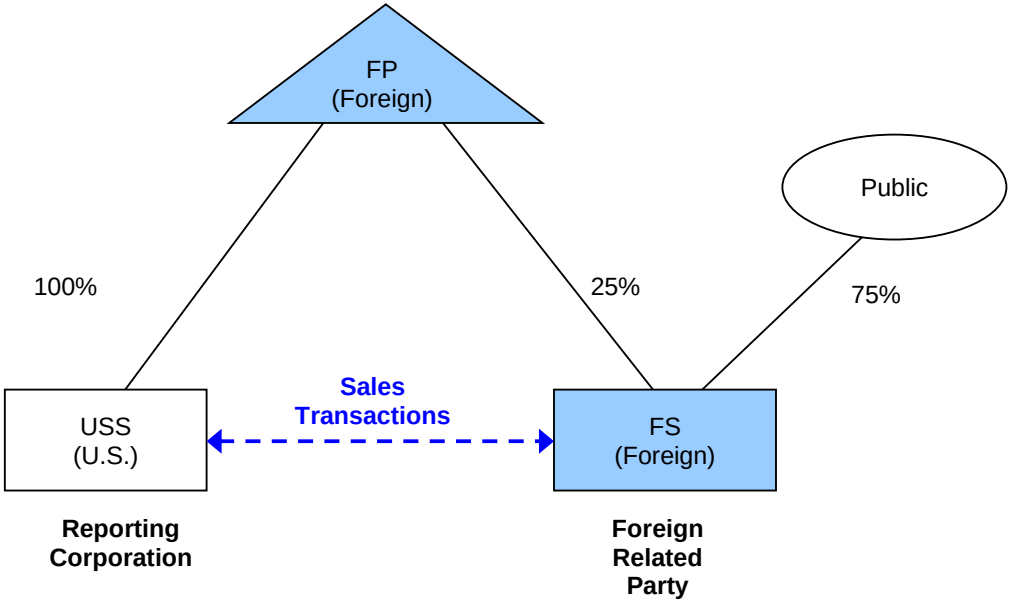
Reg. 1.6038A-1(m)
Example 5

Form 5472: Sec. 482 Control Even Though Only 25% Ownership

Copyright © 2015 Andrew Mitchel LLC
International Tax Services
www.andrewmitchel.com



FP owns 100 percent of USS, a U.S. corporation, and 25 percent of FS, a foreign corporation. The remaining 75 percent of FS is publicly owned by numerous small shareholders. Sales transactions occur between USS and FS. Applying the rules of this section, USS is a reporting corporation. It is determined that USS and FS are each controlled by FP under section 482 and the regulations thereunder. Therefore, FS is related to USS within the meaning of section 482 and is a related party to USS. Accordingly, the sales transactions between USS and FS are subject to section 6038A.

HUNDREDS of additional charts at www.andrewmitchel.com