



## **Ball Corporation Tax Strategy - 2021**

This document sets out the strategy for Ball Corporation and its subsidiaries (“Ball” or “the Company”) as it relates to corporate taxation. The strategy is consistent with Ball’s Business Ethics Code of Conduct, has been approved by the Company’s Board of Directors, and is available to the public on ball.com.

### **Our approach to risk management and governance**

The responsibility for tax risk management and governance lies with the Chief Financial Officer, with oversight by the Company’s Board of Directors. Day-to-day responsibility is delegated to the Vice President, Global Tax, who is supported by the tax function and certain personnel in the wider finance community (collectively referred herein as the “tax function” or “tax team”).

Our approach to tax risk management follows the same principles that we apply to other business risks, by giving consideration to the following:

- Observation of applicable laws, regulations and disclosure requirements;
- Application of professional care and judgment to arrive at well-reasoned conclusions;
- Ensuring that decisions are taken at an appropriate level and are supported with documentation that evidences the facts, conclusions and risks involved.

Our tax team works to build and maintain cross functional relationships spanning the entire business. Through this process the team promotes the tax strategy, and seeks to identify and manage tax risk, by using its knowledge of the Company’s operations and the principles set out above.

The tax function works to ensure that informed tax decisions are taken with respect to our business operations, both from a local country and a cross-border perspective. It provides advice which is consistent with and reflects the Company’s commercial activities. The Company does not engage in tax planning or tax structures that lack appropriate business substance.

The tax function consists of qualified tax and finance professionals, who are required to operate with integrity and professionalism at all times. The tax function operates under the principle of continuous improvement and maintains an appropriate depth of tax knowledge through access to a variety of ongoing training resources.

The tax team maintains oversight of tax compliance activities across the Company and actively manages ongoing examinations by local tax authorities as well as any potential disputes regarding tax matters.

## **Our approach to tax planning**

In making commercial decisions, we take tax into account in the same as any other cost. Where there is more than one way of structuring a commercial business arrangement we take a holistic view, considering all factors, including tax.

We may implement an alternative with a lower tax cost, providing it is compliant with relevant tax laws and regulations. However, we will not enter into arrangements in order to defeat the stated purpose of the relevant tax rules. It is our intention to comply not only with the letter of the tax laws, but also the underlying tax policy intent.

The tax function is consulted on significant potential transactions, including acquisitions and dispositions, providing advice on the available preferred routes to minimize potential tax risk and cost.

The tax function decides when to consult external advisors. The Company recognizes that external tax advisors add value, particularly with respect to new legislation or where a potential transaction is of significant size or complexity. External advisors are used in a supporting capacity to provide additional guidance around particular risk areas, but the tax team reviews all of this advice and is ultimately responsible for any conclusions.

## **Our approach to acceptable levels of tax risk**

The Company is committed to complying with all relevant tax rules and regulations in a responsible manner and with due regard to governmental and broader stakeholder requirements. We intend to pay the legally required amount of tax at the right time and to comply fully with our tax compliance obligations in all territories in which we operate.

We understand the importance of transparency. We meet all external tax reporting and compliance requirements and we do not use opaque or contrived corporate structures to hide or reduce the transparency of our actions. We do not utilize entities in tax haven jurisdictions to avoid taxes.

The Company is committed to the use of the arm's length principle for its transfer pricing. Our tax function understands how and where the business creates value and ensures this is reflected in the pricing for the Company's intercompany transactions. The Company will not transfer any of this value to low tax jurisdictions for the purpose of tax avoidance.

We're focused on ensuring that taxes and tax risks are managed to provide sustainable outcomes within the parameters of the Company's strategic and commercial objectives, creating value for our shareholders.

We recognize there is always some level of tax risk inherent in operating our businesses due to the general complexity of taxes, frequency of law change, scope for differing interpretations of tax law and the breadth of taxes related to the Company's activities.

The Company does not have pre-defined limits in place for the acceptable amount of tax risk. Instead, judgment is applied, taking into account the principles enumerated above on an issue-by-issue basis.

We emphasize strong internal controls and the Company's key tax risks are reviewed by the Audit Committee of the Board of Directors on an annual basis.

### **Relationship with tax authorities**

We maintain an open and collaborative professional relationship with the various tax authorities. This includes, where appropriate, dialogue on significant tax issues and developments in the Company's activities.

We seek to respond to queries or information requests in a timely manner and we make fair and accurate disclosures in correspondence and returns without exception.

We see value, as part of our risk management process, in seeking to resolve certain issues with the tax authorities in real time and before returns are filed. This may involve disclosure through available formal or informal clearance procedures on significant matters, in order to gain agreement on the tax implications. Should disagreements arise, we work collaboratively with the tax authorities to expeditiously resolve any issues.