

# KPMG Asia Pacific Tax Weekly

**KPMG Asia Pacific Tax Centre | 12 December 2018**



## Asia Pacific Tax Developments

### Australia

#### France suspends proposed fuel tax hike

KPMG Australia discuss the French Government's suspension of a proposed fuel tax increase after three long weeks of intense protesting.

### China

#### China Looking Ahead – 8<sup>th</sup> edition

China Looking Ahead is a series of articles published by the International Tax Review in association with KPMG China. In this edition, the tax specialists examine recent developments in Chinese tax law and administration and explore what the coming year may bring for multinational enterprises

#### Customs Policy Update - November 2018

KPMG China released the November version of the Custom Policy Updates

### India

#### GST annual return extension, due 31 March 2019

The due date for filing the annual return for goods and services tax ('GST') and for filing the GST audit report has been extended to 31 March 2019.

## No penalty on account of human error

The High Court of Kerala held that human error, detectable by the “naked eye,” does not warrant a penalty.

## Registration not required of a location where goods are imported

The Authority for Advance Ruling, Maharashtra held that in the absence of any establishment or place of operation, or any godown, separate registration is not required in the state where goods are imported for subsequent sale.

## Tax treatment on conversion of private limited company into LLP

The Mumbai Tribunal held that if there is transfer of assets on conversion of a Company to LLP which does not satisfy the conditions of exemption, then it was to be treated as ‘transfer’ of capital assets for the purpose of taxation and also disallowed carry forward of losses.

## Telecom license-related fee

The Delhi Tribunal held that the right to set off the one-time non-refundable entry fee against the upfront fee payable for allotment of telecom licenses is not a “capital asset” and was not taxable as a capital gain.

## Korea

### Korean Tax Brief

KPMG Korea share updates on tax current issues and trends outlining tax news and recent regulations and precedents.

## New Zealand

### Proposals for GST on low-value imports, rental loss “ring-fencing”

New Zealand’s government introduced a bill that includes measures concerning GST rules for low-value imports and the tax treatment of residential rental properties.

## Thailand

### Additional requirement for CIT reduction or exemption on royalty income under the International Headquarters regime

Royal Decree No. 586 has been amended to impose an additional requirement that beneficiaries of the International Headquarters regime must satisfy to be eligible for a reduced or exempt Thai Corporate Income Tax rate on royalty income.



## Calendar of events

Date	Event	Location
14 January 2019	<a href="#">Special Dialogue with Lembaga Hasil Dalam Negeri</a>  Contacts: <a href="#">Mr Koh Yih Lik (Kyle)</a> & <a href="#">Ms Alya Afidlin AhmadFuad (Alya)</a>	One World Hotel, Petaling Jaya, Malaysia
18 January 2019	<a href="#">Employer Tax &amp; CPF Reporting Workshop</a>  Contacts: <a href="#">Sharon Ting</a>	Hilton Singapore, 581 Orchard Road, Singapore 238883



## Beyond Asia Pacific

### [Costa Rica: Summary of tax reform changes, new VAT system](#)

The new tax law measures provides a comprehensive reform of the tax system which includes items related to income tax reform and to the reform of the general sales tax regime by replacing it with a value added tax system. These reforms have an effective date of 1 July 2019.

### [South Africa: New royalty tax system; implications for mining industry](#)

The South African Revenue Services (SARS) is introducing a new system for the royalty tax.



## TaxNewsFlash by region

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





# KPMG Asia Pacific Tax Centre Contacts

## Asia Pacific Regional Leader, Tax



**Khoon Ming Ho**  
Head of Tax,  
KPMG Asia Pacific  
**T** : +8610 8508 7082  
**E** : [khoonming.ho@kpmg.com](mailto:khoonming.ho@kpmg.com)

## Asia Pacific Tax Centre Leader, Regional Tax Partner



**Brahma D Sharma**  
Global Head of Clients and Markets  
Tax & Regional Partner  
KPMG Asia Pacific  
**T** : +65 8186 7369  
**E** : [brahmasharma@kpmg.com.sg](mailto:brahmasharma@kpmg.com.sg)

## Service Line Specialists

### Transfer Pricing Services



**Tony Gorgas**  
Asia Pacific Regional Leader,  
Transfer Pricing Services  
KPMG Australia  
**T** : +61 2 9335 8851  
**E** : [tgorgas@kpmg.com.au](mailto:tgorgas@kpmg.com.au)

### Indirect Tax Services



**Lachlan Wolfers**  
Asia Pacific Regional Leader,  
Indirect Tax Services  
KPMG China  
**T** : +852 2685 7791  
**E** : [lachlan.wolfers@kpmg.com](mailto:lachlan.wolfers@kpmg.com)

### Research & Development (R&D) Tax Incentives



**Alan Garcia**  
Asia Pacific Regional Leader,  
R&D Tax Incentives  
KPMG Australia  
**T** : +61 3 9288 6094  
**E** : [afgarcia@kpmg.com.au](mailto:afgarcia@kpmg.com.au)



# KPMG Asia Pacific Tax Centre Contacts

## Global Compliance Management Services and Financial Services



**Jenny Clarke**

Asia Pacific Regional Leader,  
Global Compliance  
Management Services and  
Financial Services  
KPMG Australia  
**T** : +61 2 9335 7213  
**E** : [jeclarke@kpmg.com.au](mailto:jeclarke@kpmg.com.au)

## Global Mobility Services



**Ben Travers**

Asia Pacific Regional Leader,  
Global Mobility Services  
KPMG Australia  
**T** : +61 3 9288 5279  
**E** : [btravers1@kpmg.com.au](mailto:btravers1@kpmg.com.au)

## International Tax



**Christopher Xing**

Asia Pacific Regional Leader,  
International Tax  
KPMG China  
**T** : +8610 8508 7072  
**E** : [christopher.xing@kpmg.com](mailto:christopher.xing@kpmg.com)

## Deal Advisory M&A Tax



**Angus Wilson**

Asia Pacific Regional Leader,  
Deal Advisory M&A Tax  
KPMG Australia  
**T** : +61 2 9335 8288  
**E** : [arwilson@kpmg.com.au](mailto:arwilson@kpmg.com.au)

## Dispute Resolution and Controversy



**Angela Wood**

Asia Pacific Regional Leader,  
Dispute Resolution and  
Controversy  
KPMG Australia  
**T** : +61 3 9288 6408  
**E** : [angelawood@kpmg.com.au](mailto:angelawood@kpmg.com.au)

## Legal Services



**Stuart Fuller**

Asia Pacific Regional Leader,  
Legal Services  
KPMG Australia  
**T** : +61 2 9458 1590  
**E** : [stuartfuller@kpmg.com.au](mailto:stuartfuller@kpmg.com.au)

## Trade & Customs



**Leonie Ferretter**

Asia Pacific Regional Leader,  
Trade & Customs Services  
KPMG Australia  
**T** : +61 2 9455 9330  
**E** : [lferretter@kpmg.com.au](mailto:lferretter@kpmg.com.au)



# KPMG Asia Pacific Tax Centre Contacts

## Market Sector Specialists

### Alternative Investments & Private Equity



**Simon Clark**  
Asia Pacific Regional Tax  
Leader, Alternative Investments  
and Private Equity sector  
KPMG in Singapore  
**T** : +65 6213 2152  
**E** : [simonclark1@kpmg.com.sg](mailto:simonclark1@kpmg.com.sg)

### Energy & Natural Resources



**Carlo Franchina**  
Asia Pacific Regional Tax  
Leader, Energy & Natural  
Resources Sector  
KPMG Australia  
**T** : +61 8 9263 7239  
**E** : [cfranchina@kpmg.com.au](mailto:cfranchina@kpmg.com.au)

### Sovereign Wealth and Pension Funds



**Angus Wilson**  
Asia Pacific Regional Leader,  
Sovereign Wealth and Pension  
Funds Sector  
KPMG Australia  
**T** : +61 2 9335 8288  
**E** : [arwilson@kpmg.com.au](mailto:arwilson@kpmg.com.au)

### Insurance



**John Salvaris**  
Asia Pacific Regional Leader,  
Insurance Sector  
KPMG Australia  
**T** : +61 3 9288 5744  
**E** : [jsalvaris@kpmg.com.au](mailto:jsalvaris@kpmg.com.au)



<https://home.kpmg.com/xx/en/home/services/tax/regional-tax-centers/asia-pacific-tax-centre.html>

[www.kpmg.com/tax](http://www.kpmg.com/tax)

[kpmg.com/socialmedia](http://kpmg.com/socialmedia)



© 2018 KPMG International Cooperative ("KPMG International"), a Swiss entity. Member firms of the KPMG network of independent firms are affiliated with KPMG International. KPMG International provides no client services. No member firm has any authority to obligate or bind KPMG International or any other member firm vis-à-vis third parties, nor does KPMG International have any such authority to obligate or bind any member firm. All rights reserved.

The information contained herein is of a general nature and is not intended to address the circumstances of any particular individual or entity. Although we endeavor to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation.

The KPMG name and logo are registered trademarks or trademarks of KPMG International.