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# Americas Tax Roundup

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## Latest news – Americas

### [Colombia's modified tax reform bill approved in first debate](#)

On 6 October 2022, the economic commissions of Colombia's Senate and the House of Representatives approved a modified tax reform bill that would impose a 5% surtax on some financial institutions, limit certain tax deductions and incentives and change the definition of "significant economic presence." The bill also would establish a permanent equity tax on Colombian resident individuals' worldwide net worth (nonresident individuals would be taxed only on their Colombian assets). The plenary of both houses will discuss the bill in a second debate, and if approved, it will be sent to the President for his signature.

### [Chile's Executive Power modifies tax reform bill](#)

On 4 October 2022, the Chilean Executive Power submitted modifications (Modifications Bill) to the tax reform bill recently presented to Congress on 8 July 2022. The bill would modify the new tax on retained earnings to reduce the taxable base. It also would no longer eliminate the indirect foreign tax credit provisions.

### [Peru's tax authority publishes new high risk Schemes under GAAR](#)

On 11 October 2022, the Peruvian tax authority published an updated version of the list of high-risk schemes for tax planning that could be challenged under the Peruvian General Anti-Avoidance Rules (GAAR). The updated list includes eight new situations that are considered high risk.

### [Argentina issues new regulations on "tax for an inclusive and supportive Argentina"](#)

On 13 October 2022, the Argentine Government published a decree with new regulations on the "tax for an inclusive and supportive Argentina" (tax on the purchase of foreign currency). On the same date, the Argentine tax authorities published a resolution with new provisions on the reverse withholding tax on purchases of foreign currency established by General Resolution No. 4815/2020.

### [Curaçao publishes first unilateral decree for the avoidance of double taxation](#)

On 18 October 2022, Curaçao published its first unilateral decree for the avoidance of double taxation (the Decree). For years the avoidance of double taxation in wage, income and inheritance tax was based on unpublished policy, resulting in an inconsistent approach by the tax authorities and inconsistent case law. To introduce a consistent means for the avoidance of double taxation, the Decree now provides rules that allow for either an exemption or credit for various types of income. The Decree also expands the rules for the avoidance of double corporate income taxation.

### [USTR announces next steps in statutory four-year review of China 301 tariffs](#)

On 12 October 2022, the Office of the United States Trade Representative (USTR) announced the next steps in the statutory four-year review of the tariff actions in the Section 301 of the *Trade Act of 1974* (Section 301) investigation of China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation. The notice represents the initiation of a public docket for interested persons to submit comments on the effects of actions taken under the Section 301 investigation following requests for continuation from representatives of US domestic industries.



### [US Implements new technology export controls on China](#)

On 7 October 2022, the United States Department of Commerce, Bureau of Industry and Security announced a series of major updates to the Export Administration Regulations focused on export controls around semiconductors, integrated circuits, related manufacturing equipment, advanced computing, and supercomputers. The new restrictions are generally focused on activities involving the People's Republic of China.

### [G20 Finance Ministers welcome progress made on BEPS 2.0 and call for swift implementation](#)

On 12 and 13 October 2022, the G20 Finance Ministers and Central Bank Governors met in Washington, DC. The G20 Chair's summary issued at the conclusion of the meeting includes the G20 Finance Ministers' welcome of the progress made on the two-pillar project to address the tax challenges of the digitalization of the economy (the BEPS 2.0 project) and reaffirmation of their commitment to swift implementation of the new rules.

### [OECD and UN | Tax Inspectors Without Borders publish Annual Report 2022](#)

On 6 October 2022, the 2022 [Annual Report](#) on the Tax Inspectors Without Borders (TIWB) initiative was released at the 14th Meeting of the OECD/G20 Inclusive Framework on BEPS. The Report takes stock of the work undertaken under the TIWB initiative, providing an update on TIWB's achievements from July 2021 to June 2022 and its objectives going forward.

### [EY's 'Latest on BEPS and Beyond' for October 2022](#)

EY's Latest on BEPS and Beyond (October 2022 edition) highlights an Administrative Court of Brazil opinion that upheld that profits of a foreign subsidiary, resident in a country that has a tax treaty with Brazil, cannot be taxed automatically under previous controlled foreign company rules, and the Dominican Republic's MAP guidelines.

### [Global Tax Policy and Controversy Watch | October 2022 edition](#)

EY's publication, Global Tax Policy and Controversy Watch, highlights recent policy and administrative developments around the world. This month's publication highlights US Internal Revenue Service's Large Business and International division's Compliance Assurance Process program and El Salvador's updated list of tax havens.

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## This week's tax treaty news in the Americas

- ▶ Chile and Romania: social security agreement approved by Chilean Chamber of Deputies
- ▶ Chile and United Arab Emirates: treaty entered into force
- ▶ Colombia and Peru: administrative agreement approved by Peru's Congress
- ▶ Mexico and Germany: amending protocol ratified by Germany

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## Upcoming webcasts

### [Global economic outlook: Managing your business amid uncertainty \(25 October\)](#)

In this webcast, we will discuss how corporations and private equity firms can adapt to a slowing economy, high inflation and central bank tightening.

### [US corporate income tax compliance: Insights from Tax Year 2021 and planning for the next age of compliance \(26 October\)](#)

As we wrap up the 2021 business tax compliance season, how did you fare? Join Ernst & Young LLP professionals for a discussion of lessons learned from this year's dynamic compliance environment – and how to plan for the 2022 federal, international and state tax filing season – and beyond.



### [BorderCrossings . . . Transfer pricing valuation: deep tracks part II \(27 October\)](#)

During this webcast, part of an ongoing monthly series, EY transfer pricing and tax professionals will provide an update and help attendees adopt a more proactive stance in developing and defending transfer pricing policies and practices.

### [Financial reporting for private companies - what you need to know for 2022 \(16 November\)](#)

In this webcast, we will cover important financial reporting considerations for private companies in preparation for 2022 year-end reporting.

For a full list of upcoming webcasts, please access EY's webcast page on ey.com [here](#).

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## Recently issued EY podcasts

### [US Cross-Border Taxation weekly podcast, 21 October 2022](#)

EY's weekly US Cross-border Taxation podcast reviews the week's US international tax-related developments. Highlights this week include:

- ▶ IRS proposed foreign tax credit regulations 'weeks away'
- ▶ 2006 proposed PTEP regs officially withdrawn, new regs in first half of 2023
- ▶ IRS official offers update on new corporate alternative minimum tax
- ▶ IRS plans to reconsider APA revenue procedure guidance in light of recent Eaton Corporation decision

You can register for this weekly podcast on Apple Podcasts [here](#).

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## This week's EY Global Tax Alerts

### Americas Global Tax Alerts

- ▶ [Report on recent US international tax developments - 21 October 2022](#)
- ▶ [Global Tax Policy and Controversy Watch | October 2022 edition](#)
- ▶ [Argentina issues new regulations on "tax for an inclusive and supportive Argentina"](#)
- ▶ [Chile's Executive Power modifies tax reform bill](#)
- ▶ [Colombia's modified tax reform bill approved in first debate](#)
- ▶ [Peru Tax Authority publishes new High Risk Schemes under GAAR](#)
- ▶ [Puerto Rico's Office of Management and Budget extends due date for filing the 2022-2023 volume of business declaration to 22 December 2022 because of Hurricane Fiona](#)
- ▶ [IRS official said agency might be more selective on APAs given availability of ICAP in transfer pricing disputes](#)

### OECD Alerts

- ▶ [OECD and UN | Tax Inspectors Without Borders publish Annual Report 2022](#)
- ▶ [G20 Finance Ministers welcome progress made on BEPS 2.0 and call for swift implementation](#)
- ▶ [The Latest on BEPS and Beyond | October 2022 edition](#)



## Human Capital Alerts

- ▶ France announces new tax and social security measures

## Indirect Tax Alerts

- ▶ US Implements new technology export controls on China
- ▶ USTR announces next steps in statutory four-year review of China 301 tariffs

## Other Global Tax Alerts

- ▶ Cyprus Tax Authority issues clarification regarding Competent Authority Agreement with United States for exchange of CbC reports
- ▶ Cyprus adopts Law on Shipping Limited Liability Company
- ▶ Israel publishes new TP regulations following adoption of BEPS Action 13 principles in domestic legislation
- ▶ Italian Court holds that lower mortgage registration tax and land registry fees applicable to resident close-ended investment funds are applicable also to nonresident open-ended funds investing in Italian real estate used for commercial purposes
- ▶ Luxembourg Draft Budget Law 2023 clarifies Reverse Hybrid Entity Rule
- ▶ South Africa deposits its instrument of ratification in respect of the MLI
- ▶ Türkiye proposes new bill that clarifies the tax treatment of capital reduction
- ▶ UK Chancellor reverses most of the Growth Plan tax measures

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## EY Industry and Tax Services publications

### Industry

#### Consumer Products & Retail

- ▶ How meeting customers in the metaverse can unlock lasting value
- ▶ How consumer companies can help deliver a sustainable future

### Services

#### People and workforce

- ▶ Updated: How COVID-19 is disrupting immigration policies and worker mobility: a tracker
- ▶ How do you harness the power of people to double transformation success?

### Transaction Accounting and Reporting

- ▶ Why M&A financial information for investors needs to be improved

### Comments

EY's *Americas Tax Roundup* is produced and distributed by Ernst & Young LLP's Tax Technical Knowledge Services Group.

If you have any questions or suggestions about this newsletter, please email Global Tax News Update Help at: [globaltaxnewsupdatehelp@ey.com](mailto:globaltaxnewsupdatehelp@ey.com).



EY | Building a better working world

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