further information on Belgian TP documentation requirements.

Contacts

If you have any questions concerning the items in this alert, please contact your usual tax consultant at our Deloitte office in Belgium or:

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Be sure to visit us at our website:
<http://www.deloitte.com/be/tax>



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