



KPMG Asia Pacific Tax Weekly

KPMG Asia Pacific Tax Centre | 17 November 2022



Asia Pacific Tax Developments

Cambodia

[Exchange rates for VAT-registered taxpayers](#)

The General Department of Taxation (GDT) issued Instruction no. 26118 GDT which prescribes the official exchange rates to be used by value added tax (VAT) registered taxpayers.

Hong Kong (SAR), China

[A closer look at the new foreign-sourced income exemption regime in Hong Kong \(SAR\), China](#)

The draft legislation on the revised foreign-sourced income exemption (FSIE) regime in the Hong Kong (SAR), China was released together with the administrative guidance from the Inland Revenue Department (IRD).

India

[Supreme Court ruling on higher pension benefit under the Employees' Pension Scheme, 1995](#)

The Ministry of Labor and Employment, Government of India, had issued a notification which had amended the wage ceiling and omitted the proviso for higher contribution towards Employees' Pension Scheme, 1995 (EPS).

[Taxes are deductible for Leave Travel Concession claims involving foreign travel](#)

The Supreme Court in the case of State Bank of India (SBI) observed that tax exemption on LTC is meant only for travel within India and is not applicable for foreign travel.



[General public utility” tax-exempt charitable institutions cannot undertake any unrelated trade or business](#)

The Supreme Court, in a batch of appeals dealt with the interpretation of the scope of ‘General Public Utility’ (GPU) for claiming tax exemption for charitable institutions.

Korea

[Free trade agreement with Israel, entry into force 1 December 2022](#)

A free trade agreement between Korea and Israel is scheduled to enter into force on 1 December 2022.

Malaysia

[Summary of income and indirect tax developments \(November 2022\)](#)

KPMG in Malaysia prepared a monthly summary of tax developments that includes a discussion of various income and indirect tax developments.

Philippines

[Special InTAX: November 2022 Issue 1 | Volume 1](#)

The Bureau of Internal Revenue (BIR) issued Revenue Memorandum Circular No. 141 -2022 to inform eBIRForms users/filers on the revised contents of the eBIRForms email notification to taxpayers.

Vietnam

[Guidance on various tax-related rules, including e-commerce information reporting](#)

The government issued Decree No. 91/2022/ND-CP in October 2022, amending and supplementing several articles of Decree No. 126/2020/ND-CP.



Significant International Tax Developments

[OECD: Peer review of automatic exchange of information \(AEOI\) published](#)

The Organisation for Economic Cooperation and Development (OECD) published a report “Peer Review of the Automatic Exchange of Financial Account Information 2022.”

[OECD: Comments on progress report on administration and tax certainty aspects of Amount A of Pillar One](#)

The Organisation for Economic Cooperation and Development (OECD) released comments received on its Progress Report on the Administration and Tax Certainty Aspects of Amount A of Pillar One.

[OECD: Jurisdictions sign MCAA for automatic information exchange under digital platform reporting rules](#)

In November 2022, 22 jurisdictions signed the multilateral competent authority agreement (MCAA) for the automatic exchange of information under the OECD's Model Rules for Reporting by Platform Operators with respect to Sellers in the Sharing and Gig Economy (July 2020).

[OECD: Report on tax incentives and global minimum tax](#)

The Organisation for Economic Cooperation and Development (OECD) released a report titled Tax Incentives and the Global Minimum Corporate Tax: Reconsidering Tax Incentives after the GloBE Rules.



Calendar of events

| Date | Event | Location |
|-----------------|--|----------|
| 6 December 2022 | <u>Employer's Tax Obligations</u> (For queries, please contact taxevents@kpmg.com.my) | Virtual |



Beyond Asia Pacific

[Bahrain: Updated list of medicines subject to zero rate of VAT; industry focus groups on e-invoicing](#)

The National Bureau for Revenue (NBR) updated the list of medicines subject to a zero rate of value added tax (VAT).

[Belgium: Amendments to VAT statute of limitations, retention period and applicable interest rates](#)

The Parliament in November 2022 approved a new law that includes amendments to the value added tax (VAT) statute of limitations, retention period and applicable interest rates —effective 1 January 2023.

[Nigeria: Appointment of VAT collection agents](#)

The Federal Inland Revenue Service (FIRS) issued a notice appointing two particular telecommunications companies and all money deposit banks (as defined by the Central Bank of Nigeria (CBN) guidelines) as value added tax (VAT) collection agents.

[Poland: Cashback discounts do not reduce output tax; correcting invoice does not reduce taxable base](#)

The Supreme Administrative Court held that in the case of cashback discounts on reverse charge sales of mobile phones, the output tax by the discount-granting entity cannot be reduced because tax on account of sales has not been paid.



TaxNewsFlash by region

Africa

Americas

Europe

United
States



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