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Americas Tax Roundup

Latest news – Americas

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[Canada's Bill C-32 to implement certain Budget 2022 and other previously announced measures receives Royal Assent](#)

Canada's Bill C-32, Fall Economic Statement Implementation Act, 2022, received Royal Assent on 15 December. Bill C-32 implements certain non-tax measures announced in the economic and fiscal update tabled by the federal government on 3 November, as well as certain previously announced tax measures, which were included in the notice of ways and means motion that was also tabled on that day. From both an income tax and indirect tax

perspective, Bill C-32 includes certain measures that were released as draft legislative proposals on 4 February and 9 August, most of which were first announced in the 2021 and 2022 federal budgets.

[Uruguay's Government enacts law to modify Uruguayan CIT source criteria](#)

On 16 November 2022, Uruguay enacted Law 20,095, which introduces certain changes to the traditional source criteria for corporate income tax. The law will be effective for tax years beginning on 1 January 2023

[United States and Croatia sign income tax treaty](#)

On 7 December 2022, the US and Croatia signed the first-ever income tax treaty and protocol between the two countries. The treaty is the first accord based on the revised US Model Treaty released in 2016. The treaty includes a comprehensive limitation on benefits article and lower withholding taxes on cross-border payments of dividends (0% withholding on dividends paid to certain pension funds), interest and royalties.

[US | FinCEN continues to extend certain signature authority reporting \(FBAR, Form 114\)](#)

In [Notice 2022-1](#), released 9 December 2022, the Financial Crimes Enforcement Network (FinCEN) further extended the filing deadline for certain individuals who previously qualified for an extension of time to file the Report of Foreign Bank and Financial Accounts (FBAR) regarding signature authority under Notice 2021-1 and previous guidance. Under the Notice, individuals have until 15 April 2024, to file deferred FBARs, subject to any potential further extension. Any persons not covered by the Notice for 2022 will have until 17 April 2023 – automatically extended six months to 16 October 2023 – to file their FBARs for the 2022 calendar year.

[OECD releases public consultation document on Amount B of Pillar One on baseline marketing and distribution functions](#)

On 8 December 2022, the OECD released a consultation document on Amount B of Pillar One in connection with the ongoing OECD/G20 BEPS 2.0 project. Amount B is aimed at simplifying and streamlining the transfer pricing of in-country baseline marketing and distribution activities, while ensuring outputs consistent with the arm's-length principle.



[Latest edition of EY's 'TradeWatch' available now](#)

EY's TradeWatch outlines recent key legislative and administrative developments for customs and trade around the world. Highlights from the Americas include: (1) Colombia's Constitutional Court's ruling that invalidates the customs sanctioning and confiscation regime in the Customs Code; (2) an overview of the business landscape, trade facilitation and amendments to the General Customs Law in Costa Rica; and (3) the US implementation of new technology export controls on China.

[Global Tax Policy and Controversy Watch | December 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 (1) Colombia's tax reform bill; (2) Ecuador's new income tax regulations; and (3) US Treasury's release of new proposed foreign tax credit regulations.

[Viewpoint: Is Canada signaling a possible interest in a new Immigrant Investor Program? Good policy, or the resurrecting of a bad idea?](#)

An EY article examines Canada's consideration of the re-introduction of a controversial immigration program specifically aimed at high net-worth foreign nationals.

This week's tax treaty news in the Americas

- ▶ Brazil and Türkiye: air service agreement entered into force
- ▶ Chile and Romania: social security agreement approved by Romanian Senate
- ▶ Mexico and Nicaragua: air transport agreement approved by Nicaraguan National Assembly

Upcoming webcasts

[BEPS 2.0: New OECD releases and ongoing implementation activity \(12 January\)](#)

Webcast panelists will examine the latest OECD releases on both Pillars and explore the growing legislative activity as jurisdictions begin to incorporate global minimum tax rules into their domestic law. Please join EY professionals for this webcast.

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

Recently archived webcasts

[Omnishoring: Recent trends in supply chain, tax and global trade](#)

A global EY panel discussed the current factors that affect supply chain. This session will cover the macroeconomic, geopolitical and operational trends driving multinationals to reconsider the resilience of their supply chain across the manufacturing, logistics, distribution and sales functions.

[Tax in the time of COVID-19: update on legislative, economic, regulatory and IRS developments](#)

COVID-19 and the resulting economic crisis have made reacting to tax developments more complicated than ever. In this webcast, we discussed how businesses can navigate the tax policy environment and continue to effectively operate their tax function in this time of crisis and change. Panelists provided updates on: (i) the US economy and tax policy; (ii) breaking developments; and (iii) what's happening at the IRS.



Recently issued EY podcasts

[US Cross-Border Taxation weekly podcast, 16 December 2022](#)

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

- ▶ US Congress passes temporary stopgap spending measure to facilitate omnibus bill negotiation; Tax Title uncertain
- ▶ IRS releases Rev. Ruling 2022-43 with final qualified intermediary withholding agreement
- ▶ IRS issues proposed regulations on single-entity treatment of consolidated groups for purposes of Section 951
- ▶ FinCEN further extends FBAR filing deadline
- ▶ FinCEN issues proposed regulations on beneficial ownership
- ▶ OECD releases consultation document on Amount B of BEPS 2.0 Pillar One – EU adopts Directive on global minimum tax

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

This week's EY Global Tax Alerts

Americas Global Tax Alerts

- ▶ [Report on recent US international tax developments – 16 December 2022](#)
- ▶ [OECD releases public consultation document on Amount B of Pillar One on baseline marketing and distribution functions](#)
- ▶ [Global Tax Policy and Controversy Watch | December 2022 edition](#)
- ▶ [EY Global Tax Controversy Flash Newsletter \(Issue 53\) | UK transfer pricing adjustments – is the underlying rule being followed?](#)
- ▶ [Uruguay's Government enacts law to modify Uruguayan CIT source criteria](#)
- ▶ [Uruguay's Ministry of Economy and Finance issues decree regulating law that modifies Uruguayan CIT source criteria](#)
- ▶ [US | FinCEN continues to extend certain signature authority reporting \(FBAR, Form 114\)](#)

Human Capital Alerts

- ▶ [Croatia to join the Schengen Area on 1 January 2023](#)
- ▶ [Irish immigration authorities announce travel, work and residence exemptions for non-EEA nationals holding expired Irish Residence Permits](#)



Other Global Tax Alerts

- ▶ [EY TradeWatch | Issue 3, 2022 edition now available](#)
- ▶ [Belgium implements new corporate income tax rules starting 1 January 2023](#)
- ▶ [China releases 2021 annual report on Advance Pricing Arrangements](#)
- ▶ [EU Member States unanimously adopt Directive implementing Pillar Two Global Minimum Tax rules](#)
- ▶ [European Parliament and European Council reach provisional agreement on EU Carbon Border Adjustment Mechanism](#)
- ▶ [Hong Kong passes bill on refined foreign-sourced income exemption regime](#)
- ▶ [Hong Kong issues trade consultation paper proposing enhancements to aircraft leasing tax concession regime](#)
- ▶ [Hong Kong and Mauritius sign comprehensive double taxation arrangement](#)
- ▶ [Swiss Parliament approves domestic BEPS 2.0 Pillar Two implementation | Constitutional amendment now subject to public vote](#)
- ▶ [Thailand amends provisions of Civil and Commercial Code related to business combinations](#)
- ▶ [UAE Ministry of Finance releases Corporate Tax Law: Detailed review](#)
- ▶ [UAE introduces transfer pricing rules as part of Corporate Tax Law](#)

EY Industry and Tax Services publications

Industry

Health & Life Sciences / Private Equity / Technology

- ▶ [How can you prepare to seize the right moment?](#)

Energy

- ▶ [Webcast on demand: what's new in renewables investment](#)

Consumer Products & Retail

- ▶ [How Wawa is catering to customers with new convenient offerings](#)

Services

People and workforce

- ▶ [Updated: How COVID-19 is disrupting immigration policies and worker mobility: a tracker](#)

Comments

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