

Position on Tax

Background

Astellas has a substantial business and employment presence in many countries around the globe and pays various taxes, including corporate income taxes and other business taxes, as well as taxes associated with its employees. At the same time, Astellas has a responsibility to its shareholders to appropriately manage its taxes to enhance its enterprise value on a sustainable basis, while complying with relevant tax codes.

The approach to managing taxes is aligned to the Astellas Group Code of Conduct^{*1}, which sets out what is expected of all officers and employees of Astellas. To meet these commitments, Astellas takes the following approach to tax in all of the territories where it operates.

Our Position

I. Tax Governance

We have robust internal policies and procedures to ensure that there is alignment across our business and we meet our tax obligations. In addition, we identify, assess and manage tax risks within the framework of these policies and procedures and account for them appropriately.

Our global tax policy and transfer pricing policy are approved by the Chief Executive Officer and are implemented across the Astellas Group.

The Global Tax Head is responsible for ensuring that our policies establish appropriate procedures, which are maintained and applied consistently around the world, and that the global tax team has the skills and the experience to follow the procedures and perform their duties in accordance with them.

II. Tax Compliance

We have a tax code of conduct, in which we commit to complying with the local tax laws and regulations in each country where we operate. We aim to be a good corporate citizen by observing applicable laws and regulations, including the intent of such rules, and strive to pay the right amount of tax in the right place at the right time.

III. Transfer Pricing

To determine the pricing of transactions among entities within the Astellas Group, we apply OECD guidelines and country-specific rules, which include the appropriate application of relevant

transfer pricing methods based on the analysis of the functions performed and risks assumed as well as appropriate documentation.

In addition, we enter into bilateral Advance Pricing Agreements (APA) with tax authorities where appropriate. The APAs provide long-term certainty for both the tax authorities and Astellas.

IV. Relationship with Tax Authorities

We seek to build and sustain relationships with governments and tax authorities that are constructive and based on mutual respect. We work collaboratively wherever possible with tax authorities to resolve disputes and to achieve early agreement and certainty.

V. Attitude to Arranging Tax Affairs

In structuring our commercial activities, we consider the tax rules of the countries where we operate with a view to achieving sustainable growth. For example, we often look to take steps to appropriately reduce the risk of double taxation (i.e. the same income taxed twice in two different jurisdictions). Any structuring that is undertaken will have a business purpose or commercial rationale. Furthermore, we support the objectives of the OECD's BEPS*² project to address tax avoidance.

VI. Statutory disclosure requirements

This statement is intended to satisfy any statutory disclosure obligation that may exist in the territories where the Astellas Group operates, which includes but is not limited to satisfaction of the requirements under paragraph 16(2) of Schedule 19 to Finance Act 2016 in the UK by Astellas Pharma Inc. and its UK subsidiaries in respect of financial year ended 31 March 2022.

References

1. Astellas Group Code of Conduct
<https://www.astellas.com/en/about/charter-of-corporate-conduct-group-code-of-conduct>
2. BEPS (Base Erosion and Profit Shifting)
<https://www.oecd.org/tax/beps/>