



KPMG Asia Pacific Tax Weekly

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Asia Pacific Tax Developments

Australia

[Immigration and ATO to share TFNs](#)

KPMG Australia discuss new legislation which will mean even greater scrutiny of a foreign worker's right to be employed in Australia.

[Stapled structure reform](#)

KPMG Australia discuss the Federal Government's reforms to the Managed Investment Trust Regime.

[Updates to CRS reporting](#)

The Australian Taxation Office issued an update relating to validation of the common reporting standard ('CRS') returns.

Bangladesh

[Tax updates as of Finance Act 2018](#)

KPMG in Bangladesh summarizes the tax updates in the Finance Act 2018 regarding the definition of permanent establishment and indirect relation to share transfer, reduced or nil withholding tax certificate as well as the definition of Taxed dividend.



China

[The geopolitics of China's tax reforms](#)

The government in the People's Republic of China (PRC, or China) passed a number of major reforms to individual income tax laws. The major changes were around what can now be counted as tax deductible (for example, care for supporting the elderly); raising the tax free threshold; moving responsibility for income tax from business to the individual; and changing tax residency rules.

India

[CBDT final notification clarifying the nature of acquisitions of equity shares where the requirement of payment of STT shall not apply to avail concessional tax rate on long-term capital gains](#)

The Central Board of Direct Taxes (CBDT) issued guidance clarifying when the securities transaction tax applies with respect to acquisitions of equity shares and the applicability of the concessional tax rate with respect to long-term capital gains. The notification shall come into effect from 1 April 2019 and will apply to Assessment year 2019-20 and subsequent years

[Excess premium received on issue of preference shares is not taxable as cash credit](#)

Recently, the Mumbai Bench of the Income-tax Appellate Tribunal in the case of Golden Line Studio Pvt Ltd held that excess premium received by the taxpayer on the issue of preference shares is not taxable as cash credit under Section 68 of the Income-tax Act, 1961.

[Liberalisation of external commercial borrowing norms for oil marketing companies](#)

Reserve Bank of India issued a circular liberalising some aspects of the "external commercial borrowings" policy for public sector oil marketing companies due to rising crude oil prices in international markets and the consequential increase in prices of petrol and diesel in India.

[Mumbai NCLT rejects scheme involving merger of Promoter Holding Company into Listed Company on account of the scheme not being in public interest, potential tax revenue loss and GAAR](#)

The Mumbai bench of National Company Law Tribunal rejected an arrangement involving the merger of a promoter holding company into a listed company, given certain objections raised by the income tax authorities that this treatment could lead to a huge revenue loss. The tax authorities cited the general anti-avoidance rule provisions.

Pharmacy run by hospital dispensing medicine to out-patients not covered under the ambit of health care services – AAR, Kerala

The Authority for Advance Ruling of Kerala ruled that for goods and services tax (GST) purposes, medicines and related items provided on an in-patient basis by a hospital through its pharmacy were provided as part of the composite supply of health care treatment and are not taxable. However, the supply of medicines and items provided on an out-patient basis are taxable.

Supply of solar power generating system as a whole is a composite supply – AAR Uttarakhand

The Authority for Advance Ruling of Uttarakhand ruled that for goods and services tax (GST) purposes, the supply of solar energy inverters, controllers, batteries, and panels would be covered under the term “solar power generating system” therefore, the entire supply would fall under a “composite supply” subject to a GST rate of 5% - and not a “mixed supply” subject to a GST rate of 18%.

Indonesia

New guidance for refunds of tax overpayments

The Ministry of Finance has issued a regulation regarding Procedures for Preliminary Refunds of Tax Overpayments. It revises and/or revokes a number of earlier regulations regarding the same topic and is intended to provide better clarity for taxpayers as well as to boost economic growth.

Macau

Macau’s proposal to abolish the offshore company law

To comply with OECD standards, Macau will abolish the existing offshore company regime from 1 January 2021. A draft bill has been prepared for this purpose and is pending approval from the legislative assembly.

Philippines

When is the right time?

The Bureau of Internal Revenue (BIR) has often emphasized the importance of the timely filing of tax returns changes in the returns and the deadlines of filing the same. Otherwise, taxpayers may experience their own setbacks in form of penalties, surcharges and / or tax audit investigations.

Singapore

[Quarterly Global Tax Disputes Update \(September 2018 edition\)](#)

Quarterly Global Tax Disputes Update highlighting the latest news in tax controversy around the world. This edition covers briefings on key news, events and thought leadership submitted by Global Tax Dispute Resolution & Controversy professionals in KPMG member firms worldwide.

Sri Lanka

[Summary of developments regarding the Finance Bill 2018](#)

KPMG in Sri Lanka summarizes the proposals to be included in the Finance Bill for 2018 which was presented in the Parliament recently.



Significant International Tax Developments

[OECD: Global mutual agreement procedure statistics for 2017](#)

The Organisation for Economic Cooperation and Development (OECD) has issued a release reporting the global mutual agreement procedure (MAP) statistics for 2017. The MAP statistics include information about MAP inventory, Timelines, Outcomes and Jurisdiction-specific reporting.



Calendar of events

Date	Event	Location
23 October 2018	US-China Trade War - Tariff Risk Mitigation Strategy Contacts: KPMG China Market Services	8th Floor, Prince's Building, 10 Chater Road, Central, Hong Kong
8 November 2018	Malaysia - Tax and Business Summit 2018 Contacts: Ms. Sharon Leong Peck Sim / Ms. Fah Siew Peng / Ms. Esther Teh Mei Sum	One World Hotel First Avenue, Bandar Utama City Centre, 47800 Petaling Jaya, Malaysia.
15 & 16 November 2018	General Principles of GST & Reverse Charge Mechanism Contacts: Sharon Ting	Orchard Hotel Singapore, 442 Orchard Road, Singapore 238879



Beyond Asia Pacific

[Ireland: Tax provisions in budget 2019](#)

Ireland's government today announced the details of budget 2019 and the proposed tax measures that would affect certain businesses and individuals.

[Nigeria: Update for oil and gas industry taxpayers](#)

Eight years after enactment of the Nigerian Oil and Gas Industry Content Development Act, the landscape for Nigerian-held companies with relatively large oil and gas projects has begun to change. Leading this change is the Nigerian Content Development and Monitoring Board (NCDMB).



TaxNewsFlash by region

For the latest tax developments from other regions see the following links:

[Africa](#)

[Americas](#)

[Europe](#)

[United States](#)



KPMG Asia Pacific Tax Centre Contacts

Asia Pacific Regional Leader, Tax



Khoon Ming Ho
Head of Tax,
KPMG Asia Pacific
T : +8610 8508 7082
E : khoonming.ho@kpmg.com

Asia Pacific Tax Centre Leader, Regional Tax Partner



Brahma D Sharma
Global Head of Clients and Markets
Tax & Regional Partner
KPMG Asia Pacific Limited
T : +65 8186 7369
E : brahmasharma@kpmg.com.sg

Service Line Specialists

Transfer Pricing Services



Tony Gorgas
Asia Pacific Regional Leader,
Transfer Pricing Services
KPMG Australia
T : +61 2 9335 8851
E : tgorgas@kpmg.com.au

Financial Services Transfer Pricing



John Kondos
Asia Pacific Regional Leader,
Transfer Pricing Services in the
Financial Services Sector
KPMG China
T : +852 2685 7457
E : john.kondos@kpmg.com

Indirect Tax Services



Lachlan Wolfers
Asia Pacific Regional Leader,
Indirect Tax Services
KPMG China
T : +852 2685 7791
E : lachlan.wolfers@kpmg.com

Research & Development (R&D) Tax Incentives



Alan Garcia
Asia Pacific Regional Leader,
R&D Tax Incentives
KPMG Australia
T : +61 3 9288 6094
E : afgarcia@kpmg.com.au



KPMG Asia Pacific Tax Centre Contacts

Global Compliance Management Services and Financial Services



Jenny Clarke
Asia Pacific Regional Leader,
Global Compliance
Management Services and
Financial Services
KPMG Australia
T : +61 2 9335 7213
E : jeclarke@kpmg.com.au

Global Mobility Services



Ben Travers
Asia Pacific Regional Leader,
Global Mobility Services
KPMG Australia
T : +61 3 9288 5279
E : btravers1@kpmg.com.au

International Tax



Christopher Xing
Asia Pacific Regional Leader,
International Tax
KPMG China
T : +8610 8508 7072
E : christopher.xing@kpmg.com

Deal Advisory M&A Tax



Angus Wilson
Asia Pacific Regional Leader,
Deal Advisory M&A Tax
KPMG Australia
T : +61 2 9335 8288
E : arwilson@kpmg.com.au

Dispute Resolution and Controversy



Angela Wood
Asia Pacific Regional Leader,
Dispute Resolution and
Controversy
KPMG Australia
T : +61 3 9288 6408
E : angelawood@kpmg.com.au

Legal Services



Stuart Fuller
Asia Pacific Regional Leader,
Legal Services
KPMG Australia
T : +61 2 9458 1590
E : stuartfuller@kpmg.com.au

Trade & Customs



Leonie Ferretter
Asia Pacific Regional Leader,
Trade & Customs Services
KPMG Australia
T : +61 2 9455 9330
E : lferretter@kpmg.com.au



KPMG Asia Pacific Tax Centre Contacts

Market Sector Specialists

Alternative Investments & Private Equity



Simon Clark
Asia Pacific Regional Tax
Leader, Alternative Investments
and Private Equity sector
KPMG in Singapore
T : +65 6213 2152
E : simonclark1@kpmg.com.sg

Energy & Natural Resources



Carlo Franchina
Asia Pacific Regional Tax
Leader, Energy & Natural
Resources Sector
KPMG Australia
T : +61 8 9263 7239
E : cfranchina@kpmg.com.au

Sovereign Wealth and Pension Funds



Angus Wilson
Asia Pacific Regional Leader,
Sovereign Wealth and Pension
Funds Sector
KPMG Australia
T : +61 2 9335 8288
E : arwilson@kpmg.com.au

Insurance



John Salvaris
Asia Pacific Regional Leader,
Insurance Sector
KPMG Australia
T : +61 3 9288 5744
E : jsalvaris@kpmg.com.au



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