

SALMON-LEGAGNEUR & ASSOCIÉS

AVOCATS À LA COUR

Marie Dessimond
Nathalie Pagnon
Sybille Salmon-Legagneur

TAX ALERT October 31, 2014

For the enterprises closing their FY on December 31, the annual return of transfer pricing policy must be filed for the 1st time on November 20, 2014 at the latest :

For further information regarding this alert, please contact:

Sybille Salmon-Legagneur
E: ssalmon-legagneur@sl-avocats.fr

Marie Dessimond
E: mdessimond@sl-avocats.fr

The legal entities established in France and fulfilling the criterions provided for by article L 13 AA of the French fiscal procedures book (LPF)¹ :

- Must make available to the French tax administration in case of tax audit a transfer pricing documentation, for FYs opened as from January 1st, 2010, and
- Must file each year a “return of transfer pricing policy”², within the 6 month-period following the filing of their tax results, for corporate tax returns which must be filed as from December 8, 2013.

In case of failure to declare, a 150€ fine is due. In case of incorrect or missing information, a 15€ fine is due for each, with a total ceiling of €10,000.

Salmon-Legagneur & Associés
Avocats à la Cour
A.A.R.P.I.
34 avenue George V
75008 Paris
Tel. : +33(0)1 56 89 20 20
www.Sl-avocats.fr

The annual return of transfer pricing policy concerns any legal entity filing a corporate tax return in France and fulfilling the criterions provided for the obligation of transfer pricing documentation towards the French Tax Administration¹.

This annual return is presented in summary tables mentioning the types of transactions and the types of transfer pricing determination methods. These tables must be checked and completed when the filing entity has performed during FY concerned transactions with related entity established or registered outside France (“associated enterprise”).

¹ Enterprise having an annual turnover or a total gross value of assets \geq M €400; OR holding more than 50% of an entity fulfilling these criterions or held for at least 50% by an entity fulfilling these criterions; OR part of a French tax consolidation including a legal entity fulfilling one of the 2 previous conditions.

² Tax form 2257-SD – Cerfa n°15221*01