

Country-by-Country Reporting (CBCR)

ITALY

EU Directive 2016/881 of 25 May 2016
Article 1, § 145/146, Law 28 December 2015, n. 208
Ministerial Decree 23 February 2017

INFORMATION TO BE PROVIDED BY CONSTITUENT ENTITIES OF A MULTINATIONAL ENTERPRISE GROUP
(see note 1)

In compliance with the above provisions, the undersigned authorized signatory

PROVIDES THE FOLLOWING INFORMATION

A. DETAILS OF THE ITALIAN RESIDENT ENTITY

NAME OF ITALIAN RESIDENT ENTITY:

REPORTING FISCAL YEAR END DATE:

NAME OF AUTHORIZED SIGNATORY:

B. DETAILS OF THE ULTIMATE PARENT ENTITY OF THE MNE GROUP (see note 2):

NAME:

TAX IDENTIFICATION NUMBER:

REGISTERED ADDRESS:

COUNTRY:

C. CONSOLIDATED GROUP REVENUE

(tick only one of the following boxes 1 OR 2 and complete as appropriate)

1. the CONSOLIDATED GROUP REVENUE IS LESS THAN EUR 750,000,000 or equivalent in local currency during the Fiscal Year immediately preceding the Reporting Fiscal Year

IF YOU CHECKED BOX NO. 1 ABOVE PLEASE SIGN THIS FORM ON PAGE 2 AND RETURN IT TO Picolli Difino

OR

2. the CONSOLIDATED GROUP REVENUE IS EUR 750,000,000 OR MORE or equivalent in local currency during the Fiscal Year immediately preceding the Reporting Fiscal Year

IF YOU CHECKED BOX NO. 2 ABOVE PLEASE ALSO COMPLETE PAGE 2 BEFORE SIGNING AND RETURNING IT

D. CBCR REPORTING ENTITY

(complete only one of the following sections 3 OR 4 as appropriate)

3. **the Italian resident entity IS NOT SUBJECT to CBCR requirements in ITALY** for the Reporting Fiscal Year indicated above, as **the CBCR ENTITY is:**

NAME OF CBC REPORTING ENTITY:

TAX IDENTIFICATION NUMBER:

REGISTERED ADDRESS:

COUNTRY:

OR

4. **the Italian resident entity IS SUBJECT to CBCR requirements in ITALY** for the Reporting Fiscal Year indicated above, as it is one of the following (tick as appropriate):

- a. the ultimate parent entity of the MNE group (*see note 2*)
- b. an intermediate consolidating entity of the MNE group when none of its direct or indirect parents is subject to consolidation/CBCR requirements
- c. the surrogate parent entity of the MNE group (*see note 3*)
- d. the EU resident designated reporting entity of the MNE group (*see note 5*)

The ultimate parent entity of the MNE group is resident of a country that:

- A. Has not established a CBCR requirement
- B. Does not have a treaty in place with Italy allowing the exchange of information on CBCR

AND

- i. The Italian resident entity HAS RECEIVED from the parent entity of the MNE group all information required to submit the CBCR

OR

- ii. The Italian resident entity has NOT received from the parent entity of the MNE group all information required to submit the CBCR

The Authorized Signatory

Note 1

The term “*Constituent Entity*” means any of the following:

- a) any separate business unit of a Multinational Enterprise (MNE) Group that is included in the Consolidated Financial Statements of the MNE Group for financial reporting purposes, or would be so included if equity interests in such business unit of an MNE Group were traded on a public securities exchange;
- b) any such business unit that is excluded from the MNE Group's Consolidated Financial Statements solely on size or materiality grounds;
- c) any permanent establishment of any separate business unit of the MNE Group included in (a) or (b) provided the business unit prepares a separate financial statement for such permanent establishment

Note 2

The term “*Ultimate Parent Entity*” means a Constituent Entity of a Multinational Enterprise (MNE) Group that meets the following criteria:

- a) it owns directly or indirectly a sufficient interest in one or more other Constituent Entities of such MNE Group such that it is required to prepare Consolidated Financial Statements under accounting principles generally applied in its jurisdiction of tax residence, or would be so required if its equity interests were traded on a public securities exchange in its jurisdiction of tax residence;
- b) there is no other Constituent Entity of such MNE Group

Note 3

The term “*Surrogate Parent Entity*” means one Constituent Entity of the Multinational Enterprise (MNE) Group that has been appointed by such MNE Group, as a sole substitute for the Ultimate Parent Entity, to file the Country-by-Country Report in that Constituent Entity's jurisdiction of tax residence, on behalf of such MNE Group, when one or more of the conditions set out in point (b) of Note 4 below apply.

Note 4

A Constituent Entity resident in a Member State which is not the Ultimate Parent Entity of a Multinational Enterprise (MNE) Group shall file Country-by-Country Report with respect to the Reporting Fiscal Year of an MNE Group of which it is a Constituent Entity, if the following criteria are satisfied:

- a) the entity is resident for tax purposes in a Member State;
- b) one of the following conditions applies:
 - i) the Ultimate Parent Entity of the MNE Group is not obligated to file a Country-by-Country Report in its jurisdiction of tax residence;
 - ii) the jurisdiction in which the Ultimate Parent Entity is resident for tax purposes has a current International Agreement to which the Member State is a party but does not have a Qualifying Competent Authority Agreement in effect to which the Member State is a party by the time specified in Article 8aa(1) for filing the Country-by-Country Report for the Reporting Fiscal Year;
 - iii) there has been a Systemic Failure of the jurisdiction of tax residence of the Ultimate Parent Entity that has been notified by the Member State to the Constituent Entity resident for tax purposes in the Member State.

Note 5

The term “*Designated Parent Entity*” means one of the Constituent Entities of the Multinational Enterprise (MNE) Group resident in the EU that has been designated by such MNE Group to file the Country-by-Country Report on behalf of all the Constituent Entities of the MNE Group resident in the EU, when one or more of the conditions set out in point (b) of Note 4 above apply.