



KPMG Asia Pacific Tax Weekly

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Asia Pacific Tax Developments

Australia

[ATO guideline on working-from-home expenses \(COVID-19\)](#)

The Australian Taxation Office has extended the date of effect of a practical compliance guideline for employees claiming deductions for “additional running expenses” incurred while working from home.

[Extended payroll tax relief in South Australia \(COVID-19\)](#)

The South Australian government stated that it will extend its payroll tax relief for an additional three months until December 2020 - a response to the economic consequences of the coronavirus (COVID-19) pandemic.

[Federal and state governments provide further relief \(COVID-19\)](#)

The federal and state governments announced various measures in response to the COVID-19 pandemic.

Cambodia

[Guidance on telecommunications company mergers and acquisitions](#)

Guidance from the authority in Cambodia that regulates the telecommunication sector addresses the rules for telecommunication company mergers, company or share acquisitions, or the creation of security rights defined in permits, certificates or licenses.

India

[A Mauritian company does not constitute a fixed or an agency PE in India](#)

The Mumbai Bench of the Income-tax Appellate Tribunal ("the tribunal") held that the taxpayer did not constitute a fixed place PE in India under Article 5(1) of the tax treaty since there was no permanent infrastructure, office, supervisory staff, and tangible and intangible assets in India. The tribunal also held that the taxpayer did not constitute an agency PE in India since the agents are not exclusively working for the taxpayer.

[Administrative expenditure apportioned towards managing investments in group companies and disallowed under Section 14A of the Income-tax Act](#)

The Mumbai Bench of the tribunal in the case of Future Retail Ltd. dealt with the issue of disallowance of certain administrative expenses under Section 14A of the Income-tax Act, 1961.

[CBDT notifies Faceless Appeals Scheme 2020](#)

The CBDT states that under Faceless Appeals, all tax appeals will be finalized in a faceless manner except appeals relating to serious frauds, major tax evasions, sensitive & search matters, International tax and Black Money Act.

[Guidelines selecting returns for "complete scrutiny" for FY 2020-2021](#)

The Central Board of Direct Taxes issued guidelines for the compulsory selection of returns for "complete scrutiny" during FY 2020-2021.

[Tax deadline extensions included in legislation \(COVID-19\)](#)

Legislation - the Taxation and Other Laws (Relaxation and Amendment of Certain Provisions) Bill, 2020 - passed by the Lok Sabha on 19 September 2020, provides extended due dates as relief measures in response to the COVID-19 pandemic.

[The Supreme Court suggests the government to consider the efficacy of the AAR system and make it more comprehensive](#)

The Supreme Court in the case of National Co-Operative Development Corporation has suggested the government to consider the efficacy of the Authority for Advance Ruling (AAR) system and make it more comprehensive as a tool for settlement of disputes rather than battling it through different tiers.

Malaysia

[Service tax and disbursements vs. reimbursements](#)

The Royal Malaysian Customs Department issued a guide to clarify the service tax treatment on disbursements versus reimbursements.

Myanmar

[Details on tax relief available under the CERP](#)

The President Office issued Executive Order 1/2020 as part of tax relief to be provided under the Covid-19 Economic Relief Plan (CERP). The Internal Revenue Department has followed up with notification 65/2020 providing the procedures on the application of the above executive order.

[Union Tax Law 2020](#)

The Union Tax Law (“UTL”) 2020 was approved by Parliament on 2 September 2020 and is effective from 1 October 2020. The UTL 2020 will apply to the fiscal year 2020 / 2021 ending 30 September 2021.

New Zealand

[Tax policies of major political parties in 2020 election](#)

The 2020 election is different to any previous election in New Zealand—given the economic implications of the COVID-19 pandemic in New Zealand and across the globe.

Singapore

[Updated FATCA guidance and FAQs](#)

The Inland Revenue Authority of Singapore (IRAS) updated guidance and a set of “frequently asked questions” (FAQs) concerning the FATCA regime.



Significant International Tax Developments

[OECD: Status report on country-by-country reporting](#)

The Organisation for Economic Cooperation and Development (OECD) issued a release regarding the third phase of peer reviews of the country-by-country (CbC) reporting initiative pursuant to the base erosion and profit shifting (BEPS) Action 13.



Calendar of events

Date	Event	Location
18 November 2020	Tax and Business Summit	Webinar



Beyond Asia Pacific

[Gibraltar: Extension of tax relief measures \(COVID-19\)](#)

Further tax relief measures are intended to help businesses and individuals respond to the economic challenges of the COVID-19 pandemic.

[Nigeria: Delegated tax collection authority held unconstitutional \(Federal High Court\)](#)

A 2020 judgment from the Federal High Court rejects and nullifies an order from the Minister of Finance regarding the schedule of federal taxes subject to collection by the various state governments.



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