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Americas Tax Roundup

Latest news – Americas

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[Brazil's new transfer pricing rules and their impact on customs valuation](#)

On 29 December 2022, the Brazilian Government published Provisional Measure (PM) No. 1,152 which introduces new transfer pricing (TP) rules in Brazil. The new TP rules differ from the former rules as they are not based on deemed and fixed margins. They are, instead, focused on an analysis of the functions performed and risks assumed by each party in the transaction. The new rules could impact the current process of using TP information for purposes of assessing customs valuation when importing goods from related parties.

[Peru enacts preferential depreciation rates for buildings, construction and hybrid and electric vehicles](#)

On 28 December 2022, the Peruvian Congress enacted Law 31652, introducing preferential depreciation rates for buildings, construction, and hybrid and electric vehicles. Law 31652 is effective as of 1 January 2023.

[Peru extends VAT exemption for specific goods and services and introduces a temporary early VAT recovery regime](#)

Peru recently enacted Law 31651, extending the value-added tax (VAT) exemption for specific goods and services from 31 December 2022 to 31 December 2025. Peru also enacted Law 31661, introducing a temporary early VAT recovery regime, which allows taxpayers to elect to apply for the early VAT recovery system if they have investments of at least US \$2 million.

[Peruvian Government amends Income Tax Law Regulations for implementing FMV rules for valuation of securities](#)

On 29 December 2022, the Peruvian Government issued Supreme Decree 326-2022, amending the Income Tax Law Regulations to implement the fair market value (FMV) rules applicable to the transfer of securities. The new FMV rules became effective on 1 January 2023.

[Canada Revenue Agency announces changes to its administrative policies for certain employee taxable benefits](#)

The Canada Revenue Agency (CRA) recently updated its website to announce changes to its administrative policies for certain employee taxable benefits. Specifically, the CRA's changes relate to the treatment of (i) gift cards under the employee gifts, awards and long-service awards policy; (ii) virtual events under the employer provided social events and hospitality functions policy; and (iii) scramble parking under the employer-provided parking policy.

[Costa Rica introduces new digital DIMEX Cards for foreign residents](#)

Effective 2 January 2023, the Costa Rican immigration authorities (i.e., the General Directorate of Migration and Foreigners or DGME) began issuing Immigration Identification Documents for Foreigners (DIMEX) digitally as part of their efforts to modernize and digitize immigration services in the country.



[Costa Rica imposes new COVID-19-related restrictions for travelers arriving from Mainland China, Hong Kong, Macau and Taiwan](#)

Effective 9 January 2023, individuals traveling to Costa Rica from Mainland China, Hong Kong, Macau and Taiwan, or who were present in any of these jurisdictions in the 14 days prior to travel, must get tested for COVID-19 before arrival, and test negative, to be admitted.

[US Acting IRS Commissioner affirms continued participation in ICAP](#)

Speaking at the Institute on Current Issues in International Taxation on 15 December 2022, Douglas O'Donnell, the Acting Commissioner of the Internal Revenue Service (IRS), stated that, while the International Compliance Assurance Program (ICAP) could be improved, the IRS will continue to participate in the program.

This week's tax treaty news in the Americas

- ▶ Brazil and Switzerland: clarification of tax treaty
- ▶ Chile and Romania: social security agreement ratified by Romania
- ▶ Colombia and Venezuela: negotiations for investment protection agreement are advanced stage
- ▶ United States and Taiwan: second round of negotiations for 21st Century trade agreement held

Upcoming webcasts

[Rescheduled! BEPS 2.0: New OECD releases and ongoing implementation activity \(20 January\)](#)

Webcast panelists examine the latest OECD releases on both Pillars and explored the growing legislative activity as jurisdictions begin to incorporate global minimum tax rules into their domestic law.

[Tax in a time of transition: US Legislative, economic, regulatory and IRS developments \(20 January\)](#)

Companies need to keep pace with a tax and economic environment in transition. This requires understanding tax policy trends and anticipating future developments that could impact their operations. Join us for a fast-paced overview of recent US tax and economic developments designed to help stay on top of changes in today's shifting economic, legislative and regulatory environment. In this regularly occurring webcast series, panelists will provide updates on: (i) the US economy and tax policy; (ii) what's happening at the IRS; and (iii) breaking developments.

[International tax talk quarterly series: With the EY Global Tax Desk Network \(24 January\)](#)

This webcast highlights developments that could affect multinational companies operating in Hong Kong and Mainland China. Concerns expressed by the European Union have prompted legislative changes to Hong Kong's foreign-sourced income exemption (FSIE) regime, effective beginning 1 January 2023. These changes will have wide-ranging implications for many Hong Kong holding and finance companies (with exceptions for certain financial businesses), as well as companies holding intellectual property.

[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 issued EY podcasts

[US Cross-Border Taxation weekly podcast, 13 January 2023](#)

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

- ▶ Rep. Kevin McCarthy new House Speaker, Rep. Joshua Smith named chairman of House Ways and Means Committee
- ▶ IRS CAMT guidance addresses questions, leaves open issues

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 – 13 January 2023](#)
- ▶ [PE Watch: Latest developments and trends, January 2023](#)
- ▶ [Brazil's new transfer pricing rules and their impact on customs valuation](#)
- ▶ [Peru enacts preferential depreciation rates for buildings, construction and hybrid and electric vehicles](#)
- ▶ [US Acting IRS Commissioner affirms continued participation in ICAP](#)
- ▶ [US IRS releases interim guidance on 15% corporate alternative minimum tax](#)

Human Capital Alerts

- ▶ [Australia reintroduces COVID-19 screening for travelers from China](#)
- ▶ [Costa Rica introduces new digital DIMEX Cards for foreign residents](#)
- ▶ [Costa Rica imposes new COVID-19-related restrictions for travelers arriving from China Mainland, Hong Kong, Macau and Taiwan](#)
- ▶ [France implements new COVID-19-related entry requirements for travelers arriving from China Mainland](#)
- ▶ [India imposes new COVID-19-related entry requirements for travelers arriving from certain jurisdictions](#)
- ▶ [Israel | Revised salary requirements, immigration application processing fees and COVID-19 testing requirements for travelers from China Mainland](#)
- ▶ [Italy announces new COVID-19 restrictions for travelers arriving from China Mainland](#)
- ▶ [Japan announces new COVID-19-related restrictions for travelers arriving from China Mainland and Macau](#)
- ▶ [Malaysia implements new requirements for employers when hiring or terminating foreign nationals](#)
- ▶ [The Netherlands | New legislation applicable from 1 January 2023 regarding the taxation of employee stock option benefits](#)
- ▶ [Qatar announces new COVID-19-related entry requirements for travelers arriving from China Mainland and Hong Kong](#)
- ▶ [UK | High Court rules EU Settlement Scheme unlawful](#)



Indirect Tax Alerts

- ▶ Dubai reduces threshold for imposing customs duties on imports of consignments
- ▶ Peru extends VAT exemption for specific goods and services and introduces a temporary early VAT recovery regime

Other Global Tax Alerts

- ▶ Algeria introduces Finance Law 2023 | Key measures applicable to companies
- ▶ Australia-India Economic Cooperation and Trade Agreement enters into force
- ▶ Danish Supreme Court issues rulings on beneficial ownership
- ▶ Ghana enacts various amendments to tax laws introduced in the 2023 Budget Statement
- ▶ Italy issues 2023 Budget Law
- ▶ Luxembourg amends Common Reporting Standard list of participating and reportable jurisdictions
- ▶ Korea enacts 2023 tax reform bill
- ▶ Korea enacts new global minimum tax rules to align with OECD BEPS 2.0 Pillar Two
- ▶ Norway | Expert committee propose changes to Norwegian tax system

EY Industry and Tax Services publications

Industry

Banking and Capital Markets

- ▶ [How bank CROs are responding to volatility and shifting risk profiles](#)

Health and Life Sciences

- ▶ [Why life sciences tax departments need to act now on sustainability](#)

Services

Tax

- ▶ [How the largest family enterprises are outstripping global economic growth](#)

People and workforce

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

Comments

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