



## **Belgium tax authorities acknowledge OECD TP guidelines and share country-specific interpretation in draft transfer pricing circular**

**Global Transfer Pricing Alert 2018-034**

The Belgian tax authorities on November 9 released a draft transfer pricing circular on their [website](#). In the draft TP circular, available in Dutch and French, the Belgian tax authorities confirm that they will comply with the principles and guidance provided in the 2017 OECD transfer pricing guidelines. In addition, it is confirmed that the taxpayer can safely assume that the Belgian tax authorities will follow any future changes to the 2017 OECD TP guidelines.

The draft circular provides a summarized overview of the 2017 OECD transfer pricing guidelines, as well as a high-level overview of the OECD guidelines on permanent establishments and some guidelines on financial transactions. Throughout the draft circular, the Belgian tax authorities provide their specific interpretation or point of view on certain topics. For example, practical guidance is provided on the application of the transactional net margin method, the profitability of routine service providers, and the limitation of which financial positions can be considered to be part of a cash pool.

The Belgian tax authorities invited interested parties to submit comments or recommendations regarding the draft circular by 12 December 2018. Deloitte Belgium will develop a position paper in response to the draft TP circular.

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