

Canadian transfer pricing documentation: What you should know

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The two transfer pricing memoranda released by the Canadian Revenue Agency on January 29, 2015 address intra-group services (TPM-15) and multi-year data in transfer pricing analyses (TPM-16). However, the memoranda seem to take a more intricate and detailed approach to transfer pricing than the U.S. and the Organisation for Economic Co-operation and Development (OECD). This suggests that transfer pricing documentation in other countries may not be sufficient to meet Canadian transfer pricing penalties for failing to prepare proper contemporaneous documentation.

In this article, Osler lawyer [Al-Nawaz Nanji](#) in the [Taxation](#) group gives an overview of TPM-15 and TPM-16 respectively, and addresses key matters such as:

- Determining whether intra-group services have been provided
- Valuing intra-group services
- Contrasting TPM-15 to the “simplified approach” in the 2014 OECD services draft and to REG. §1.482-9
- TPM-16 – role of multi-year data in transfer pricing analyses
- Use of multi-year data and statistical tools
- Contrasting TPM-16 to REG. §1.482-1

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