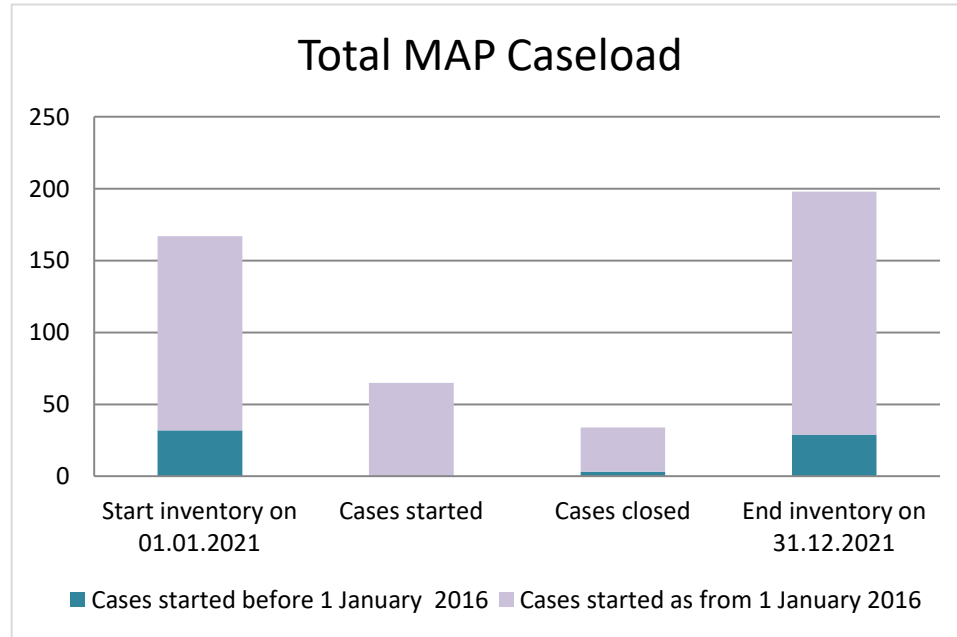


Korea



Cases started before 1 January 2016	2021 Start inventory	Cases started	Cases closed	2021 End inventory
Transfer pricing cases	9	0	0	9
Other cases	23	0	3	20

Cases started as from 1 January 2016	2021 Start inventory	Cases started	Cases closed	2021 End inventory
Transfer pricing cases	90	53	21	122
Other cases	45	12	10	47

Average time needed to close MAP cases

Cases started before 1 January 2016	Average time
Transfer pricing cases	n.a.
Other cases	70.29

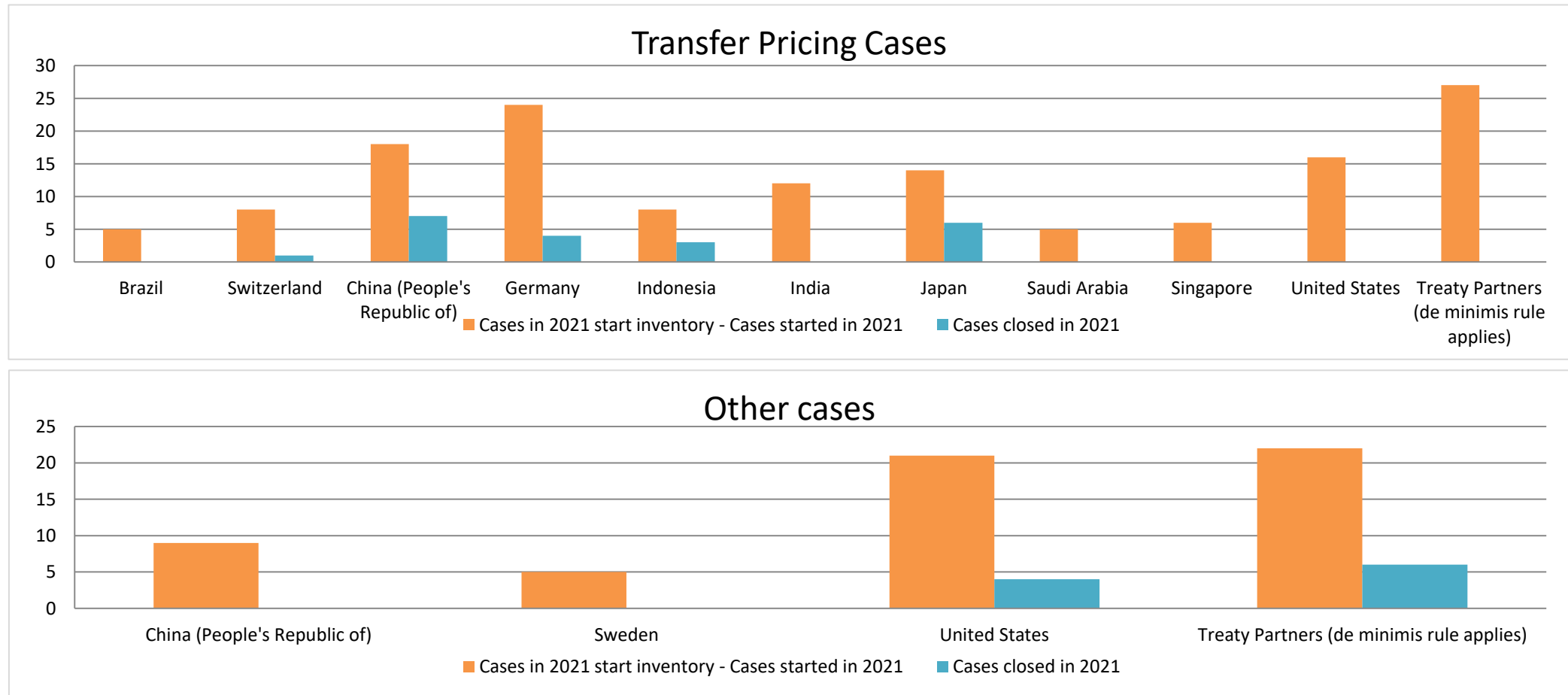
Note: the average time taken to close MAP cases that started before 1 January 2016 was computed by applying the following rules:
 (i) start date: the date when the MAP request was received; and
 (ii) end date: either the date of the closing letter sent to the taxpayer or the date of final closure of the case if no agreement was reached.

Cases started as from 1 January 2016	Start to End	Receipt to Start	Start to Milestone 1	Milestone 1 to End
Transfer pricing cases	28.24	4.04	14.97	11.47
Other cases	11.79	3.94	8.94	8.44

Note: the average times to close MAP cases that started as from 1 January 2016 were computed according to the MAP statistics reporting framework available at <http://www.oecd.org/tax/dispute/mutual-agreement-procedure-statistics-reporting-framework.pdf>

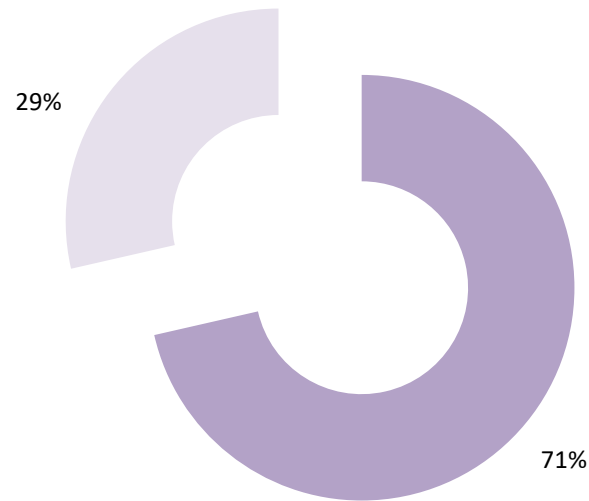
Overview of MAP partners (only for cases started as from 1 January 2016)

Note: the MAP cases started before 1 January 2016 and closed in 2021 are not shown in these graphs



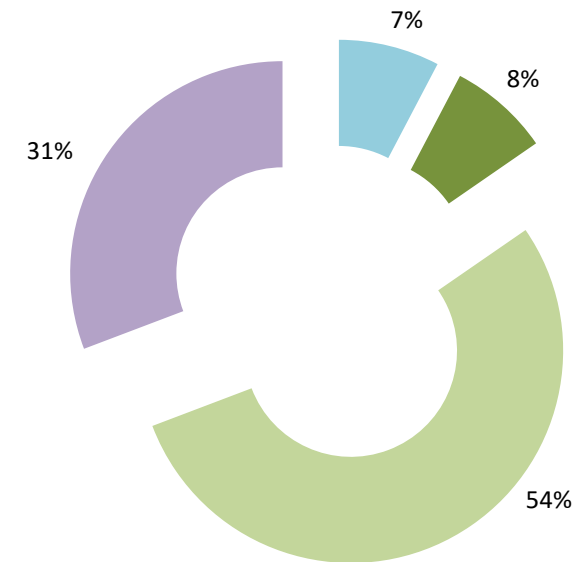
The label "Treaty Partners (de minimis rule applies)" applies to treaty partners with which the number of cases in start inventory plus the number of cases started is less than 5. The relevant MAP statistics are aggregated under this category.

MAP Outcomes - TP cases



- denied MAP access
- objection is not justified
- withdrawn by taxpayer
- unilateral relief granted
- resolved via domestic remedy
- agreement fully eliminating double taxation eliminated / fully resolving taxation not in accordance with tax treaty
- agreement partially eliminating double taxation / partially resolving taxation not in accordance with tax treaty
- agreement that there is no taxation not in accordance with tax treaty
- no agreement including agreement to disagree
- any other outcome

MAP Outcomes - other cases



Cases closed by outcome	denied MAP access	objection is not justified	withdrawn by taxpayer	unilateral relief granted	resolved via domestic remedy	agreement fully eliminating double taxation eliminated / fully resolving taxation not in accordance with tax treaty	agreement partially eliminating double taxation / partially resolving taxation not in accordance with tax treaty	agreement that there is no taxation not in accordance with tax treaty	no agreement including agreement to disagree	any other outcome	Total
Transfer pricing cases (all)	0	0	0	0	0	15	6	0	0	0	21
Cases started before 1 January 2016	0	0	0	0	0	0	0	0	0	0	0
Cases started as from 1 January 2016	0	0	0	0	0	15	6	0	0	0	21
Other cases (all)	0	0	1	1	7	4	0	0	0	0	13
Cases started before 1 January 2016	0	0	0	0	3	0	0	0	0	0	3
Cases started as from 1 January 2016	0	0	1	1	4	4	0	0	0	0	10
All cases	0	0	1	1	7	19	6	0	0	0	34

Annex A

MAP Statistics Reporting for the 2021 Reporting Period (1 January 2021 to 31 December 2021)

category of cases	no. of pre-2016 cases in MAP inventory on 1 January 2021	number of pre-2016 cases closed during the reporting period by outcome:										no. of pre-2016 cases remaining in on MAP inventory on 31 December 2021	average time taken (in months) for closing pre-2016 cases during the reporting period
		denied MAP access	objection is not justified	withdrawn by taxpayer	unilateral relief granted	resolved via domestic remedy	agreement fully eliminating double taxation / fully resolving taxation not in accordance with tax treaty	agreement partially eliminating double taxation / partially resolving taxation not in accordance with tax treaty	agreement that there is no taxation not in accordance with tax treaty	no agreement including agreement to disagree	any other outcome		
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12	Column 13	Column 14
Row 1 Attribution/ Allocation	9	0	0	0	0	0	0	0	0	0	0	9	n.a.
Row 2 Others	23	0	0	0	0	3	0	0	0	0	0	20	70.29
Row 3 Total	32	0	0	0	0	3	0	0	0	0	0	29	70.29
Notes:													
Definition of a MAP case and counting of MAP cases		The definition of MAP case and the counting of MAP cases are consistent with items (a) and (b) of Annex C of the MAP Statistics Reporting Framework											
Category of cases		Korea reported that for pre-2016 cases for determining whether a case is considered an attribution/allocation MAP case cases it followed the rules contained in Annex D of the MAP Statistics Reporting Framework. Annex D of MAP Statistics Reporting Framework defines such case as: "a MAP case where the taxpayer's MAP request relates to (i) the attribution of profits to a permanent establishment (see e.g. Article 7 of the OECD Model Tax Convention (OECD, 2015a)); or (ii) the determination of profits between associated enterprises (see e.g. Article 9 of the OECD Model Tax Convention (OECD, 2015a)), which is also known as a transfer pricing MAP case".											
Notes on the computation of average time		The average time taken to close pre-2016 cases was computed by applying the following rules: (i) start date: when the MAP request is filed in Korea, the date on which the Korean competent authority receives a notification from the other competent authority concerned of its intention to accept the request; or when the MAP request is filed in the other state concerned, the date on which the Korean competent authority notifies this other competent authority of its intention to accept the request; and (ii) end date: one of the following dates: the date on which a MAP agreement is reached or the date on which closing letters are exchanged in case no MAP agreement is reached or the date on which Korea closes the case unilaterally if after five years of the start date no agreement is reached, or the date of notification to the taxpayer in case of unilateral relief, the date of the final court ruling in case of domestic remedies or the date of withdrawal of a MAP request by the taxpayer in case of relief granted via administrative proceedings or in case of a mere withdrawal of a MAP request.											

Table 1: Attribution / Allocation MAP Cases													
Treaty Partner	no. of post-2015 cases in MAP inventory on 1 January 2021	no. of post-2015 cases started during the reporting period	number of post-2015 cases closed during the reporting period by outcome:										no. of post-2015 cases remaining in MAP inventory on 31 December 2021
			denied MAP access	objection is not justified	withdrawn by taxpayer	unilateral relief granted	resolved via domestic remedy	agreement fully eliminating double taxation eliminated / fully resolving taxation not in accordance with tax treaty	agreement partially eliminating double taxation / partially resolving taxation not in accordance with tax treaty	agreement that there is no taxation not in accordance with tax treaty	no agreement including agreement to disagree	any other outcome	
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12	Column 13	Column 14
Row 1	Brazil	5	0	0	0	0	0	0	0	0	0	0	5
	Switzerland	5	3	0	0	0	0	1	0	0	0	0	7
	China (People's Republic of)	12	6	0	0	0	0	3	4	0	0	0	11
	Germany	14	10	0	0	0	0	4	0	0	0	0	20
	Indonesia	6	2	0	0	0	0	1	2	0	0	0	5
	India	11	1	0	0	0	0	0	0	0	0	0	12
	Japan	4	10	0	0	0	0	6	0	0	0	0	8
	Saudi Arabia	0	5	0	0	0	0	0	0	0	0	0	5
	Singapore	4	2	0	0	0	0	0	0	0	0	0	6
	United States	14	2	0	0	0	0	0	0	0	0	0	16
Row 2	Treaty Partners (de minimis rule applies)	15	12	0	0	0	0	0	0	0	0	0	27
	Total	90	53	0	0	0	0	15	6	0	0	0	122
Notes:													

Table 2: Other MAP Cases													
Treaty Partner	no. of post-2015 cases in MAP inventory on 1 January 2021	no. of post-2015 cases started during the reporting period	number of post-2015 cases closed during the reporting period by outcome										no. of post-2015 cases remaining in MAP inventory on 31 December 2021
			denied MAP access	objection is not justified	withdrawn by taxpayer	unilateral relief granted	resolved via domestic remedy	agreement fully eliminating double taxation / fully resolving taxation not in accordance with tax treaty	agreement partially eliminating double taxation / partially resolving taxation not in accordance with tax treaty	agreement that there is no taxation not in accordance with tax treaty	no agreement including agreement to disagree	any other outcome	
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12	Column 13	Column 14
Row 1	China (People's Republic of)	8	1	0	0	0	0	0	0	0	0	0	9
	Sweden	5	0	0	0	0	0	0	0	0	0	0	5
	United States	16	5	0	0	1	1	0	2	0	0	0	17
Row 2	Treaty Partners (de minimis rule applies)	16	6	0	0	0	0	4	2	0	0	0	16
	Total	45	12	0	0	1	1	4	4	0	0	0	47
Notes:													

Table 1: Attribution / Allocation MAP Cases				
Treaty Partner	average time taken (in months) for post-2015 cases from:			
	"Start" to "End"	Receipt of taxpayer's MAP request to "Start"	"Start" to Milestone 1	Milestone 1 to "End"
Column 1	Column 2	Column 3	Column 4	Column 5
Switzerland	24.33	1.15	10.78	13.55
China (People's Republic of)	31.87	2.74	n.a.	n.a.
Germany	37.28	13.58	25.28	12.00
Indonesia	32.94	1.74	8.65	24.30
Japan	16.29	0.84	11.95	4.35
Total	28.24	4.04	14.97	11.47
<u>Notes:</u>				

Table 2: Other MAP Cases				
Treaty Partner	average time taken (in months) for post-2015 cases from:			
	"Start" to "End"	Receipt of taxpayer's MAP request to "Start"	"Start" to Milestone 1	Milestone 1 to "End"
Column 1	Column 2	Column 3	Column 4	Column 5
United States	19.45	1.15	9.80	13.50
Treaty Partners (de minimis rule applies)	6.69	5.80	8.37	5.07
Total	11.79	3.94	8.94	8.44
Notes:				

Row 1
Row 2

Table 3: All MAP Cases					
average time taken (in months) for post-2015 cases from:					
	"Start" to "End"	Receipt of taxpayer's MAP request to "Start"	"Start" to Milestone 1	Milestone 1 to "End"	
	Column 1	Column 2	Column 3	Column 4	
Row 1	Total Average Time	22.94	4.01	13.38	10.67
Notes:					