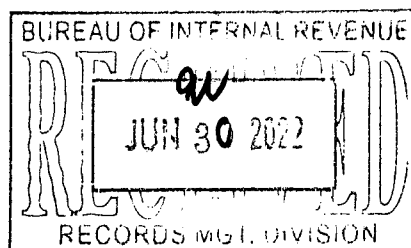


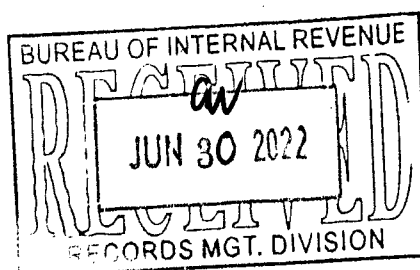
Guide for completing the summary section

This Annex contains guidance for completing the summary section of Annex A template

Item number & Title	Description of Content	Application
General background information	<ul style="list-style-type: none"> ▪ Taxpayer requesting the ruling ▪ MNE group and the industry to which the group belongs ▪ Information about activities of the taxpayer 	All rulings
Item 7.1: Ruling information	<p>Summary of applicable regime</p> <ul style="list-style-type: none"> ▪ A reference to the particular regime ▪ In certain circumstances, e.g. if the regime is not well known, this could be accompanied by a short summary of the applicable regime. This summary would generally not contain legislative references, unless these references further clarify or articulate the summary of the regime (1-2 sentences; optional) 	Preferential regime rulings only
	<p>Summary of the transaction or activity</p> <ul style="list-style-type: none"> ▪ A summary of the transaction or activity covered by the ruling (e.g. transfer of goods, services, intangibles, financial assets, restructuring, cost contribution agreements) ▪ Information on relevant related party transactions and transaction amounts (if possible by country) ▪ Relationship with the taxpayers impacted by the ruling ▪ A description of the fiscal effects that occur in the country issuing the ruling 	All rulings
	<p>Specific information based on the type of ruling issued</p> <ul style="list-style-type: none"> ▪ Preferential regime rulings: general description of the regime; material activity carried out by the company requesting the ruling (information related to the intangibles benefitting from the regime and the services performed); conditions to be met to qualify for the preferential treatment; agreed preferential treatment (e.g. reduced tax rates, allowances, super-deductions, tax credits, etc.) ▪ Unilateral APA/TP rulings: type of transaction or income covered; transfer pricing methodology agreed and used comparables; functional profile of the entities involved in the transaction (functions, assets and risks); profit level indicator (PLI) applicable rate if any; estimated arm's length price (or range) and any associated margins/mark-ups 	All rulings



	<ul style="list-style-type: none"> ▪ Downward adjustment rulings: description of the circumstances for the application of the downward adjustment; nature and the amount of the transaction/adjustment including the accounting value and taxable value of assets, liabilities, revenues or expenditures that were adjusted ▪ Permanent Establishment (PE) rulings: reasons for the recognition of a PE; typology (e.g. personnel/material PE) and supporting elements (e.g. presence of real estate, personnel, commercial activity etc.) 	
Item 7.3: Outcome and status of the ruling	<ul style="list-style-type: none"> ▪ The key conclusions reached by the tax authority in issuing the ruling (This should generally not include legislative references unless they further clarify or articulate the summary.) ▪ If the tax administration's view of the interpretation of the tax law (in relation to the particular arrangement) is different from the taxpayer's interpretation then this could be stated (optional i.e. where known) ▪ Whether the ruling is issued before the transaction is entered into (i.e. pre-transaction) or subsequently (i.e. post-transaction) or both ▪ Whether the transaction or arrangement covered by the ruling has been implemented (optional i.e. where known) 	All rulings, except APAs
Item 7.4: Countries impacted	<ul style="list-style-type: none"> ▪ Identification of the countries most likely to be impacted by (or interested in) the ruling from a tax risk assessment perspective (e.g. the ruling may be of interest because it triggers a BEPS concern for that country or, in an APA context, there is a large percentage of covered transactions with that country) (optional) ▪ A statement outlining why those countries have been identified (and the tax administration's basis for selecting these countries e.g. on the basis of a representation made by the taxpayer etc.) (optional) ▪ Identification of which of these countries will receive the ruling summary as per table 5.1 of the Action 5 report, and which countries may not (optional) 	All rulings
Item 7.5: Transfer pricing	<ul style="list-style-type: none"> ▪ A summary of the covered transactions ▪ The resultant functional characterization should be stated (i.e. limited risk distributor) and a summary of the functional analysis ▪ Identification of which transfer pricing methodology has been applied ▪ A short summary (1-2 sentences) regarding the criteria used to determine the appropriate methodology in the particular case 	APAs and other TP rulings



	<ul style="list-style-type: none"> The agreed arm's length rate / range (optional) 	
Item 7.6: Advisors	The name of the advisory firm / intermediary who designed or implemented the structure / arrangement (optional, where beneficial for tax risk assessment purposes)	All rulings
Item 7.7: Other	As applicable	All rulings

