



Prescribed revenue threshold for exemption from submission of the transfer pricing disclosure form and documentation requirements

The following report may be of interest to:

All clients

Summary:

In November 2018, the Revenue Code was amended to introduce specific transfer pricing provisions into the tax law. One of the new provisions was to provide an annual revenue threshold under which small companies and juristic partnerships were exempt from the requirements to prepare and submit the transfer pricing disclosure form and transfer pricing documentation for accounting periods beginning on or after 1 January 2019 to be prescribed in a ministerial regulation. The exemption threshold must nevertheless not be less than Baht 200 million.

Ministerial Regulation No. 370 was issued on 6 November 2020 to prescribe the above annual revenue exemption threshold to be Baht 200 million.

Please find the link below (in Thai) for your reference.

https://www.rd.go.th/publish/fileadmin/user_upload/kormor/newlaw/mr370.pdf

Our observation:

Under this Ministerial Regulation, companies or juristic partnerships with annual revenue from business, or as a consequence of the business carried on, of Baht 200 million or less are not required to comply with these disclosure requirements. Nevertheless, please note that these small companies and juristic partnerships are still required by law to set their transfer prices according to the arm's length principle. Any non-compliance in this respect will result in the same penalty and surcharge as large companies and juristic partnerships.



For further information, please contact:

Your regular PwC contact person