

TRANSFER PRICING CHEAT SHEET

OECD Risk Indicators



The Transfer Pricing Lifecycle



OECD Comparability Factors

- Characteristics of Property and Services:** Physical features, quality, and usability of goods/services
- Functional Analysis:** Functions, risks, assumed, and results used
- Contractual Terms:** How written or verbal contracts or agreements influence the transaction conditions (like payment terms, warranties, etc.)
- Economic Circumstances:** Broader market conditions (like geographic location, market size, competition, consumer purchasing power, etc.)
- Business Strategies:** Long-term commercial strategies, such as market penetration, innovation, diversification

Methods

Comparable Uncontrolled Price (CUP) method

Compares the price charged in a controlled transaction to the price charged in a comparable uncontrolled transaction. Useful for commodity transactions, financial services, and transactions with very reliable internal comparables.

Resale Price Method (RPM)

Assesses the gross margin with which a product purchased in the controlled transaction was resold in the uncontrolled transaction. Most appropriate for sales, marketing, and distribution transactions where internal comparables are available.

Cost Plus Method (CPM)

Tests the gross markup on costs incurred by an enterprise during transactions with related parties. Suitable for manufacturing and service provision transactions where internal comparables are available.

Transactional Net Margin Method (TNMM)

Tests the net (expressing) profit earned by a tested party of a controlled transaction.

Often applied when a tested party can be identified, no internal comparables are available, and traditional methods are not reliable. Tended to be more and flexible and typically relies on external comparables.

Transactional Profit Split Method (PSM)

Splits the profits to arrive at the result that would be achieved by independent parties in comparable transactions. Used for transactions where both parties make unique and valuable contributions, such as intangibles, and/or traditional methods are not appropriate due to the high integration of business operations.

OECD Local File Requirements

- Management structure and business strategy, highlighting recent significant changes.
- List of key comparators.
- Brief overview of controlled transactions.
- Summary of inter-group payments/credits per transaction type and tax jurisdiction.
- List of associated enterprises in transactions.
- Copies of significant intercompany agreements.
- Summary of comparability and functional analysis, noting year-to-year changes.
- Identified transfer pricing method with justification.
- Identification of tested party and reasoning.
- Summary of key assumptions in methodology.
- Justification for multi-year analysis, if relevant.
- Overview of comparable transactions and related financial indicators.
- Summary of comparability adjustments made.
- Justification for entity length pricing in transactions.
- Summary of financial data used in methodology.
- Copies of relevant APAs and other tax rulings.
- Annual financial statements of the local entity.
- Schedule listing financial data with annual financial statements.
- Summary schedules of financial data for comparables.

Adjustments in Transfer Pricing

Comparability Adjustments

Changes that make the characteristics of uncontrolled transactions more comparable, enabling their use in transfer pricing method application.

Year-End Adjustments

Changes that taxpayers can make at year-end to bring the results of their transactions into the arm's length range.

Primary Adjustments

Adjustments to a company's taxable profits made by a tax administration due to the application of the arm's length principle. These adjustments may lead to double taxation issues.

Corresponding Adjustments

Changes to the tax liability of a related party made by the primary tax jurisdiction corresponding to a primary adjustment. These adjustments are intended to resolve double taxation.

Secondary Adjustments

Constructive transactions introduced after a primary adjustment, to align actual profit allocation with the primary adjustment. Can take the form of constructive dividends, equity contributions, or loans.

Typical Functional Profiles

	Limited Risk Manufacturer Self-Manufacturer: - Manufacturing services without taking title to new materials or final products - No inventory or selling risks - Limited quality control in logistics management - No significant intangibles Contract Manufacturer: - Manufacturing services with title to raw materials and finished products - No risks associated with holding finished products or selling them - Doesn't stock risk related to raw materials	Fully Fledged Manufacturer - Performs all important manufacturing functions - Engages in product planning, research and developing inputs, R&D activities, design and engineering, quality control, and logistics - Bears market risk, inventory risk, R&D risk, product liability risk, and other risks - Bears residual profit
	Limited Risk Distribution Distributor Agent: - Acts as a sales representative, receives commission on sales - Participates sales but principal concluded contract - Relevant risks arise no title to the products Limited Risk Distribution: - Buy goods and markets them for customers - Risks relating to inventory and debtors are limited	Fully Fledged Distribution - Underlines all of the sales and distribution functions - Bears all market risks relevant to these functions - Stocks, holds & sells products, develops necessary intangibles - Bears significant downside risks, as well as receiving upside results of positive outcomes of its activity - Often entitled to residual profits
	Service Provider - Provision of low value-adding or supportive services - No significant assets or risks - Unleveraged routine return	- Provision of high value-adding or core services - Ownership of significant assets (e.g. unique skills, proprietary software, intangibles) - Assumption of substantial operational and financial risks - Potential for higher than routine returns

PLIs

Operating (net) margins

Applied to limited risk distributors (often used)

Operating (net) profit
Revenue

Return on assets

Applied to assets intensive industries (rarely used)

Operating (net) profit
Operating assets
Locally only tangible assets

Berry Ratio

Applied to distributors, processors, & intermediaries (rarely used)

Gross profit
Operating expenses

Return on total costs

Applied to limited risk distributors (often used)

Operating (net) profit
Total costs
(including COGS and operating expenses)

Return on capital employed

Applied to capital intensive industries (rarely used)

Operating (net) profit
Capital employed
at transaction

Credits to



Borys Ulanenko



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Transfer Pricing Report Format



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Transfer Pricing Report Format:

Tax Management Transfer Pricing Report, 2000 **Fundamentals of Transfer Pricing** Michael Lang, Giammarco Cottani, Raffaele Petruzzi, 2025-05-19 Fundamentals of Transfer Pricing Volume 1 Principles and Practice Edited by Raffaele Petruzzi Giammarco Cottani accurate delineation and recognition of actual transactions transfer pricing methods comparability analysis transfer pricing audits and litigation administrative approaches to preventing and resolving transfer pricing disputes transfer pricing documentation attribution of profits to permanent establishments transfer pricing and specific transactions use of new technologies in transfer pricing and interplay between transfer pricing and other rules This book delves into both foundational concepts and emerging trends in transfer pricing providing readers with the tools to understand its dynamic application in real world scenarios By analysing examples case studies and the implications of recent judicial precedents it bridges the gap between fundamental principles and practical implementations The application of transfer pricing legislation remains one of the most challenging tasks for taxpayers and tax authorities around the world With this comprehensive source of practical guidance tax lawyers in house tax counsels government officials academics advisory firms and the business community worldwide will have all the support they need to move forward in tackling this complex aspect of the current tax environment *Fundamentals of Transfer Pricing* Raffaele Petruzzi, Giammarco Cottani, Michael Lang, 2022-06-20 This is Part Two of a crucially significant two volume set on the nature of transfer pricing that fully elucidates how the growing body of applicable rules works in practice The preceding volume subtitled General Topics and Specific Transactions focused on basic principles and specialized topics This volume enlarges the scope of the first volume particularly concerning industry specifics regional considerations the use of new technologies and the intersection between transfer pricing rules and other disciplines As in the first volume stakeholding contributors from government multinational companies international organizations advisory groups and academia offer deeply informed perspectives both general and specific on the practical application of transfer pricing rules With numerous examples and relevant international judicial precedents the authors augment the first volume in such ways as the following extended analysis of particular business sectors including automotive banking consumer goods insurance IT oil and gas and pharmaceuticals specific jurisdictional coverage of the United States the European Union Brazil China and India detailed presentation of the use of new technologies by both taxpayers and tax authorities and further in depth analysis of transfer pricing s interaction with various fields of law With this authoritative source of practical guidance advisors in house practitioners government officials and academics worldwide will have all the details they need to move forward in tackling the complex aspects of the current transfer pricing environment *Transfer Pricing Developments Around the World 2020* Michael Lang, Raffaele Petruzzi, 2020-09-28 Intensive work on transfer pricing one of the most relevant and challenging topics in the international tax environment continues to increase worldwide at every level of government and international policy with far reaching

impact on countries legislations administrative guidelines and jurisprudence This book presents an in depth issue by issue analysis of the current state of developments along with suggestions for future solutions to the problems raised Emerging from the research conducted by the WU Transfer Pricing Center at the Institute for Austrian and International Tax Law at WU Vienna University of Economics and Business this book offers eight topic based chapters prepared by international experts on transfer pricing Greatly helping to define recent transfer pricing issues around the world this book encompasses the following topics Global Transfer Pricing Developments Transfer Pricing Developments in the European Union Transfer Pricing Developments in the United States Transfer Pricing Developments in Developing Countries and Emerging Economies Recent Developments on the Tax Challenges Arising from the Digitalization of the Economy New Nexus Rules Recent Developments on the Tax Challenges Arising from the Digitalization of the Economy New Profit Allocation Rules Recent Developments on Transfer Pricing and Intra Group Financing and Recent Developments on the Use of New Technologies for Transfer Pricing Analyses The intense work of international organizations such as the Organisation for Economic Co operation and Development United Nations and other international organizations as well as the intense work of the European Union is thoroughly analyzed in this book The detailed analysis will be of immeasurable value to the various players including international organizations the business community and advisory firms corporate CEOs and CFOs and government officials as well as to tax lawyers in house counsel and academics in facilitating efficient dialogue and a coordinated approach to transfer pricing in the future

Economic Developments In India : Monthly Update, Volume -59 Analysis, Reports, Policy Documents Editors : Raj Kapila & Uma Kapila,2003

Guide to International Transfer Pricing Dr A. Michael

Heimert,T.J. Michaelson,2018-10-26 The pricing of goods services intangible property and financial instruments within a multi divisional organization particularly in regard to cross border transactions has emerged as one of the most contentious areas of international tax law This is due in no small measure to the rise of transfer pricing regulations as governments seek to stem the flow of their tax revenue from their jurisdictions This thoroughly practical work provides guidance on an array of critical transfer pricing issues The guide s relevance is further enhanced by the inclusion of country chapters covering domestic transfer pricing issues in a variety of key national jurisdictions

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exhibits for easy retention of concepts *Transfer Pricing Developments Around the World 2022* Michael Lang, Raffaele Petruzzi, 2022-10-11 Intensive work on transfer pricing one of the most relevant and challenging topics in the international tax environment continues to increase worldwide at every level of government and international policy with a far reaching impact on countries legislations administrative guidelines and jurisprudence This book presents an in depth issue by issue analysis of the current state of developments along with suggestions for future solutions to the problems raised Emerging from the research conducted by the WU Transfer Pricing Center at the Institute for Austrian and International Tax Law at WU Vienna University of Economics and Business this book offers eight topic based chapters prepared by international experts on transfer pricing Greatly helping to define recent transfer pricing issues around the world this book encompasses the following topics Global Transfer Pricing Developments Transfer Pricing Developments in the European Union Transfer Pricing Developments in the United States Transfer Pricing Developments in Developing Countries and Emerging Economies Recent Developments on Transfer Pricing in the Post Covid 19 Era Recent Developments on Transfer Pricing and Substance Recent Developments on Transfer Pricing and Business Restructurings Recent Developments on Transfer Pricing and New Technologies The intense work of international organizations such as the OECD UN and other international organizations as well as the intense work of the EU is thoroughly analyzed in this book The detailed analysis will be of immeasurable value to the various players including international organizations the business community and advisory firms corporate CEOs and CFOs and government officials as well as to tax lawyers in house counsel and interested academics in facilitating efficient dialog and a coordinated approach to transfer pricing in the future Model Tax Convention on Income and on Capital: Condensed Version 2010 OECD, 2010-08-17 This publication is the eighth edition of the condensed version of the OECD Model Tax Convention on Income and on Capital This shorter version contains the full text of the Model Tax Convention on Income and on Capital as adopted by the OECD Council on 22 July 2010 *Model Tax Convention on Income and on Capital: Condensed Version 2003* OECD, 2003-01-20 This publication is the condensed version of the OECD Model Tax Convention on Income and on Capital produced in a loose leaf format to accommodate yearly updates This fifth edition contains the full text of the Model Tax Convention as it read on 28 January 2003 but without the historical notes **Model Tax Convention on Income and on Capital: Condensed Version 2000** OECD, 2000-08-28 This 2000 edition of the Model Tax Convention Condensed Version has been superceded by more recent editions This publication is the condensed version of the OECD Model Tax Convention on Income and on Capital which is produced in a loose leaf OECD/G20 Base Erosion and Profit Shifting Project Country-by-Country Reporting - Compilation of Peer Review Reports (Phase 2) Inclusive Framework on BEPS: Action 13 OECD, 2019-09-03 The peer review of the Action 13 Minimum Standard is proceeding in stages with three annual reviews in 2017 2018 and 2019 The phased review process follows the phased implementation of CbC Reporting Each annual peer review process will therefore focus on different aspects of the three key areas under review the domestic legal

and administrative framework the exchange of information framework and the confidentiality and appropriate use of CbC reports This second annual peer review report reflects the outcome of the second review which considered all aspects of implementation It contains the review of 116 jurisdictions which provided legislation or information pertaining to the implementation of CbC Reporting

Model Tax Convention on Income and on Capital: Condensed Version 2008 OECD,2008-08-31 This Condensed Version of the OECD Model Tax Convention contains the articles and commentaries of the Model Tax Convention as it read on 17 July 2008

Model Tax Convention on Income and on Capital: Condensed Version 2005 OECD,2005-11-18 This update of the Condensed Version of the OECD Model Tax Convention contains the full text of the Articles Commentaries and Country Positions as they read on 15 July 2005 but without the historical notes background reports and list of conventions

Model Tax Convention on Income and on Capital: Condensed Version 1998 OECD,1998-08-05 This 1998 edition of the Model Tax Convention Condensed Version has been superseded by more recent editions This publication is the third edition of the condensed version of another OECD publication entitled Model Tax Convention on Income and on Capital

Model Tax Convention on Income and on Capital: Condensed Version 2014 OECD,2014-08-20 The OECD Model Tax Convention provides the basis for the negotiation and interpretation of more than 3000 tax treaties that make up a network that co ordinate the income and corporate tax systems of most countries with the objective of removing tax barriers to cross border trade and investment

Model Tax Convention on Income and on Capital 2014 (Full Version) OECD,2015-10-30 This publication is the ninth edition of the full version of the OECD Model Tax Convention on Income and on Capital This full version contains the full text of the Model Tax Convention on Income and on Capital as it read on 15 July 2014

Model Tax Convention on Income and on Capital 2017 (Full Version) OECD,2019-04-25 This publication is the tenth edition of the full version of the OECD Model Tax Convention on Income and on Capital This full version contains the full text of the Model Tax Convention as it read on 21 November 2017 including the Articles Commentaries non member economies positions

The Future of Risk Management, Volume I Paola De Vincentiis,Francesca Culasso,Stefano A. Cerrato,2019-04-11 With contributions presented during the Second International Risk Management Conference this first volume addresses important areas of risk management from a variety of angles and perspectives The book will cover three separate tracks including legal issues in risk management risk management in the public sector and in healthcare and environmental risk management and will be of interest to academic researchers and students in risk management banking and finance

Quick Revision for Corporate Financial Reporting (For ICWA Final: Paper 18) Tulsian P.C. & Tulsian Bharat, In a conceptually current quick reference Question Answer format Tulsian s Quick Revision for Corporate Financial Reporting is a practically illustrated self study handbook In line with exam pattern and weightage the book includes practice questions on almost all the topics which are immensely helpful for last minute revision

Reviewing **Transfer Pricing Report Format**: Unlocking the Spellbinding Force of Linguistics

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