



## Spain approves the Complementary Tax Regulation to ensure a global minimum level of taxation for multinational groups and large domestic groups (Pillar 2).

**April 2, 2025**

The Cabinet -at its meeting held yesterday, 1 April 2025- has approved the Royal Decree adopting the implementing regulations for the top-up tax to ensure global minimum taxation for multinational enterprise groups and large-scale domestic groups.

Law 7/2024 of 20 December 2024 transposed the Pillar Two Directive in Spain by approving the new top-up tax. However, for certain matters provided for in the Law, reference was made to subsequent implementing regulations.

According to the [press release](#) issued by the Government, the implementing regulations address, inter alia, the following aspects:

- The rules for determining the tax base and adjusted covered taxes for the purposes of the top-up tax. More specifically, they establish the rules to be applied in cases where the financial or fiscal years of the ultimate parent entity are not the same as those of the constituent entities of the multinational enterprise group or large-scale domestic group.
- The relevant adjustments for determining qualifying income or loss for the period, and the rules for computing eligible tangible assets and eligible employees in respect of substance-based income exclusion.
- The starting point for calculating the deferred tax expense or income of a constituent entity by reference to the financial accounting net income or loss of the constituent entity in the relevant tax period, prior to consolidation adjustments arising from the elimination of intra-group transactions.
- The informative return to be filed by the multinational enterprise group or large-scale domestic group, and implementation of the penalty regime provided for in article 48 of the Law governing the top-up tax.

These implementing regulations have been published in the Official State Gazette today, 2 April 2025 (link available [here](#) in Spanish only).

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