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Global Tax Alert

News from EY Americas Tax and
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Peru's tax authorities establish 29 January 2021 as due date for secondary filing of 2017, 2018 and 2019 CbC reports

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Peru's tax authorities established that the due date for the secondary filing of the country-by-country (CbC) reports for 2017, 2018 and 2019 is 29 January 2021, in certain cases.

Background

Ruling Nos. 054- 2019 and 155-2020 postponed the filing of 2017, 2018 and 2019 CbC reports to the last business day of the month following the publication of the official communication indicating that Peru obtained approval on the confidentiality and safety of information standard from the Global Forum on Transparency and Exchange of Information. The tax authorities published the official communication on its website on 2 December 2020. They also announced that Peru has been included as a reciprocal country for the exchange of information.

Local conditions for secondary filings

CbC reports are due 29 January 2021, for the following taxpayers:

1. Taxpayers whose nonresident parent entity is not required to file the CbC report in its jurisdiction of residence
2. Taxpayers with an ultimate parent entity (UPE) or surrogate parent entity (SPE) resident for tax purposes in a jurisdiction that has (i) an international treaty or Andean Community decision in effect with Peru and an agreement between competent authorities and (ii) a systematic failure of the tax information exchange has been communicated by Peruvian tax authorities to the Peruvian taxpayer
3. Taxpayers with a UPE or SPE resident for tax purposes in a jurisdiction that has an international treaty or Andean Community decision in effect with Peru authorizing the exchange of tax information, but does not have a qualifying competent authority agreement in effect with Peru for the exchange of the CbC report

For 2017, CbC reports are due 29 January 2021, only if the third condition applies. An Andean Community decision is a decision from the free trade area comprising Bolivia, Colombia, Ecuador and Peru.

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