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# Americas tax policy update

Q4 2022

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## Argentina

- ▶ On 11 October 2022, the Argentine Government published a decree, establishing additional benefits for exports of knowledge-based economy activities. The decree also incorporates new exemptions on foreign exchange controls for taxpayers registered in the promotional regime for the knowledge-based economy and modifies the terms for the tax credit bonds granted under that promotional regime. See [Tax Alert 2022-5984](#).
- ▶ On 13 October 2022, the Argentine Government published a decree that extends the scope of transactions subject to 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. See [Tax Alert 2022-6016](#).
- ▶ On 1 November 2022, the Argentine Tax Authority published a resolution extending the suspension of the mandatory reporting regime implemented by General Resolution No. 4838/2020 for an additional 60 calendar days. The regime is suspended as of 31 October 2022. See [Tax Alert 2022-6052](#).
- ▶ On 8 November 2022, Argentina's Chamber of Deputies' permanent advisory Commission of Foreign Affairs approved the bill to ratify the Multilateral Instrument to implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting. This approval leads the way for the vote of the Chamber of Deputies and National Senate, needed for formal ratification and subsequent deposit of the instrument with the OECD. See [Tax Alert 2022-6086](#).
- ▶ The Argentine Chamber of Senators gave final approval to the Budget bill for 2023 on 17 November 2022. The bill includes a new disclosure program for unreported foreign currency and the expansion of the normalization program of local and foreign currency for construction investments. See [Tax Alert 2022-6176](#).
- ▶ On 27 December 2022, the Argentine tax authority published General Resolution No. 5306/2022, which establishes a new informative regime for certain international transactions that Argentine legal entities must comply with and replaces the suspended mandatory reporting regime for domestic and international arrangements enacted by General Resolution No. 4838/2020. The obliged taxpayers must report such transactions up to the due date for filing the annual income tax return. See [Tax Alert 2022-6276](#).

## Brazil

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- ▶ After several years of joint work between the Brazilian Federal Revenue Service and the OECD, the Brazilian Government on 29 December 2022 published Provisional Measure No. 1,152, which introduces new transfer pricing (TP) rules in Brazil. The PM is a Presidential Decree that has the force of law, but must be approved by the Brazilian Congress within 120 calendar days of its next session beginning in February 2023. Under the PM, Brazil will adopt the arm's length standard for all cross-border intercompany transactions and other fundamental TP principles. See [Tax Alert 2022-6266](#).
- ▶ On 29 November 2022, Brazil and the UK signed a first-ever double tax treaty (DTT). The DTT incorporates post-BEPS minimum standards and key items from the existing OECD and UN model tax treaties. See [Tax Alert 2022-6182](#)

## Canada

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- ▶ Federal Deputy Prime Minister and Finance Minister Chrystia Freeland tabled the federal government's Economic and Fiscal Update 2022 on 3 November. The Economic and Fiscal Update 2022 contains several tax measures affecting individuals and corporations. The minister anticipates a deficit of \$36.4b for 2022-23 and projects deficits for each of the next four years and a surplus of \$4.5b for 2027-2028 (under a baseline scenario). See [Tax Alert 2022-1662](#).
- ▶ On 3 November 2022, the Canadian Government released for public comment revised legislative proposals on the proposed excessive interest and financing expenses limitation rules (the EIFEL rules) to take into account various comments received since their initial release on 4 February 2022. See [Tax Alert 2022-6104](#).
- ▶ Following the issuance of the Most-Favored-Nation Tariff Withdrawal Order (2022-2), which withdrew entitlement to the Most-Favored-Nation tariff for goods that originate in Russia and in Belarus, the Canada Border Services Agency published Customs Notice 22-20, Withdrawal of benefit of the Most-Favored-Nation Tariff in respect of goods that originate in Belarus and goods that originate in Russia. Customs Notice 22-20 sets out the details of the Withdrawal Order. See [Tax Alert 2022-6110](#).
- ▶ 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. See [Tax Alert 2022-1895](#).
- ▶ On 16 December 2022, Immigration Canada announced new Labour 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. See [Tax Alert 2022-6255](#).

- ▶ The Canadian Government has passed the Prohibition on the Purchase of Residential Property by Non-Canadians Act, which came into effect on 1 January 2023, and is currently scheduled to be in place for two years. The Act prohibits foreign nationals from purchasing property in Canada unless they meet one of the limited exceptions. See [Tax Alert 2022-6254](#)

## Chile

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- ▶ 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. See [Tax Alert 2022-6017](#).

## Colombia

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- ▶ Colombia's Congress approved a tax reform bill on 17 November 2022 that creates a 15% minimum tax rate, increases taxes on non-resident entities and contains several provisions with respect to individual taxation, equity tax and capital gains. The reform was signed by the President and published in the Official Gazette for entry into force on December 13, 2022. See [Tax Alert 2022-6131](#) and [Tax Alert 2022-6193](#).
- ▶ The Colombian Tax Authority has extended the initial due date to report on ultimate beneficial owners to 31 July 2023. See [Tax Alert 2022-5945](#).
- ▶ Resolution 00001578 of 9 February 2022, of the Colombian Agricultural Institute (ICA), establishes that producers, semi-manufacturing contract producers and importers of pharmaceutical products, disinfectants and/or ectoparasiticides for veterinary use and animal hygiene and beautification products must register in the ICA's online information system, called "SimplifICA".
- ▶ On 10 November 2022, with the support of the Inter-American Development Bank, the Agency for Entrepreneurship and Innovation of the National Government and Colombia Fintech, the Financial Superintendency of Colombia published a new invitation (the Sandbox Challenge). The Sandbox Challenge is aimed at innovative fintechs, both supervised and not supervised, to present financial solutions initiatives within a controlled space, whose protagonist is the implementation of technologies in the provision of financial services. The application is due 31 March 2023.

## Costa Rica

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- ▶ The Costa Rican General Directorate of Treasury published a resolution that contains 22 selection criteria based on risk for auditing taxpayers. Taxpayers that fall under the selection criteria may be audited during 2022 and thereafter. See [Tax Alert 2022-5965](#).

- ▶ Costa Rica's tax authority published the income tax brackets applicable for tax year 2023. The new brackets are for corporate income, income from profitable activities and the salary tax. The brackets went into effect on 1 January 2023. See [Tax Alert 2023-5014](#).

## Dominican Republic

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- ▶ On 3 October 2022, the Dominican Tax Authorities (DTA) enacted General Norm No. 11-2022, to establish the guidelines for the application of the provisions of the DTT subscribed by the Dominican Republic (DR), including the granting of the benefits contemplated in the same. Initially, the provisions of this General Norm were scheduled to be effective as of six months prior to its publication date (i.e., April 2023). However, on 26 January 2023, the DTA published General Rule No. 02-2023, granting an additional period of six months (i.e., October 2023) for the implementation and application of the provisions of the General Rule.
- ▶ On 13 September 2022, the Legal Subconsultant of the Executive Power delivered a preliminary bill for Electronic Invoicing (EI) to the DR's president of the Senate. This preliminary bill aims to regulate the mandatory use of the EI in the DR, as well as to establish the EI tax system; its characteristics, optimization results, contingencies, entry deadlines and the fiscal facilities that will be granted to taxpayers who take advantage of this system. As of 10 January 2023, the Senate approved the electronic invoicing bill and sent it to the Chamber of Deputies for consideration..

## Ecuador

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- ▶ The Ecuadorian Internal Revenue Service modified the list of regimes and jurisdictions considered tax havens. Additionally, the IRS eliminated the concepts of minor tax jurisdiction and special tax regime. See [Tax Alert 2022-5950](#).
- ▶ Through a Presidential Decree enacted on 10 November 2022, a reform to Law regulations determines how to apply the lower income tax rates as a benefit for new investments and companies signing an Investment Agreement with the Ecuadorian Government. There are also new conditions for asset depreciation and the deductibility limit for income tax purposes on royalties, technical services, as well as administrative and advisory services with related parties. See [Tax Alert 2022-6135](#).

## El Salvador

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- ▶ On 4 October 2022, the Legislative Assembly approved a new Fire Department Law that incorporates a new tax of 5% applicable to the contracting of all types of insurance policies sold, extended, renewed or modified in El Salvador, except for mortgage insurance. The law was published in the Official Gazette dated 28 October 2022 and will be effective 60 days after its publication.
- ▶ On 4 October 2022, the Legislative Decree incorporating the amendment to the Tax Code was published in the Official Gazette and became effective as of 14 October 2022. The transitory provisions of the Legislative Decree, which reforms the Tax Code, empowers the General Directorate of Internal Taxes to establish and communicate the plan for the gradual

incorporation to Electronic Invoicing of taxpayers, which will be disclosed in subsequent publications in the official media indicating the starting dates for invoicing through Electronic Tax Documents and groups of taxpayers obliged to issue them. See [Tax Alert 2022-6070](#).

- ▶ Based on the above, the Tax Administration has issued new regulations regarding Electronic Tax Documents and launched a website on Electronic Invoicing: <https://info.dtes.mh.gob.sv/normativa/> The website contains all the regulations related to Electronic Invoicing.
- ▶ As of 1 November 2022, the term of the tax amnesty program approved by the Legislative Assembly on 24 August 2022, expired.
- ▶ On 30 November 2022, the Legislative Assembly approved a Legislative Decree establishing an extension until 31 December 2023, to extend the modality of working remotely for users of the International Services Law.
- ▶ On 30 November 2022, the Legislative Assembly approved amendments to the Law of Industrial and Commercialization Free Zones. The changes to the regulation are focused on eliminating requirements and reducing terms, enabling technological tools to improve the service, expanding benefits to free zone users, developers, administrators, and users. Likewise, the amendments seek to align the regulation with the Administrative Procedures Law, thus promoting the reduction of response times, improvements in waste disposal procedures, market sales and donations.
- ▶ On 19 December 2022, the Ad Hoc Commission formed to study the Comprehensive Pension System Bill, the Creation of the Salvadoran Pension Institute, and Provisions Related to the Pension System issued a favorable opinion in the sense that the Comprehensive Pension System Bill be approved in accordance with the bill submitted to the Commission. Said Law was approved by the Legislative Assembly on 20 December 2022.

## Guatemala

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- ▶ Tax Authorities announced the entry into force of the Customs Agreement managed by the Customs of Guatemala and the Bureau of Customs and Border Protection of the United States of America, which is focused on assistance and cooperation between both Customs agencies on information exchange, joint collaboration to mitigate risks, as well as joint work to promote more agile and secure trade between both countries
- ▶ The forms for the First Registration Tax -IPRIMA- (SAT-4041 IPRIMA Unitary and SAT-4081 IPRIMA Multiple) are available to all taxpayers that produce, assemble or import electric, hybrid or hydrogen vehicles, electric motorcycles or electric transportation systems including the IPRIMA exoneration, as established in Section 7, paragraphs A, B, C and D, of Electric Mobility Incentives Law, Congress Decree number 40-2022.

## Honduras

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- ▶ No tax policy developments to report.

## Mexico

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- ▶ On 22 November 2022, Mexico published the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting (MLI) in the Federal Official Gazette. Following publication in the Official Gazette, the MLI must be deposited with the OECD to complete the ratification and notification process. See [Tax Alert 2022-6140](#).
- ▶ On 27 December 2022, the Ministry of the Treasury and Public Credit published the Mexican Administrative Tax Rule for 2023 in the Official Gazette of the Federation.

## Nicaragua

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- ▶ The National Assembly of Nicaragua enacted law No. 1143 on 19 December 2022, to extend the period of tax exemption for energy generation projects with renewable sources or extensions of projects in operation.
- ▶ On 19 December 2022, the Nicaraguan government published a Presidential Decree that establishes an indefinite Tax exemption for fuel used for generation of electric energy, only for economic agents who dedicate their activities for generation of electric energy for public use and importers or exporters.
- ▶ The Ministry of Finance and Public Credit of Nicaragua, on 23 December 2022 published Ministerial Agreement which contains updates for Selective Consumption Tax duty on alcoholic beverages and the Selective Consumption Tax of cigarettes and other tobacco products.
- ▶ On 9 December 2022, the Nicaraguan Assembly, enacted new commercial and tax regulations between México and Nicaragua for companies dedicated to air transport.
- ▶ Through law No. 1132, published on 18 October 2022, the Nicaraguan Assembly established reforms of taxes for the audiovisual and film industry.

## Panama

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- ▶ The Panamanian National Assembly issued Law 337 of 2022, which introduces changes to the following laws:
  - ▶ **Law 76 of 2019 – Tax Procedure Code:** Introduces new criteria for the "personal notifications". With this modification, all resolutions issued by the Tax Authority through electronic methods will be considered as personally notified. Additionally, most of the provisions of the Tax Procedure Code will now be coming into force on 1 January 2024.
  - ▶ **Law 99 of 2019 – Tax Amnesty Law:** The Tax Amnesty period was extended until 31 December 2022. If the payment of the tax obligations was made between the law's effective date and 31 December 2022, a waiver of all interests and extra charges was applicable at a rate of 100%.
  - ▶ **Law 208 of 2021 – That dictates provisions for the national economic reactivation:** With this modification, the Tax Authority could exonerate up to 60% of the nominal value of all fines, if the following conditions are met:

- ▶ The defaulting obligations shall not be subject to a formalized payment agreement as a result of the amnesty processes approved in 2019 and 2021
- ▶ The taxpayer must not be under investigation for tax evasion or fraud
- ▶ The debt must be paid in cash before 31 December 2022

- ▶ Resolution 201-8433 of 2022, amends Resolution 201-0354 of 2016, that regulates the Tax Residence Certificates requests in Panama. The criteria and requirements regarding the supporting documentation adopted by Resolution 201-0354 remained, however Resolution 201-8433 of 2022 introduced a new requirement in order to prove the tax residency regarding an individual:
  - ▶ Original certification of the Migratory Movement of entries and exits of the Panamanian territory, issued by the National Migration Service in favor of the applicant.
- ▶ The Electronic Domicile of the Taxpayer is introduced by Resolution 201-8638 of 2022. The Tax Authority identifies the e-Tax 2.0 system's online mailbox as the Electronic Domicile of the Taxpayer (DTE, for its acronym in Spanish). This method will allow the communication of any notification or information exchange between the taxpayer and the Tax Authority. By 16 January 2023, all notifications of administrative proceedings issued by the Tax Authority could be carried out through the Electronic Domicile of the Taxpayer, which has all the functions of a physical Tax Domicile.

Notwithstanding the foregoing, some resolutions are not available for this type of notification (i.e., resolutions that conclude a proceeding or an appeal, first resolution of a proceeding that has been ongoing for more than six months, etc.). Also, the Resolution contemplates the option of "Special Attorney" to which the taxpayer will be able to assign a special Electronic Tax Domicile in case the taxpayer is represented by an attorney.

- ▶ Resolution 201-9150 of 2022 extends the deadline for legal entities to present their accounting records to their respective resident agent. Additionally, the deadline for the filing of the first affidavit (regarding accounting records) before the Tax Authority, that must be filed by the resident agent, is extended to 15 July 2023.
- ▶ Resolution 201-9507 of 2022 extended the deadline to 15 January 2023 for the Country-by-Country Report's filing for year 2021. Additionally, the extension applies for the respective notification contained in article 3 of Executive Decree 46 of 2019.

## Paraguay

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- ▶ The Paraguayan Government published a new immigration law on 18 October 2022 that introduces changes to the rules governing foreign nationals who seek to enter or establish residence in the country. The Government is set to publish regulations within 180 days of the law's publication, which will provide additional details regarding the changes under the law. See [Tax Alert 2022-6079](#).

## Peru

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- ▶ 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. See [Tax Alert 2022-5994](#).
- ▶ On 13 October 2022, Peru issued regulations for the temporary value-added tax (VAT) reduction for certain hotels and restaurants, established by Supreme Decree 237-2022. The regulations establish detailed rules and guidelines hotels and restaurants must meet to qualify for the reduced VAT rate of 10%. See [Tax Alert 2022-6033](#).
- ▶ On 29 October 2022, the Peruvian President enacted Supreme Decree 050-2022, ratifying the Convention to Harmonize the Double Tax Treaties of the Pacific Alliance countries. See [Tax Alert 2022-6059](#).
- ▶ On 27 November 2022, Peru enacted rules allowing nonresident taxpayers to pay their income tax online. Nonresident taxpayers must make their payments through the Peruvian tax authority's online platform and must pay by credit card or debit card. See [Tax Alert 2022-6170](#).
- ▶ 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. See [Tax Alert 2022-6238](#).
- ▶ On 30 December 2022, Peru's President enacted Law 31662, amending the temporary tax exemption for capital gains derived from the transfer of securities through the Lima Stock Exchange. Under the law, the temporary tax exemption is extended to 31 December 2023. See [Tax Alert 2022-6273](#).

## Puerto Rico

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- ▶ In response to Hurricane Fiona, certain filing due dates were extended. See [Tax Alert 2022-5936](#) and [Tax Alert 2022-5988](#).
- ▶ In Informative Bulletin 22-11, the Puerto Rico Treasury Department clarified that the 15% alternative minimum tax on the "adjusted financial statement income" of certain corporations enacted as part of the Inflation Reduction Act, P.L. 117-69, has not triggered the 15% income tax rate on industrial development income (IDI) in Puerto Rico. Act 52-22, recently enacted in Puerto Rico, imposes a 15% rate on a taxpayer's IDI, instead of the 10.5%, if the United States amends the US Internal Revenue Code to apply a corporate income tax rate of at least 15% to a controlled foreign corporation's income. Informative Bulletin 22-11 makes it clear that the applicable rate remains 10.5%. See [Tax Alert 2022-6089](#).

## United States

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- ▶ On 11 October 2022, the IRS released a draft of the new Schedule UTP, Uncertain Tax Position Statement, with accompanying instructions. The updated draft requires corporations to submit additional information, including more

robust concise descriptions. Schedule UTP must be attached to Form 1120, U.S. Corporation Income Tax Return, Form 1120-F, U.S. Income Tax Return of a Foreign Corporation, Form 1120-L, U.S. Life Insurance Company Income Tax Return or Form 1120-PC, U.S. Property and Casualty Company Income Tax Return, for a corporation that (1) has assets of at least \$10m, (2) issues or is included in audited financial statements and (3) has one or more tax positions that must be reported on Schedule UTP. See [Tax Alert 2022-1602](#).

- ▶ On 22 November 2022, the United States Treasury Department (Treasury) published proposed regulations ([REG-112096-22](#)) on foreign tax credits. The proposed regulations would amend the final foreign tax credit regulations published on 4 January 2022, as amended by technical corrections published on 27 July 2022. They address the definition of a foreign income tax and the allocation and apportionment of foreign taxes on disregarded payments. The proposed regulations would provide certain relief from the cost recovery requirement and the source-based attribution requirement on royalty income for purposes of determining the creditability of foreign taxes under Internal Revenue Code (IRC) Sections 901 and 903. They also would modify the disregarded payment rules for purposes of allocating and apportioning foreign taxes under IRC Section 861. See [Tax Alert 2022-1764](#).
- ▶ On 9 December 2022, Treasury and the IRS released a proposed regulation ([REG-113839-22](#)) that, if finalized, would treat members of a consolidated group as a single US shareholder with respect to a particular controlled foreign corporation (CFC) for the limited purpose of calculating the members' pro rata share of the CFC's subpart F income or global intangible low-taxed income (GILTI) tested items. The proposed regulation would prevent members of a consolidated group from applying IRC Section 951(a)(2)(B) to reduce the pro rata share of a US shareholder in a tax year in which the CFC distributed previously taxed earnings and profits (PTEP) to another CFC. See [Tax Alert 2022-1933](#).
- ▶ In [Revenue Procedure 2023-8](#), released 12 December 2022, under IRC Section 446 and Treas. Reg. Section 1.446-1(e), the IRS allows taxpayers to obtain automatic consent to change the accounting method for "specified research or experimental expenditures" (specified R&E expenditures) to comply with IRC Section 174, as amended by the Tax Cuts and Jobs Act (TCJA). As amended, IRC Section 174(a)(2) requires taxpayers to charge specified R&E expenditures to a capital account. Taxpayers must amortize the expenditures over five years (15 years if the specified R&E expenditures relate to foreign research), beginning with the midpoint of the tax year in which taxpayers pay or incur the expenditures. IRC Section 174, as amended, applies to specified R&E expenditures paid or incurred in tax years beginning after 31 December 2021. See [Tax Alert 2022-1910](#).
- ▶ The IRS on 27 December 2022 released interim guidance ([Notice 2023-2](#)) on the excise tax under IRC Section 4501, enacted by the Inflation Reduction Act, that imposes a 1% surcharge on certain corporate stock buybacks. The notice confirms that transactions such as preferred stock redemptions and certain leveraged buyout transactions are subject to the 1% excise tax, which applies to repurchases

after 31 December 2022. Notice 2023-2 provides interim guidance until proposed regulations are issued. See [Tax Alert 2023-0054](#).

- ▶ The IRS on 27 December 2022 issued interim guidance ([Notice 2023-7](#)) addressing the application of the corporate alternative minimum tax (CAMT), enacted under the Inflation Reduction Act of 2022. Notice 2023-7 covered some issues that taxpayers had been waiting for, such as a simplified method for determining whether an entity constitutes an "applicable corporation" and the depreciation adjustment for IRC Section 168 (MACRS) property. It also confirmed that financial statement gain or loss arising from wholly tax-free acquisitive and divisive reorganizations generally should be excluded from a taxpayer's applicable financial statement income (AFSI). The guidance did not address international tax issues or the inclusion in AFSI of other categories of income presented in the consolidated financial statements. Taxpayers may rely on the interim guidance pending the release of proposed regulations. See [Tax Alert 2023-0091](#).

## Uruguay

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- ▶ Uruguay's Parliament will discuss a bill that would modify the Uruguayan corporate income tax source criteria for those taxpayers that form part of a multinational group in order to comply with EU requirements. The bill retains many of the provisions included in the draft bill published in July 2022. See [Tax Alert 2022-5969](#).
- ▶ Uruguay's Executive Branch issued Decree 319/022, which sets forth that dependent employees may perform their services remotely from their private domicile in the national territory for their Free Trade Zone employers. See [Tax Alert 2022-5983](#).
- ▶ Following Decree N°319/022, in September 2022, the National Directorate of Free Trade Zones issued Resolution N°77/022 to clarify the conditions under which remote work should be performed. The resolution clarifies that (1) the remote work agreement should be in writing, (2) the employees must perform the tasks specifically from their home address in national territory and (3) the other conditions established by the decree should be met. See [Tax Alert 2022-6144](#).
- ▶ Uruguay's National Directorate of Free Trade Zones has clarified the requirements with which employers must comply under the remote work regime and postponed Decree the 319/022 effective date. See [Tax Alert 2022-6169](#).
- ▶ 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. See [Tax Alert 2022-6218](#).
- ▶ On 27 December 2022, Uruguay's Ministry of Economy and Finance issued Decree No.421/022, adjusting the net wealth tax minimum non-taxable amount applicable to individuals for tax year 2022. According to the decree, the non-taxable amount for individual taxpayers and undivided successions is set at UYU5,831,000 (equivalent to approximately US\$145,800). See [Tax Alert 2022-6275](#).
- ▶ On 28 December 2022, the Uruguayan Tax Administration issued Resolution No. 2,470/022, which updates the list of

countries or jurisdictions that are considered to be low or no taxation. See [Tax Alert 2022-6274](#).

- ▶ Uruguay enacted Law N°20,098, establishing that lodging-related services rendered to resident tourists will be subject to a 0% VAT rate (treatment that already applies for nonresidents) until 28 February 2023. See [Tax Alert 2022-6270](#).
- ▶ Uruguay enacted accountability Law N°20,075, including several tax measures, such as interests' income tax rates for residents' individuals and non-residents entities, and an extension on the non-residents income tax exemption on certain interests. See [Tax Alert 2022-6063](#).

## Venezuela

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- ▶ Administrative Order No. SNAT/2021/000068 dated 8 November 2022, establishes the calendar for special taxpayers and withholding agents for those obligations that must be fulfilled in 2023. Tax returns must be filed according to the last digit of the Taxpayer ID (RIF) and on the dates established in the calendar.
- ▶ Venezuela published the Decree No. 4,757 which establishes the exoneration of Import Taxes and VAT on the importation of goods there mentioned, in the following terms:
  - ▶ A 90% import tax and VAT exoneration is granted for definitive imports of new or used tangible movable assets, as applicable, made by the National Public Administration, as well as those made with their own resources by individuals or corporations, classified in the tariff codes indicated in Appendix I of the Decree.
  - ▶ Definitive imports of tangible movable assets made by the bodies and entities of the National Public Administration, as well as those made with their own resources, by individuals or corporations, classified in the tariff codes indicated in Appendix II of the Decree, are exempted from the Import Tax and VAT. This exoneration is subject to the "Certificate of No National Production or Insufficient National Production" issued by the Ministry with competence.
- ▶ Venezuela published the Decree No. 4,753 whereby it is established for a term of 2 years, from 1 January 2023, to 31 December 2024, the labor immobility of the employees of the public and private sector governed by the Labor Law. .

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