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PUBLIC ANNOUNCEMENT

Issuance of Notice No. 10924519481 by the Ministry of Finance on November 3, 2020

Purpose:

Public announcement of the reference list of Jurisdictions with which the Republic of China (Taiwan) is able to exchange Country-by-Country Reports effectively in accordance with the existing Agreements in force.

Background and the content:

In accordance with Paragraph 7 of Article 22-1 of the Regulations Governing Assessment of Profit-Seeking Enterprise Income Tax on Non-Arm's-Length Transfer Pricing (hereinafter referred to as the Regulations), the Ministry of Finance announces that:

1. The Jurisdictions mentioned in Subparagraph 2, Paragraph 3 of Article 22-1 of the Regulations having Agreements in force with Taiwan and from which tax collection authorities of Taiwan may acquire Country-by-Country (hereinafter referred to as "CbC") Reports in accordance with such Agreements, and the situations to which each of these listed Jurisdictions are applied are stated below:
 - (1) Japan and New Zealand: Constituent Entity which is a profit-seeking enterprise in Taiwan and is belonging to a Multinational Enterprise Group of these Jurisdictions will no longer be required to submit the CbC Report with respect to fiscal years of the said Multinational Enterprise Group commencing on or after January 1, 2017.
 - (2) Australia: Constituent Entity which is a profit-seeking enterprise in Taiwan and is belonging to a Multinational Enterprise Group of the Jurisdiction will no longer be required to submit the CbC Report with respect to fiscal years of the said Multinational Enterprise Group commencing on or after January 1, 2018.
 - (3) Switzerland: Constituent Entity which is a profit-seeking enterprise in Taiwan and is belonging to a Multinational Enterprise Group of the Jurisdiction will no longer be required to submit the CbC Report with respect to fiscal years of the said Multinational Enterprise Group commencing on or after January 1, 2019.

According to the provisions of Paragraph 7 of Article 22-1 of the Regulations, in the case that tax collection authorities of Taiwan eventually are unable to acquire CbC Reports from the aforementioned Jurisdictions, the Constituent Entities which are profit-seeking enterprises in Taiwan are nevertheless required to submit CbC Reports within one month after receiving a written notice sent by the tax collection authorities of Taiwan, despite the forgoing statements.

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2. The Jurisdictions mentioned in Subparagraph 3, Paragraph 2 of Article 22-1 of the Regulations having Agreements in force with Taiwan but from which tax collection authorities of Taiwan are unable to acquire CbC Reports in accordance with such Agreements are stated below:
 - (1) Austria, Belgium, Canada, Czech Republic, Denmark, France, Gambia, Germany, Hungary, India, Indonesia, Israel, Italy, Kiribati, Luxembourg, North Macedonia, Malaysia, the Netherlands, Paraguay, Poland, Senegal, Singapore, Slovakia, South Africa, Eswatini, Sweden, Thailand, the United Kingdom, and Vietnam.
 - (2) Australia. It is only applicable to the CbC Reports with respect to fiscal years of Multinational Enterprise Groups of its Jurisdiction commencing on or before December 31, 2017.
 - (3) Switzerland. It is only applicable to the CbC Reports with respect to fiscal years of Multinational Enterprise Groups of its Jurisdiction commencing on or before December 31, 2018.
3. Notice No. 10824521920 issued by the Ministry of Finance on November 6, 2019 shall cease to apply from this day.