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23 December 2022

Americas Tax Roundup

Latest news – Americas

[Peruvian tax authority rules that reverse merger between nonresident entities triggers indirect transfer of Peruvian shares](#)

On 5 December 2022, the Peruvian tax authority published Ruling 000087-2022, confirming that a reverse merger performed between nonresident entities where the absorbing entity is a direct shareholder of a Peruvian entity triggers an indirect transfer of Peruvian shares.

[Canada introduces new Labor Market Impact Assessment exemption codes under the International Mobility Program](#)

On 16 December 2022, Immigration Canada announced new Labor Market Impact Assessment (LMIA) exemption codes for certain Canadian work permit application categories under the International Mobility Program. Specifically, many of the previous codes have been replaced with new codes that will need to be reflected in all work permit applications, including the employer compliance offer that is submitted via the compliance portal as part of all employer-specific work permits that are LMIA-exempt.

[Canada prohibits purchase of residential property by non-Canadians](#)

The Canadian Government has passed the *Prohibition on the Purchase of Residential Property by Non-Canadians Act* (the Act), which comes into effect on 1 January 2023, and is currently scheduled to be in place for two years. The Act prohibits foreign nationals in Canada from purchasing property, unless they meet one of the limited exceptions.

[OECD/G20 Inclusive Framework releases document on safe harbors and penalty relief under Pillar Two GloBE rules](#)

On 20 December 2022, the OECD released guidance on safe harbors and penalty relief under the BEPS 2.0 Pillar Two Global Anti-Base Erosion (GloBE) rules (the [document](#)), as approved by the OECD/G20 Inclusive Framework on BEPS.

[OECD releases consultation document on tax certainty for the Pillar Two GloBE rules](#)

On 20 December 2022, the OECD released a consultation document on [Tax Certainty for the GloBE Rules](#), in connection with the ongoing OECD/G20 BEPS 2.0 project. The OECD also released a [consultation document](#) on the Pillar Two GloBE Information Return as part of the ongoing work of the OECD/G20 Inclusive Framework on BEPS (see Tax Alert [2022-6250](#)).

[OECD releases public consultation document on Pillar One Amount A and Digital Services Taxes](#)

On 20 December 2022, the OECD released a [consultation document](#) on the Multilateral Convention on Digital Services Taxes (DSTs) and other relevant similar measures in connection with Amount A of Pillar One of the ongoing OECD/G20 BEPS 2.0 project.

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

EY's Latest on BEPS and Beyond (December 2022 edition) highlights (1) Canada's commitment to implement Pillars One and Two, (2) Canada's Fall Economic Statement, and (3) Colombia's new domestic minimum tax.



This week's tax treaty news in the Americas

- ▶ Argentina and United States: FATCA Agreement details released
- ▶ Ecuador and China: free trade agreement in final stage of negotiations
- ▶ United States and Switzerland: ongoing negotiations for the following bilateral and multilateral financial and tax matters discussed

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.

[How life sciences tax departments are preparing for sustainability \(24 January\)](#)

Please join us for this webcast where we will explore sustainability tax trends and global developments in the life sciences sector. EY teams of life sciences and sustainability tax thought leaders will discuss and share their perspectives on emerging trends and hot topics relevant to this market.

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

Recently archived webcasts

[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, 23 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 \$1.7 trillion spending bill; no Tax Title
- ▶ Treasury plans guidance on CAMT and stock buyback excise tax by year-end
- ▶ IRS announces it will issue proposed regulations amending final Section 1446(f) final withholding regulations for PTPs
- ▶ Treasury official says GILTI will need to be reformed
- ▶ Congressional Republican lawmakers voice concerns over BEPS Pillar Two Undertaxed Profits Rule
- ▶ OECD issues (i) consultation document on Pillar One MLI re: DSTs; (ii) consultation document on Pillar Two GloBE information return; (iii) consultation document on Pillar Two tax certainty for GloBE rules; and (iv) guidance on Pillar Two safe harbors and penalty relief

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 – 23 December 2022](#)
- ▶ [OECD releases consultation document on tax certainty for the Pillar Two GloBE rules](#)
- ▶ [OECD releases consultation document on Pillar Two GloBE Information Return](#)
- ▶ [OECD/G20 Inclusive Framework releases document on safe harbors and penalty relief under Pillar Two GloBE rules](#)
- ▶ [OECD releases public consultation document on Pillar One Amount A and Digital Services Taxes](#)
- ▶ [Canada | Bill C-32 to implement certain Budget 2022 and other previously announced measures receives Royal Assent](#)
- ▶ [Peruvian Tax Authority rules that reverse merger between nonresident entities triggers indirect transfer of Peruvian shares](#)

Human Capital Alerts

- ▶ [Canada introduces new Labor Market Impact Assessment exemption codes under the International Mobility Program](#)
- ▶ [Canada prohibits purchase of residential property by non-Canadians](#)
- ▶ [Ireland agrees in principle to create new single-permit system for third-country nationals](#)
- ▶ [Saudi Arabia becomes a signatory to the Apostille Convention](#)
- ▶ [Singapore announces new Manpower for Strategic Economic Priorities Scheme](#)
- ▶ [UAE | Electronic Residency Visas replace physical stamping of passports](#)

Other Global Tax Alerts

- ▶ [European Parliament and Council reach provisional agreement on EU Emission Trading System reform with implications for EU Carbon Border Adjustment Mechanism](#)
- ▶ [French Parliament approves Finance Bill for 2023](#)
- ▶ [Hong Kong introduces bill on tax concessions for family-owned investment holding vehicles](#)
- ▶ [Luxembourg Budget Law 2023 enacts clarification to Reverse Hybrid Entity Rule](#)
- ▶ [Poland experiences increase in withholding tax collection due to introduction of “pay and refund” regime](#)
- ▶ [Spain implements EU Country-by-Country Reporting Directive applicable as of 22 June 2024](#)
- ▶ [UK issues updated technical note and draft legislation on Electricity Generator Levy](#)
- ▶ [United States and Croatia sign income tax treaty](#)



EY Industry and Tax Services publications

Industry

Energy

- ▶ [How a modern enterprise resource planning \(ERP\) system supports growth](#)

Services

People and workforce

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

Comments

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