



KPMG Asia Pacific Tax Weekly

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Asia Pacific Tax Developments

Australia

[Western Australia budget delivered, no changes to stamp taxes \(duties\) or land tax regime](#)

KPMG Australia discuss highlights of the Western Australia Budget 2019-20. This Budget will be the first budget surplus in 5 years where only a small number of changes to payroll tax, fees, tariffs and charges have been proposed. Notably, this Budget does not include any changes to the stamp duties and land tax regime.

India

[Distribution charges received for telecasting of TV channels in India are not taxable as 'royalty' under the Income-tax Act as well as under the India-Singapore tax treaty](#)

The Bombay High Court dealt with the taxability of distribution charges received on account of telecasting of TV channels in India under the provisions of the Income-tax Act, 1961 as well as under the India-Singapore tax treaty. The High Court held that such receipts are not taxable as royalty since the taxpayer was not parting with any copyrights and the payment was not for any copy right in literary, artistic or scientific work.

[Income earned by a foreign company as a member of consortium/projects for providing technical assistance is taxable as business income under the India-Russia tax treaty](#)

The Delhi Bench of the Income-tax Appellate Tribunal held that income earned by a foreign company as a member of consortium/projects for providing technical assistance is taxable as business income under the India-Russia tax treaty.



[Part B of Form No.16 can now be generated and downloaded through TRACES portal](#)

The Central Board of Direct Taxes issued a notification that in addition to Part A, Part B containing details of income in Form No. 16 can be issued by generating and downloading from TDS Reconciliation, Analysis and Correction Enabling System (TRACES) website/portal, in respect of all tax deductions made on or after 1 April 2018.

[Reduction in book debt is a valid consideration](#)

Authority for Advance Ruling, West Bengal held that where a payee owes the payer a debt and accepts reduction in such debt liability as a valid form of payment, such reduction in debt liability should also be regarded as a valid consideration.

[The Bombay High Court quashes tax officer's order denying nil withholding tax certificate in respect of capital gains under the India-Mauritius tax treaty](#)

The Bombay High Court has quashed the tax officer's order denying nil withholding tax certificate in respect of capital gain on the sale of shares of Indian company by a Mauritian company.

[Updated form for statements under FATCA and CRS regimes](#)

The tax department in India issued an updated version of a "generic submission utility" for submitting statements on Form 61B under the FATCA and common reporting standard regimes.

Indonesia

[VAT rate of 0% extended for additional export services](#)

Guidance from the Ministry of Finance expands the list of export services that are eligible for the 0% export value added tax (VAT) rate which includes Freight, Technology, Research & Development, Rentals for transportation services, few consulting services, trading services and connectivity services.

Myanmar

["Advance income tax regime" exemptions removed for certain companies](#)

Guidance issued in April 2019 revises the rules concerning the "advance income tax" regime and removes a previously available exemption for certain companies.

Philippines

[RMC No. 47-2019: Expediting the Process of VAT Refund Application](#)

The Bureau of Internal Revenue (BIR) recently issued Revenue Memorandum Circular (RMC) No. 47-2019 which provides for the uniform guidelines and revised mandatory requirements for the processing and grant of VAT refund application under Section 112 of the 1997 Tax Code, as amended.

Thailand

[Application form officially published for International Business Center regime](#)

The Notification clarifies that an IBC company's expatriate employees must satisfy the conditions to be eligible for personal income tax benefits under the IBC regime



Calendar of events

Date	Event	Location
18 June 2019	<u>Goods & Services Tax (GST) Seminar 2019</u> Contact: <u>Sharon Ting</u>	Marina Mandarin Singapore, 6 Raffles Boulevard, Marina Square, Singapore 039594

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Beyond Asia Pacific

[Nigeria: Federal and state joint tax audits](#)

The Federal Inland Revenue Service (FIRS) announced plans to conduct joint tax audit exercises with the tax authorities of the various Nigerian states.

[United States: Proposed regulations: Multiple employer plan \(MEP\) regulations subject to OIRA review](#)

OMB's Office of Information and Regulatory Affairs (OIRA) acknowledged that it has received for review from the U.S. Treasury Department proposed regulations concerning multiple employer plans (MEPs).



TaxNewsFlash by region

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

[Africa](#)

[Americas](#)

[Europe](#)

[United States](#)

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