



KPMG Asia Pacific Tax Weekly

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Asia Pacific Tax Developments

China

[Updated “frequently asked questions” for AEOI](#)

China's tax authorities updated a list of “frequently asked questions” (FAQs) concerning the automatic exchange of information rules.

India

[India files appeal against the WTO panel report](#)

India has filed an appeal against the WTO panel report dated 31 October 2019, where it was held that five of India's Export promotion schemes had violated WTO Agreements.

[Prior to amendments introduced in the Rules, the weighted deduction on R&D expenditure under Section 35\(2AB\) of the Income-tax Act cannot be curtailed based on DSIR certification](#)

The Mumbai Bench of Income-tax Appellate Tribunal (‘the Tribunal’) held that under the per-amended provisions where the Research & Development facility has been approved by the Department of Industrial and Scientific Research (DSIR), the deduction cannot be denied to the taxpayer under Section 35(2AB) of the Income-tax Act, 1961 on the basis of Form No. 3CL issued by DSIR.



[The Taxation Laws \(Amendment\) Bill, 2019 introduced in Lok Sabha](#)

The Taxation Laws (Amendment) Bill, 2019 (the Bill) has been introduced in Lok Sabha. The Bill, when passed will replace the Ordinance issued in September 2019.

[When the term 'royalty' is defined under the India-Singapore tax treaty, the meaning of word 'process' under such definition cannot be imported from the Income-tax Act](#)

The Mumbai Bench of the Tribunal held that payment for provision of bandwidth services to a non-resident company cannot be classified as royalty under the India-Singapore tax treaty.

Singapore

[Tax implications since Mauritius has adopted BEPS multilateral instrument \(MLI\)](#)

Mauritius in October 2019 ratified the multilateral instrument (MLI) pursuant to the base erosion and profit shifting (BEPS) project. The MLI is the agreement that allows jurisdictions to amend their tax treaties to include tax treaty-related BEPS recommendations. Because Singapore adopted the MLI in 2019, the action by Mauritius may have implications for existing structures with payments between Singapore and Mauritius.

Taiwan

[Guidance for taxpayers making a one-time transfer pricing adjustment](#)

The Ministry of Finance issued guidance - ruling no. 10804629000 (15 November 2019)-addressing situations when multinational enterprises (MNEs) make a one-time transfer pricing adjustment to achieve an arm's length result.



Beyond Asia Pacific

[Colombia: Tax measures proposed in growth promotion bill](#)

A bill submitted by the government to the legislature is intended to promote economic growth, and will also mitigate the effects of a decision by the Constitutional Court concerning the constitutionality of Law 1943 of 2018.

[Poland: Excise tax exemption for coal and gas referred to CJEU](#)

The European Commission announced that it has referred Poland to the Court of Justice of the European Union (CJEU) for allowing energy-intensive businesses to be exempt from excise tax on coal and gas.



TaxNewsFlash by region

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

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[Europe](#)

[United States](#)



KPMG Asia Pacific Tax Centre Contacts

Asia Pacific Regional Leader, Tax



David Linke
Head of Tax & Legal,
KPMG Asia Pacific
T : +61 29335 7695
E : davidlinke@kpmg.com.au

Asia Pacific Tax Centre Leader, Regional Tax Partner



Brahma D Sharma
Chief Operating Officer, Tax & Legal
KPMG Asia Pacific
T : +65 8186 7369
E : brahmasharma@kpmg.com.sg

Service Line Specialists

Transfer Pricing Services



Tony Gorgas
Asia Pacific Regional Leader,
Transfer Pricing Services
KPMG International
T : +61 2 9335 8851
E : tgorgas@kpmg.com.au

Research & Development (R&D) Tax Incentives



Alan Garcia
Asia Pacific Regional Leader,
R&D Tax Incentives
KPMG International
T : +61 3 9288 6094
E : afgarcia@kpmg.com.au

Indirect Tax Services



Lachlan Wolfers
Asia Pacific Regional Leader,
Indirect Tax Services
KPMG International
T : +852 2685 7791
E : lachlan.wolfers@kpmg.com

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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 International
T : +61 2 9335 7213
E : jeclarke@kpmg.com.au

Global Mobility Services



Ben Travers
Asia Pacific Regional Leader,
Global Mobility Services
KPMG International
T : +61 3 9288 5279
E : btravers1@kpmg.com.au

International Tax



Christopher Xing
Asia Pacific Regional Leader,
International Tax
KPMG International
T : +8610 8508 7072
E : christopher.xing@kpmg.com

Deal Advisory M&A Tax



Angus Wilson
Asia Pacific Regional Leader,
Deal Advisory M&A Tax
KPMG International
T : +61 2 9335 8288
E : arwilson@kpmg.com.au

Dispute Resolution and Controversy



Angela Wood
Asia Pacific Regional Leader,
Dispute Resolution and
Controversy
KPMG International
T : +61 3 9288 6408
E : angelawood@kpmg.com.au

Legal Services



Stuart Fuller
Asia Pacific Regional Leader,
Legal Services
KPMG International
T : +61 2 9458 1590
E : stuartfuller@kpmg.com.au

Trade & Customs



Leonie Ferretter
Asia Pacific Regional Leader,
Trade & Customs Services
KPMG International
T : +61 2 9455 9330
E : lferretter@kpmg.com.au

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KPMG Asia Pacific Tax Centre Contacts

Market Sector Specialists

Energy & Natural Resources



Carlo Franchina
Asia Pacific Regional Tax
Leader, Energy & Natural
Resources Sector
KPMG International
T : +61 8 9263 7239
E : cfranchina@kpmg.com.au

Insurance



John Salvaris
Asia Pacific Regional Leader,
Insurance Sector
KPMG International
T : +61 3 9288 5744
E : jsalvaris@kpmg.com.au

Sovereign Wealth and Pension Funds



Angus Wilson
Asia Pacific Regional Leader,
Sovereign Wealth and Pension
Funds Sector
KPMG International
T : +61 2 9335 8288
E : arwilson@kpmg.com.au



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