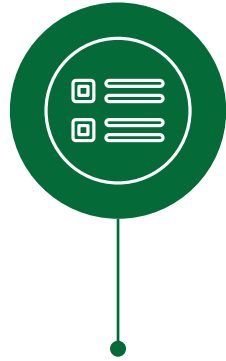


Reportable cross border arrangements

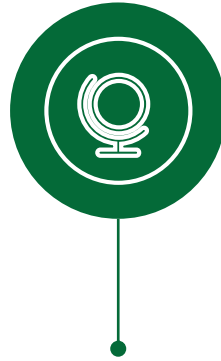
The term “cross-border arrangement” means an arrangement concerning either more than one EU member state or an EU member state and a third country where certain conditions are met, and where it contains at least one of the “hallmarks”.



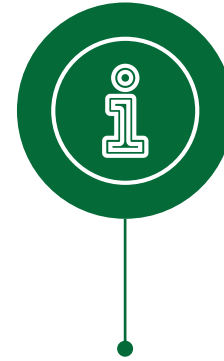
A. Generic hallmarks linked to the main benefit test



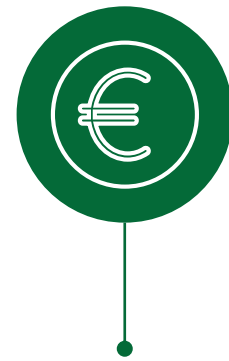
B. Specific hallmarks linked to the main benefit test



C. Specific hallmarks related to cross-border transactions



D. Specific hallmarks concerning automatic exchange of information and beneficial ownership



E. Specific hallmarks concerning transfer pricing

Hallmarks

Hallmarks subject to the main benefit test	
Category A Generic hallmarks	<ol style="list-style-type: none"> Confidentiality: From a tax authority or other intermediaries Contingent Fee: Fixed by reference to: <ol style="list-style-type: none"> Amount of tax advantage; or, Whether or not actually derived. Standardised documentation not requiring substantial customisation
Category B Specific hallmarks	<ol style="list-style-type: none"> Losses: Offset to reduce taxable profits, including through transfer of those losses to another jurisdiction or by acceleration of the use of those losses Conversion: Income into capital, gifts or other categories of revenue which are taxed at a lower level Circularity: Transactions resulting in round-tripping of funds, namely through involving interposed entities without other primary commercial function
Category C Specific hallmarks related to deductible cross-border transactions	<ol style="list-style-type: none"> Cross-border deductible payment and: <ol style="list-style-type: none"> Recipient subject to zero or almost zero tax rate Recipient has full tax exemption Recipient benefits from preferential tax regime

Hallmarks that apply without qualification	
Category C Specific hallmarks related to cross-border transactions	<ol style="list-style-type: none"> Cross-border deductible payment and: <ol style="list-style-type: none"> Recipient has no tax residence ii. Recipient is resident in non-cooperative jurisdiction Depreciation: on same asset deducted in more than one jurisdiction Claiming double taxation relief in multiple jurisdictions: In respect of the same income or capital Transfer of assets: Where material difference in amount treated as payable
Category D Specific hallmarks concerning AEI and beneficial ownership	<ol style="list-style-type: none"> Circumvention of automatic exchange of information of Financial Account information Arrangements with non-transparent legal or beneficial ownership chain
Category E Specific hallmarks concerning transfer pricing	<ol style="list-style-type: none"> Unilateral transfer pricing safe harbour rules Transfer of hard to value intangibles Transfer of functions, risks and/or assets which results in profit shifting



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