Intra-group services: *the benefit must be documented*

The OECD is revising Chapter VII of its Transfer Pricing Guidelines, and on 9 November 2026 business and government representatives met in Paris to discuss the proposal. The principles stand, but the requirements for what a group must be able to show in order to charge management fees and shared services are becoming clearer. Here is what the CFO should know.

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Status: consultation draft. This discussion of Chapter VII is based on the OECD's draft of June 2026, which was discussed at the public consultation meeting in Paris on 9 November. The final text has not been adopted.[1,2]

IN BRIEF

- **The consultation:** the OECD has published 140 comments on the draft of the new Chapter VII.[1,3]
- **The principles remain:** the benefit test applies, and shareholder costs cannot be charged.[1]
- **Clearer requirements:** fees must be linked to specific activities with an expected benefit.
- **PE-owned companies:** monitoring fees are, in our reading, typical shareholder costs.
- **Audits:** in our reading, the Norwegian Tax Administration is building capacity for data-driven audits.[7]

01

What the OECD proposes

In June 2026 the OECD released a draft of a new Chapter VII on intra-group services for public consultation. The deadline was 22 July, and the OECD has published 140 comments.[1,3] The OECD itself stresses that the changes are not intended to alter the fundamental principles. The aim is to link the chapter more closely to Chapters I to III and to provide more practical guidance. The draft contains 21 new examples.[1]

The core is still the benefit test. A service exists only if an independent enterprise in the same situation would have paid for it or performed it itself. The draft clarifies that the benefit must be identified and reasonably expected at the time the service was rendered, even if it is not necessarily realised.[1]

Shareholder activities give the subsidiary no benefit and cannot be charged. The draft mentions, among other things:

- general meeting and board costs in the parent company
- group reporting and consolidation
- the parent company's own tax compliance
- raising capital for acquisitions
- investor relations

According to the examples, the costs of buying or selling subsidiaries are normally shareholder costs.[1]

On pricing, no automatic use of cost plus is proposed: the most appropriate method must be selected case by case. Where costs are charged indirectly, the allocation key must reflect the expected benefit, be applied consistently and not allocate more than the actual costs. The simplified approach for low value-adding services, with a 5 percent markup, is retained without substantive changes. The documentation section lists evidence that can demonstrate benefit, for example agreements, minutes of meetings, deliverables and an explanation of the cost base and allocation keys.[1]

02

What it means for Norwegian groups and PE-owned companies

Management fees, shared services and holding company charges must be capable of being broken down into specific activities with an expected benefit for the recipient. A markup on total costs in the parent company is not enough.

For PE-owned portfolio companies this is particularly relevant. Monitoring fees and holding costs related to board work, reporting to the fund, financing of the acquisition and exit preparations are, in our reading, typical shareholder costs. If such fees are charged to the portfolio company, the deduction is at risk.

03

Norwegian law: the Guidelines and the reporting obligation

Skatteloven (the Norwegian Tax Act) § 13-1 provides the legal basis for adjusting income that has been reduced because of a community of interest. Under § 13-1 fourth paragraph, the OECD Transfer Pricing Guidelines shall be taken into account where dealings between a Norwegian and a foreign enterprise are subject to arm's length terms under a tax treaty. In other cases, corresponding account should be taken of them, as far as appropriate. This applies only to the extent that Norway has endorsed the Guidelines, and provided that the Ministry has not decided otherwise. A revised Chapter VII will therefore only become relevant in Norway once the OECD has adopted it and Norway has endorsed the changes.[4]

Companies must disclose controlled transactions and outstanding balances with related parties in the tax return, both cross-border and between Norwegian companies. The only companies exempt are those that have both controlled transactions below NOK 10 million and outstanding balances below NOK 25 million. The obligation follows from skatteforvaltningsloven (the Tax Administration Act) § 8-11 first paragraph and skatteforvaltningsforskriften (the Tax Administration Regulations) § 8-11-1.[5,6]

In addition, there is the obligation to prepare transfer pricing documentation under § 8-11 second paragraph, which must be submitted within 45 days of a request. Exempt are companies that, together with related parties, have fewer than 250 employees and either sales revenue not exceeding NOK 400 million or a balance sheet total not exceeding NOK 350 million. Transactions with related parties in states from which Norway cannot request information must nevertheless always be documented. The Act does not distinguish between Norwegian and foreign related parties, but the Norwegian Tax Administration links the main rule on the documentation obligation to cross-border transactions.[5,6]

04

Audit risk

On 27 October 2026 the Norwegian Tax Administration published a market survey on financial market data and analysis tools for transfer pricing and valuation (Doffin 2026-116628).[7] In our reading, this suggests that the agency is building capacity for more data-driven transfer pricing audits. Intra-group services are a natural place to start.

05

Five things the CFO should do now

01 Map all intra-group fees and who pays them.

02 Separate out the shareholder costs and leave them with the owner.

03 Check that the allocation keys reflect the expected benefit, and that the total does not exceed the actual costs.

04 Update the service agreements so that they describe the services actually rendered.

05 Keep evidence of benefit on an ongoing basis: minutes, deliverables and time records.

EOS

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Sources

1. OECD, Public consultation document: Revisions to Chapter VII of the OECD Transfer Pricing Guidelines, Special considerations for intra-group services (1 June to 22 July 2026), paragraphs 7.13 to 7.30, 7.42 to 7.51, 7.71 to 7.73, Part E and Annex I examples 5 to 8.
2. OECD, Public consultation meeting: Revisions to Chapter VII of the OECD Transfer Pricing Guidelines, 9 November 2026.
3. OECD, Comments received: Revisions to Chapter VII of the OECD Transfer Pricing Guidelines, published 24 August 2026 (140 comments).
4. Skatteloven (Norwegian Tax Act) § 13-1 (Lovdata).
5. Skatteforvaltningsloven (Tax Administration Act) § 8-11 and skatteforvaltningsforskriften (Tax Administration Regulations) §§ 8-11-1 to 8-11-16 (Lovdata).
6. Skatteetaten (Norwegian Tax Administration), *Rapportere og dokumentere internprising* and *Veiledning til kontrollerte transaksjoner/disposisjoner og mellomværender* (skatteetaten.no).
7. Doffin 2026-116628, Skatteetaten: *RFI - 20250003 Financial Market Data*, indicative notice of a market survey (not a request for tenders), published 27 October 2026. 20250003 is the Norwegian Tax Administration's own RFI number.