MONTCLARE CAPITAL PARTNERS

AMSTERDAM · ZUIDAS

THE TAX & ASSET MANAGEMENT ENGINEERS

TRANSFER PRICING · SELF-ASSESSMENT

The Transfer Pricing Readiness Check

For international groups with a Dutch entity. Ten questions that reveal, in three minutes, whether your intercompany pricing would survive scrutiny — or whether it is an open exposure sitting on your balance sheet.

Transfer pricing is where tax authorities look first. In the Netherlands, **Article 8b of the Corporate Income Tax Act** requires every company with related-party transactions to price them at arm's length **and to document how** — regardless of size. Most mid-market groups discover the gap only during an audit, when it is expensive to close. Run the check below.

DO ANY OF THESE APPLY TO YOUR GROUP?

- [ ] 01 Your group has **entities in more than one country.**
- [ ] 02 Goods, services or charges move between them — **management fees, service recharges, cost allocations, distribution.**
- [ ] 03 One entity **owns IP** (software, brand, patents, know-how) that another entity uses or pays royalties for.
- [ ] 04 There are **intercompany loans, guarantees or cash-pooling** arrangements between entities.
- [ ] 05 Your Dutch entity was **set up in the last 24 months**, or functions and people have moved between entities.
- [ ] 06 Consolidated group revenue **exceeds €50M** (triggers Master File & Local File obligations).
- [ ] 07 Consolidated group revenue **exceeds €750M** (triggers Country-by-Country Reporting).
- [ ] 08 Your transfer pricing documentation is **older than the last financial year, or does not exist.**
- [ ] 09 Intercompany prices are set by **historical practice or rule of thumb**, not a benchmarking study.
- [ ] 10 You have had, or expect, a **tax-authority enquiry** (Belastingdienst, AEAT or foreign equivalent).

WHAT YOUR ANSWERS MEAN

ANY OF 1–4	You have related-party transactions and a **documentation duty under Article 8b**. No revenue threshold applies — the obligation exists already.
3 OR 5	**DEMPE and IP-pricing exposure.** Intangibles and relocated functions are the single most scrutinised area. Undocumented, they invite adjustment.
6 · 7	Formal **Master File / Local File** and, above €750M, **CbCR** obligations with statutory deadlines and penalties for non-compliance.
8 · 9 · 10	**Immediate risk.** Positions that are undocumented or unbenchmarked can be adjusted, triggering additional tax, penalties and double taxation across jurisdictions.

WHAT A DEFENSIBLE POSITION LOOKS LIKE

01 · ANALYSE

Functions, assets & risks

Map where value is genuinely created across the group — the foundation every authority tests first.

02 · BENCHMARK

Arm's-length pricing

Set prices with recognised methods (CUP, TNMM) and independent comparables that hold up under review.

03 · DOCUMENT

File & agreements

Master File, Local File and intercompany agreements that match the functional and economic reality.

Turned up two or more? Let's pressure-test your position.

A confidential 30-minute review of your intercompany structure with Montclare — no charge, no obligation.

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