

# HLB THAILAND

## TRANSFER PRICING SOLUTIONS



THE GLOBAL ADVISORY  
AND ACCOUNTING NETWORK

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# FOCUS ON TRANSFER PRICING

Thailand, similar to other countries around the world, is dedicating greater resources to scrutinise cross border transactions and transfer pricing.

## INTRODUCTION

Transfer pricing refers to the pricing arrangements when goods, services or intellectual property are transferred between related parties. Tax laws demand that the pricing adopted is comparable with independent parties.

At a global level, there has been a rapid introduction of new transfer pricing regulations from the Organisation for Economic Cooperation and Development (OECD) as part of their Base Erosion and Profit Shifting Initiative (BEPS).

These regulations address tax planning strategies that exploit gaps and mismatches in tax rules to artificially shift profits to locations with low tax rates and little economic activity.

Transfer pricing regulations have had a substantial impact on current and future transfer pricing structures for all sizes of business.

Thailand is a member of the OECD’s Inclusive Framework on BEPS and has implemented transfer pricing regulations as part of its commitment to adopting international standards on transfer pricing.

Companies in Thailand must make sure that the pricing of their related party transactions is arm’s length and supported by appropriate transfer pricing documentation.

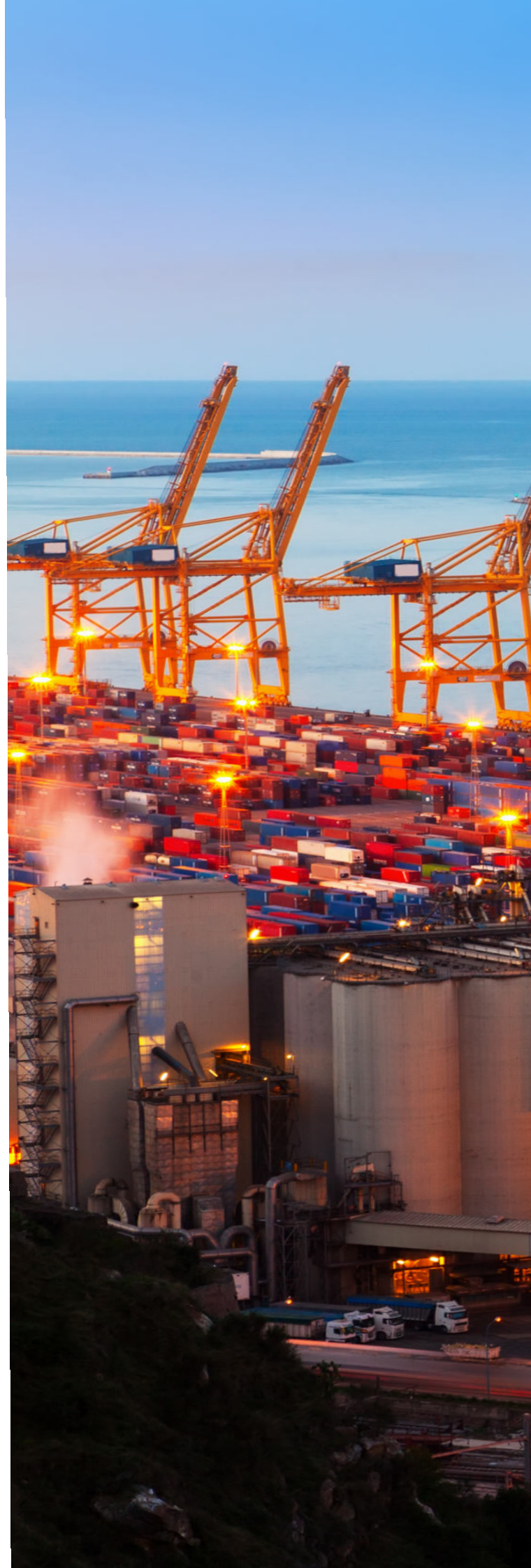
Failure to prepare and maintain transfer pricing documentation can result in high tax penalties in the event of a tax audit.

A company that generates over Baht 200 million in revenues in a year, must file a Transfer Pricing Disclosure form with the Revenue Department, disclosing details of their related parties and transactions during the year with related parties.

# INDICATORS OF POTENTIAL TRANSFER PRICING EXPOSURES

You may have transfer pricing exposures if you:

- ✓ Sell goods to (or buy them from) an overseas subsidiary or parent, without having a logical, written explanation for how the prices were set.
- ✓ Sell products to related parties at different prices than to third-parties
- ✓ Make losses in one or more of your overseas subsidiaries
- ✓ Provide various head office services to your overseas subsidiaries without charge
- ✓ Own intellectual property, such as technology, know-how or trade names, for which no charge is made to your overseas subsidiaries or parent
- ✓ Charge, or pay, a “round sum” amount to cover several different and ill-defined services
- ✓ Make advances to your parent or overseas subsidiaries without formal loan documentation, and without interest being charged
- ✓ Provide loan guarantees for your foreign parent or subsidiaries without charge
- ✓ Show low margins for your industry
- ✓ Have sudden changes in your gross or net margins arising from changes in pricing



# TRANSFER PRICING IN THAILAND

New transfer pricing legislation signals tougher approach on transfer pricing; next step will be enforcement through tax audits

Now that Thailand is adopting international standards on Transfer Pricing, companies doing business in Thailand will need to carefully consider the pricing of their inter-company transactions.

Companies will have to make sure that they can demonstrate that their transfer pricing arrangements are comparable to those agreed between independent parties in the same or similar circumstances.

This will mean preparing contemporaneous Transfer Pricing documentation to support the pricing adopted that complies with Thai transfer pricing regulations.

We invite you to visit our website and read our insights on the latest developments in transfer pricing in Thailand at [www.hlbthai.com/insights](http://www.hlbthai.com/insights)

**Master Transfer Pricing Now**



## **Everything you've ever wanted to know about Transfer Pricing in Thailand (with examples)**

Our guide will help you demystify the cloud of confusion surrounding Transfer Pricing. Here, we'll cover everything you need to know about Transfer Pricing.

## **Transfer Pricing Terminology Broken Down and Explained**

We want Transfer Pricing to be accessible to everyone. We understand that it's easy to get lost in the jargon..

## **What's the difference between a Master file and a Local file?**

Under Chapter V of the 2017 OECD Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations, a three-tiered approach to Transfer Pricing documentation has been incorporated for taxpayers with related party transactions.

## **Thailand signs Multilateral Agreement on Exchange of Country-by-Country Reports**

On 9 December 2022, Thailand became the 95th country to sign the Multilateral Competent Authority Agreement on the Exchange of Country-by-Country Reports.

## **Thailand transfer pricing rules for secondary adjustments**

Transfer pricing tax audits by the Revenue Department may result in 'secondary adjustments' being made under Thailand's transfer pricing regulations.

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# HOW WE CAN HELP

## OUR TRANSFER PRICING SERVICES



## ABOUT HLB THAILAND

HLB Thailand has a long tradition of serving international and local clients and today is one of the leading international accounting and advisory firms in Thailand.

Our people have excellent commercial and technical skills and follow the highest ethical professionals standards.

HLB Thailand is a member firm of HLB International, an award winning top 10 global network of independent advisory and accounting firms.



## OUR GLOBAL REACH

**155**  
COUNTRIES



**1,139**  
OFFICES



**51,948**  
PEOPLE



NORTH  
AMERICA

EUROPE

ASIA  
PACIFIC

AFRICA &  
MIDDLE  
EAST

LATIN  
AMERICA



# MEET THE TEAM



Andrew Jackomos  
Team Leader



Amit Bhalla  
Principal



Urika Ingrid Solano  
Manager



TOGETHER WE MAKE IT HAPPEN

HLB Thailand's Transfer Pricing Team is the premier choice for clients in need of transfer pricing services.

With a dedicated and experienced team exclusively focused on this field, they offer tailored solutions that comply with both local and international tax regulations.

# AWARDS & RECOGNITION

We are proud of the fact that our people have the highest commercial and technical skills and work to the highest ethical standards. HLB Thailand's experience and expertise is demonstrated by its appointment as the exclusive Thailand correspondent to the prestigious International Tax Review.

In 2024, ITR World Tax rankings for Transfer Pricing announced that HLB Thailand was ranked as one of the best performing Transfer Pricing firms in Thailand.



**MORE ABOUT AWARDS** 



"We were pleased with the prompt and thorough assistance provided by HLB Thailand in assisting our Australian client with their Thai transfer pricing obligations. This is very true, we are grateful for your assistance in this regard. We enjoyed working with you and hope to have more projects together in the future!"

Dritton - Founder & Director



"The TP report of Docquity Thailand has come up quite nicely. The report has captured all the necessary factual detailing and information typically required from the transfer pricing perspective. Especially the 'Functional, Assets and Risks analysis' which was delineated in a comprehensive manner and covered every significant business & commercial aspect pertaining to all related party transactions of the Company.

Keep up the good work and wishing you the very best. We, Docquity Group, look forward to strengthening our relationship with HLB Thailand"

Amar - Docquity Transfer Pricing Head





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