



# Asia Pacific Tax Weekly

KPMG Asia Pacific Tax Centre | Content to 10 November 2016



## Asia Pacific Tax Developments

### Australia

#### **Australia: Insights on the Australia/India Tax Treaty**

KPMG Australia discusses the key insights coming from the Tech Mahindra Case and the Australian – India Tax Treaty.

One issue that has captured the attention is that payments that would clearly not be considered to be a royalty under Australian domestic law or under almost any other Double Taxation Agreement (DTA), were so found, and royalty withholding tax was imposed.

[More details](#)

#### **Australia: Lease incentives for lessees**

KPMG Australia outlines some considerations for lessors offering incentives for commercial real estate leases.

The different forms of incentives create different income tax outcomes, which require careful consideration and necessitate regard to the lessee's circumstances and tax profile.

[More details](#)

#### **Australia: Reduction in withholding taxes for CIVs**

The current rate and complexity of withholding tax applied to distributions made by Australian funds has a significant impact on the ability of Australian funds to compete internationally. On Friday 4 November, the Government released a much anticipated consultation paper seeking industry views.

KPMG Australia highlights proposed changes on withholding tax which could impact Collective Investment Vehicles.

[More details](#)

## Australia: The law of unintended consequences

KPMG Australia expounds on potential unintended consequences of the OECD's proposed changes to the definition of a Permanent Establishment.

[More details](#)

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## China

### China: New self-declarations to replace customs clearance procedures, pilot program

China's customs authority issued guidance that amends the existing customs clearance procedure for imported goods, and that will allow for customs self-declarations and tax and customs duty payments.

[More details](#)

### China: Tax Weekly Update - Issue 42

KPMG China has issued a newsletter that provides various tax and customs updates on the followings:

- Market access for all investors to selected business sectors with an internet-relevant dimension – Public opinions sought on draft negative list
- Customs duty administrative modernization advances (GAC Announcement [2016] No. 62)
- New Customs Inspection Regulations – legal document format requirements clarified (GAC Announcement [2016] No.61)
- More incentives for highly compliant taxpayers – customs
- SAT “Thousand Enterprises Initiative” for co-operative tax compliance with large companies – requirements to submit financial statements clarified (SAT Announcement [2016] No. 67)
- Exchange of notes for China - Malaysia tax treaty
- China tax agents professional association releases new guidance for members (Zhong Shui Xie Fa [2016] No. 056)

[More details](#)

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## India

### India: Rules for deferring payment of customs duty

India's Central Board of Excise and Customs (CBEC) issued guidelines and procedures for the deferred payment of customs duty. The deferral rules will be effective 16 November 2016 and will apply to importers registered as an Authorised Economic Operator (Tier 2 or 3).

[More details](#)

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## Singapore

### Singapore: Making globalisation work for you

KPMG in Singapore has released a newsletter that discusses why Singaporean entrepreneurs are already well positioned to develop internationally and what they should consider when seeking global expansion.

[More details](#)

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## Significant International Tax Developments



### OECD: Panama joins BEPS inclusive framework

The Organisation for Economic Cooperation and Development (OECD) announced that Panama joined the inclusive framework under the base erosion and profit shifting (BEPS) project.

[More details](#)

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## Beyond Asia Pacific

### Netherlands: Entry, residence of non-EU nationals transferred within a company

The Netherlands, effective 29 November 2016, will implement an EU Directive regulating the entry and residence of non-EU nationals who are transferred within a company.

The EU Directive stipulates the conditions that an EU Member States may impose on the residence of non-EU nationals within the context of a corporate transfer, also known as intra-corporate transfer. The objective of the Directive is to harmonize the admission regulations of the various EU Member States and to facilitate the intra-EU mobility of the staff of international groups in order to promote the transfer of knowledge and expertise within companies.

[More details](#)

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### TaxNewsFlash by Region

For the latest tax developments from other regions see the following links:

[Africa](#)

[Americas](#)

[Europe](#)

[United States](#)

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