



Country-by-country reporting BIAC summary of key points from the Action 13 Final Report

The purpose of this document is to summarise very briefly the key points on Country by Country Reporting (“CBCR”) per the *Transfer Pricing Documentation and Country-by-Country Reporting Action 13: 2015 Final Report* released by the OECD on 5 October 2015. The full report is publicly available on the OECD’s website and can be found: [here](#). This is not an exhaustive summary and should therefore only be used only as an aide memoire and not as a substitute for the full OECD report.

Appropriate use of CBCR	Inappropriate Use of CBCR
Enabling tax authorities to assess high-level TP risk	Substitute for detailed TP analysis
Enabling tax authorities to assess other BEPS risks	Conclusive evidence on the appropriateness of TP
Potential basis for tax authorities to make further enquiries into an MNE’s TP arrangements or other tax matters	Basis to propose TP adjustments based on a formulary apportionment of income

Area	OECD Recommendation
Groups in scope	MNEs with turnover over €750m
Implementation from	2016 for reporting in 2017
Audit requirement?	No
Publication / Report to	Tax authorities only
Confidentiality	Tax administrations should take all reasonable steps to ensure no public disclosure of confidential/sensitive information. Jurisdictions should have in place and enforce legal protections that preserve the confidentiality of the CBCR.
Primary Distribution Mechanism	Reported in parent company jurisdiction and shared under information exchange agreements.
Secondary Filing	Surrogate filing in designated third country
Reporting Scope	Global
Exclusions	CBCR report should not be used i. as a substitute for detailed TP analysis, ii. Conclusive evidence on the appropriateness of TP and iii. As a basis to propose TP adjustments on a formulary apportionment of income
Source of data	Business choice (top down or bottom up)
Deadline for filing / publication	12 months from end of accounting period
Data points disclosed by	Country by Country
Data points to be included	Name Nature of activities Tax Residence Related Party Turnover Third Party Turnover Total Turnover Profit/(Loss) before Income Tax Income Tax Paid Income Tax Accrued List of entities Stated Capital Accumulated Earnings Number of employees Tangible Assets other than cash