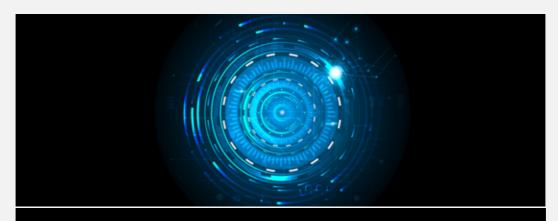


Global Transfer Pricing | 17 May 2019



# Belgium amends CbC report notification requirement

Global Transfer Pricing Alert 2019-017

Belgium's law of 2 May 2019 regarding various tax provisions was published in the Belgian Official Journal on 15 May 2019. The new law introduces a change in transfer pricing reporting obligations that reduces the compliance burden for Belgian entities required to file a country-by-country (CbC) report notification form (Form 275 CBC NOT). The law adds a new section to the Belgian Income Tax Code's (ITC) article 321/3, which deals with the CbC report's notification requirement.

#### **Background**

According to ITC article 321/3 §1 and §2, each Belgian entity of a qualifying multinational entity (MNE) group is obligated to file a CbC report notification form (275 CBC NOT) with the Belgian tax authorities on an annual basis, indicating whether the Belgian entity is the group's ultimate parent entity (UPE) or a surrogate parent entity (SPE). If it is neither the UPE nor an SPE, the Belgian entity must identify the group entity that will file the CbC report.

The 275 CBC NOT form must be filed on or before the last day of the group's reporting period.

## **Change introduced**

The new section in article 321/3 ITC (§3) states that the filing of form 275 CBC NOT is required only if the information provided deviates from what was filed for the previous reporting period (that is, in case there is a change in ultimate parent entity).

This change to the law, which entails a reduction in taxpayers' compliance burden, will be applicable for reporting periods ending on or after 31 December 2019.

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