

HUNGARY

SMALL AND MEDIUM ENTERPRISES AND TRANSFER PRICING

1. Have you established a dedicated website/webpage as a single point of information for SMEs on transfer pricing matters? Alternatively, has information for SMEs on transfer pricing matters been made available electronically via an existing website/webpage? In which language(s) is the information available?

Hungary does not have a dedicated website or webpage as a single point of information for SMEs on transfer pricing matters.

According to Decree 22/2009 of the Ministry of Finance on transfer pricing documentation requirements transfer pricing documentation is not required in the case of

- SMEs in an unprivileged market position due to their size, who establish affiliated companies for the purpose of joint purchases and sales (certain retail entities),
- Small enterprises (see Q2),
- Micro enterprises (see Q2).

2. Do you have a single definition of SME that applies for most direct tax purposes?

Medium enterprise is an enterprise which:

- employs fewer than 250 persons, and
- has annual turnover not exceeding the HUF equivalent of 50 million EUR and/or annual balance sheet total not exceeding the HUF equivalent of 43 million EUR.

Small enterprise is an enterprise which:

- employs fewer than 50 persons, and
- has annual turnover and/or annual balance sheet total which does not exceed the HUF equivalent of 10 million EUR.

Micro enterprise is an enterprise which:

- employs fewer than 10 persons, and
- has annual turnover and/or annual balance sheet total which does not exceed the HUF equivalent of 2 million EUR.

3. Do you apply a specific SME definition for transfer pricing purposes?

Hungary applies the same definition as mentioned in our reply to Q2.

4. What specific services for SMEs are in place e.g. advanced pricing agreements, dispute resolution (pre- or post-audit), etc.? Is information on these services available electronically on the website(s) identified in question 1 or elsewhere? In which language(s) is the information available?

Hungary has no specific rules or specific services in place for SMEs.

5. Are training materials made available to SMEs electronically via the website(s) identified in question 1 or elsewhere? In which language(s) is the information available?

No.

6. Is information on procedures to provide SMEs with advance certainty on transfer pricing issues (e.g. advanced pricing agreements, rulings and clearances) available electronically via the website(s) identified in question 1 or it is only available from some other source? In which language(s) is the information available?

No.

7. Is there a dedicated contact point available to SMEs for transfer pricing compliance issues?

No.

8. Is there a dedicated contact point for advanced pricing agreements, clearances and rulings available to SMEs?

No.

9. Is there a dedicated contact point available to SMEs who want to claim relief from double taxation as a result of a transfer pricing adjustment?

No.