

# KPMG Asia Pacific Tax Weekly

KPMG Asia Pacific Tax Centre | 15 September 2022



## Asia Pacific Tax Developments

### Australia

#### [“Excluded transactions” in beneficial ownership \(New South Wales\)](#)

The New South Wales government released a regulation—the Duties Regulation 2022 under the Duties Act 1997 — confirming that certain transactions remain excluded from being a dutiable change in beneficial ownership.

### India

#### [Application of “most favoured nation” clause under treaty with the Netherlands \(tribunal decision\)](#)

The Kolkata Bench of the Income-tax Appellate Tribunal held that interest on an income tax refund was not taxable under the “most favoured nation” (MFN) clause under the India-Netherlands income tax treaty.

#### [Guidance on filing GST transitional credit forms](#)

The Central Board of Indirect Taxes and Customs issued guidance for filing or revising goods and services tax (GST) transitional credit forms (Form GST TRAN-1 and TRAN-2) on the GST network common portal.

### Malaysia

#### [KPMG in Malaysia: Summary of income and indirect tax developments \(September 2022\)](#)

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

# Philippines

## [Mutual Agreement Procedures \(MAPs\) for resolving double tax agreement disputes](#)

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Bureau of Internal Revenue (BIR) issued Revenue Regulations (RR) No. 10-2022 which contains the guidelines to enforce the provision on mutual agreement procedure (MAP) in double taxation agreements (DTA) between the Philippines and foreign jurisdictions.

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

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The Fiscal Incentives Review Board (FIRB) issued FIRB Advisory No. 007-2022 to circulate the memorandum of the FIRB Chairperson on the impending expiration of the 30-70 Work-From-Home (WFH) provisions under FIRB Resolution No. 017-22.



## Beyond Asia Pacific

### [Germany: Holding company has no right to recover VAT on services contributed to subsidiary](#)

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The Court of Justice of the European Union (CJEU) issued a judgment finding that a holding company that performs and purchases services subject to value added tax (VAT) that it subsequently contributes to its subsidiary has no right to recover the VAT on costs directly attributable to the contribution.

### [Malta: Questionnaire on practical FATCA and CRS difficulties](#)

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The Commissioner for Revenue launched a fact-finding questionnaire to better understand how FATCA and the common reporting standard (CRS) are being implemented in practice.



## TaxNewsFlash by region

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[Africa](#)

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[United States](#)



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