

Issue 72, August 2024

The OECD's International Compliance Assurance Programme: an avenue to address cross-border tax challenges?

As the world of cross-border tax moves to its highest state of flux since the initial BEPS project, multinational companies (MNCs) may wish to consider whether the Organisation for Economic Cooperation and Development (OECD) International Compliance Assurance Programme (ICAP), in the absence of new dispute prevention/resolution tools, may provide an efficient way to address complex, multilateral issues.

The OECD has recently released statistics sharing large MNC feedback on ICAP and showing that the 20 cases passing through the program so far have resulted in low-risk outcomes of between 75% and 95% for issues ranging from tangible goods (90%), intangible goods (75%), services (88%), financing (76%) and permanent establishment (95%).

The statistics further indicate that 32% of all ICAP cases involved the issue resolution process within ICAP, with an average of five tax administrations participating in each case. Interested taxpayers should review the ICAP handbook for more details — including newly available ICAP templates outlining the requirements to be eligible for the program.

Related articles:

- Issue 71: How trade technologies can help reduce controversy risk
- Issue 70: UK releases new operational guidance on effective risk management in transfer pricing transactions
- Issue 69: Looking for certainty amid tax policy transformation
- Issue 68: ECtHR's evolving role in tax disputes

Contact us for more information

Luis Coronado

EY Global Tax Controversy Leader luis.coronado@sg.ey.com

Craig A Hiller

EY Global International Tax and Transaction Services Leader craig.hiller@ey.com

Kevin MacAuley

EY Global Indirect Tax Leader kmacauley@uk.ey.com

Register for EY Tax News Update: Global Edition

EY Tax News Update: Global Edition is a free, personalized email subscription service that allows you to receive EY Global Tax Alerts, newsletters, events, and thought leadership published across all areas of tax. Access more information about the tool and registration here.

EY | Building a better working world

EY exists to build a better working world, helping to create long-term value for clients, people and society and build trust in the capital markets.

Enabled by data and technology, diverse EY teams in over 150 countries provide trust through assurance and help clients grow, transform and operate.

Working across assurance, consulting, law, strategy, tax and transactions, EY teams ask better questions to find new answers for the complex issues facing our world today

EY refers to the global organization, and may refer to one or more, of the member firms of Ernst & Young Global Limited, each of which is a separate legal entity. Ernst A Young Global Limited, a UK company limited by guarantee, does not provide services to clients. Information about how EY collects and uses personal data and a description of the rights individuals have under data protection legislation are available via ey.com/privacy. EY member firms do not practice law where prohibited by local laws. For more information about our organization, please visit ey.com.

© 2024 EYGM Limited. All Rights Reserved.

004857-21 Gbl. 006946-24 Gbl

This material has been prepared for general informational purposes only and is not intended to be relied upon as accounting, tax, legal or other professional advice. Please refer to your advisors for specific advice.