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Global Tax & Legal – Global Indirect Tax Newsletter | March 2023



Global Indirect Tax News

Your reference for indirect tax and global trade matters

Featured articles

Latin America

Customs update

There have been a number of regulatory and policy developments in the Latin American region over the past few months that may affect the customs and global trade activities of many multinational companies, including in Argentina, Brazil, Colombia, Mexico and Peru.

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USMCA

Interpretation of automotive rules of origin

On 11 January 2023, an arbitral panel established under the United States-Mexico-Canada Agreement made public a final report, dated 14 December 2022, that resolved the dispute related to the interpretation of the USMCA's automotive rules of origin.

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Ghana

Navigating austerity: A tax practitioner's perspective

This article provides a tax practitioner's perspective on how businesses can support themselves against current economic challenges, including the new realities of austerity, and sets out some proposals for the government's consideration.

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United Kingdom

Online platform deemed to be acting as principal

On 28 February 2023, the Court of Justice of the European Union issued its judgment in *Fenix International* that the operator of a digital platform is presumed to be the supplier of the services provided for VAT purposes.

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Other news

<u>OECD</u>: Report released on communication and engagement between tax authorities and SMEs

United States-China: USTR announces updates to section 301 tariff measures and exclusions

United States-China: CBP announces three forced labor-related CTPAT benefits

Australia: Landcom case: ATO yet to concede TAA review rights apply to notional GST assessments

<u>Belgium:</u> Draft law on VAT reporting obligations for payment service providers <u>submitted</u>

<u>Belgium</u>: CJEU rules that sale of leased building is VAT neutral transfer of a going <u>concern</u>

Belgium: CJEU rules converted buildings treated as new for VAT purposes if value added

Belgium: Law amending VAT compliance and refund processes published

Botswana: Temporary reduced VAT rate expires on 31 March 2023

Brazil: São Paulo publishes decrees providing ICMS relief for certain businesses

Brazil: Taxpayers in the telecommunications industry required to issue structured einvoices

Canada: 2023 federal budget highlights

China: 2023 Tariff Adjustment Plan issued

El Salvador: General features of platforms for transmittal of electronic tax documents

Finland: Proposal published on introduction of new obligations for payment service providers

Germany: CJEU ruling requested on direct claim when VAT already repaid to insolvent supplier

Germany: Clarification letter on zero VAT rate for photovoltaic systems published

Germany: CJEU ruling requested on VAT rules for resold single-purpose vouchers

Germany: Federal Fiscal Court clarifies VAT group financial integration conditions

<u>Greece:</u> Capital gains tax deferral allowed on some securities transactions, VAT rules amended

Guatemala: Deadline extended for small taxpayers to adopt FEL invoice regime

India: GST council provides recommendations including formation of GST Appellate Tribunal

Malaysia: Postponement of certain indirect taxes announced

Malaysia: Public ruling released on certain customs, excise, and windfall profit levy forms

Malaysia: Guide issued on sales tax exemption for purchase of prime mover or container trailer

Malaysia: Draft service tax guide published on delivery services for goods

New Zealand: Taxing issues with insurance claims

New Zealand: Director and board fees under the GST microscope

New Zealand: Is GST a bread and butter issue?

Poland: New draft bill on mandatory use of structured e-invoices published

Portugal: Updates regarding certain tax compliance and reporting obligations

Saudi Arabia: Guidelines published on VAT refund application process for nonresidents

Saudi Arabia: ZATCA announces criteria for selecting taxpayers in third wave of einvoicing

Singapore: Tax highlights of Budget 2023 for foreign investors

South Africa: Tax proposals in Budget 2023/24 include incentives for investment in renewable energy

Switzerland: New SFTA practice addresses VAT treatment of fuel cards

Thailand: Additional requirements for certain tax invoices, debit notes, and credit notes

Thailand: Input VAT deduction disallowed in respect of certain transactions

United States: State Tax Matters (3 March 2023), including indirect, sales and use tax developments in North Carolina, Pennsylvania, and Texas

<u>United States:</u> State Tax Matters (10 March 2023), including indirect, sales and use tax developments in Minnesota and South Carolina

United States: State Tax Matters (17 March 2023), including federal indirect, sales and use tax developments and developments in Wisconsin

United States: State Tax Matters (24 March 2023), including indirect, sales and use tax developments and developments in the District of Columbia

<u>United States:</u> State Tax Matters (31 March 2023), including indirect, sales and use tax developments in Kentucky, Mississippi, and Washington



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