



Transfer Pricing News

SAT has started requesting the 2021 Transfer Pricing Studies

In this second half of 2022, the Superintendency for Tax Administration – SAT – has started requesting Transfer Pricing Studies from taxpayers that indicated in their Annual Income Tax Return that they had related parties abroad and transactions with them, as part of the Tax Administration’s oversight actions.

As in other years, as of July 1 SAT started sending to taxpayers, mainly electronically, the information request for the Transfer Pricing Study corresponding to the year 2021. Therefore, it is important to recap the information that SAT may request regarding transfer pricing.

First, there is the obligation to file the Transfer Pricing Annex for those taxpayers that checked the option “Yes, I have related parties and I performed transactions with them” in their Annual Income Tax Return.

Subsequently, and as established by the tax legislation in Guatemala, the taxpayer must have the Transfer Pricing Study available for SAT as of the

deadline for filing the Annual Income Tax Return, which should support the information presented in the Transfer Pricing Annex mentioned above. This is in accordance with article 65, numeral 1 of Decree 10-2012 and its amendments:

“Taxpayers must have, upon presenting their Income Tax return, the sufficient information and analysis for demonstrating and justifying the correct determination of the prices, the amounts of the considerations or the profit margins in their transactions with related parties, in accordance with the provisions of this book.”.

Decree 10-2012 and its amendments also indicates that the taxpayer has a term of 20 business days to provide this study to SAT. It is precisely this requirement that SAT is currently sending notifications about to the electronic mail address previously indicated



by the taxpayers for receiving notifications.

The detail required by SAT in the requests for providing the study includes information similar to what is indicated in the Transfer Pricing Technical Guide issued by SAT a few years ago. Although this list of information is more extensive than the one indicated by law, it is not contradictory to the law.

It is important that the taxpayer keep in mind that all information provided to SAT related to the Transfer Pricing Study should be in Spanish and must coincide with what was indicated in the Transfer Pricing annex, since any inconsistencies between the study and such annex could trigger a review by SAT.

Furthermore, the studies should be updated every year since the study only supports the transactions reported in each Annual Income Tax Return. It is recommended that the taxpayer review that their transfer pricing study contains the information necessary for complying with the Law, Regulation, and the Transfer Pricing Technical Guide issued by SAT.

If you need assistance in checking that your study complies with the local regulations, or support with the preparation of your transfer pricing study, or in tending to the requests notified by SAT, you can reach out to our contact people. Our specialized team in Transfer Pricing is available to support you with all your needs.



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