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6 December 2021

# Americas Tax Roundup

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## Latest news – Americas

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150+ jurisdictions from your  
iPad® anywhere in the world.

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### [Argentine Government issues new regulations on tax on financial transactions](#)

The Argentine Government published Decree 796/2021, which modifies the tax on financial transactions enacted by Law No. 25,413. The decree exempts from the tax on financial transactions movements of funds collected or paid on behalf of third parties by payment services providers and entities that collect taxes or payments for public services or other services. The decree also clarifies the exemptions from the tax on financial transactions for certain crypto assets, cryptocurrencies, digital currencies, or similar instruments.

### [Costa Rica's General Directorate of Customs establishes two new categories of temporary importation for vessels](#)

Cost Rica's General Directorate of Customs issued Resolution RES-407-2021, creating two new categories for the temporary importation of vessels--the temporary importation of vessels for tourist purposes and the temporary importation of chartering vessels. The resolution also establishes the requirements for temporarily importing those vessels.

### [India and US agree on transitional approach for India's 2% Equalization Levy prior to implementation of Pillar One rules](#)

The Indian Government issued a [Press Release](#) stating that India and the US have agreed on a transitional approach to the treatment of the current Indian e-commerce Equalization Levy (EL) during the interim period before the OECD BEPS new Pillar One rules come into effect. The transitional treatment includes the continuation of the 2% EL charge by India, subject to a partial future credit to the multinational enterprise (MNE) against that MNE's future "Pillar One Amount A" tax liability. The US Government, in turn, agreed to terminate its proposed trade actions against India with respect to the current 2% EL.

### [Brazil imposes temporary ban on travel from Botswana, Eswatini, Lesotho, Namibia, South Africa and Zimbabwe](#)

The Brazilian Government recently announced that individuals seeking to travel to Brazil from Botswana, Eswatini, Lesotho, Namibia, South Africa and Zimbabwe, and those who were present in any of these locations in the 14 days preceding their desired travel to Brazil, are temporarily inadmissible until further notice.

### [Canada introduces new measures to address COVID-19 Omicron variant](#)

The Canadian Government implemented additional measures at Canadian borders to reduce the risk of importation and transmission of the new COVID-19 variant Omicron. Effective immediately and until at least 31 January 2022, foreign nationals who have been to certain countries in the Southern Africa region in the last 14 days will not be able to travel to Canada, and Canadians returning from the region will face additional measures regarding entry to Canada.



### [US suspends entry of noncitizens from certain countries](#)

US President Joe Biden issued a Presidential Proclamation (PP) suspending the entry of noncitizens traveling from eight African countries to the United States. The PP took effect at 12:01 am on 29 November and will remain in effect until terminated by the President.

### [OECD releases 2020 mutual agreement procedure statistics and 2020 mutual agreement procedure awards](#)

The OECD held its third OECD Tax Certainty Day. During the event, the OECD released the [2020 statistics](#) on Mutual Agreement Procedures (MAP) and presented the [2020 MAP awards](#). For 2020, the statistics include information from all members of the OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting that joined the Inclusive Framework before 2021 and have submitted their MAP statistics for a total of 118 jurisdictions, an increase from the 105 jurisdictions covered in 2019 data.

### [EY Canada issues latest edition of TaxMatters@EY](#)

TaxMatters@EY, a monthly bulletin prepared by EY Canada, provides a summary of recent Canadian tax news, publications, and resources. Highlights of the December 2021 issue include: (i) year-end remuneration planning tips for private companies, and (ii) a recent Tax Court of Canada decision that found that interest accrues until the date of a post-audit loss carryback request.

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## This week's tax treaty news in the Americas

- ▶ Argentina and Turkey: income tax treaty approved by the Argentine Foreign Relations and Budget and Finance Committees
- ▶ Brazil and Singapore: income tax treaty entered into force
- ▶ Brazil and Uruguay: income and capital tax treaty approved by Uruguayan Chamber of Representatives
- ▶ United States and Turkey: competent authority arrangement on the exchange of country-by-country reports entered into force
- ▶ Uruguay and Netherlands: amending protocol to the social security agreement ratified by Uruguay

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## Upcoming webcasts

### [Latin American tax trends and expectations for 2022 \(8 December\)](#)

Several Latin America countries recently enacted or proposed significant tax changes that may affect multinational companies operating in the region. Panelists will discuss the significant changes and actions being taken by businesses to address these changes.

### [BEPS 2.0: Focus on Pillar Two \(14 December\)](#)

This webcast continues the series of EY Global webcasts addressing BEPS 2.0 developments. Panelists will discuss the key elements of the Pillar Two model rules, highlighting recent developments. They also will share perspectives on how the European Union and other jurisdictions plan to incorporate these model rules into domestic law.

### [Tax aspects of the LIBOR transition: What to consider for year-end \(16 December\)](#)

In this webcast, panelists will discuss tax considerations of the London Interbank Offered Rate (LIBOR) transition and what steps multinational companies can take before the year-end to prevent disruption.

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



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## Recently archived webcasts

### [M&A environment and emerging tax trends](#)

EY panelists discussed (1) the global macroeconomic and deal environment, and key future trends, (2) tax reform and policy agenda around substance, transparency and sustainability, (3) key M&A tax trends such as increased diligence scope, tax risk around supply chain arrangements and diligence around sustainable operating models, among other topics.

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## Recently issued EY podcasts

### [US Cross-Border Taxation weekly podcast, 3 December 2021](#)

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

- ▶ US Congress turns to Build Back Better reconciliation bill after recess
- ▶ Final foreign tax credit regulations release before year-end
- ▶ US, India announce digital tax, trade action compromise
- ▶ Technical aspects of model rules for OECD BEPS Pillar 2 complete; further Pillars' consultation planned

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

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## This week's EY Global Tax Alerts

### Americas Global Tax Alerts

- ▶ [Report on recent US international tax developments - 3 December 2021](#)
- ▶ [Argentine Government issues new regulations on tax on financial transactions](#)
- ▶ [Argentina announces new, heightened entry rules for individuals traveling from Africa](#)
- ▶ [Brazil imposes temporary ban on travel from Botswana, Eswatini, Lesotho, Namibia, South Africa and Zimbabwe](#)
- ▶ [Canada introduces new measures to address COVID-19 Omicron variant](#)
- ▶ [US suspends entry of noncitizens from certain countries](#)
- ▶ [Costa Rica's General Directorate of Customs establishes two new categories of temporary importation for vessels](#)

### Other Cross-border Alerts

- ▶ [EU Public CbCR Directive enters into force on 21 December 2021](#)
- ▶ [India and US agree on transitional approach for India's 2% Equalization Levy prior to implementation of Pillar One rules](#)
- ▶ [Spain's amendments to CFC rules and participation regime may require action by multi-tier international structures under Spanish holdings](#)
- ▶ [Australia introduces proposed Corporate Collective Investment Vehicle tax and regulatory laws](#)
- ▶ [Denmark adopts new rules relaxing transfer pricing documentation requirements for domestic controlled transactions and addressing the application of benchmarking](#)
- ▶ [Belgium and France sign new double tax treaty](#)
- ▶ [Poland ratifies protocol to revise tax treaty with the Netherlands](#)



## OECD Alerts

- ▶ OECD releases 2020 mutual agreement procedure statistics and 2020 mutual agreement procedure awards

## Transfer Pricing Alerts

- ▶ Denmark adopts new rules relaxing transfer pricing documentation requirements for domestic controlled transactions and addressing the application of benchmarking
- ▶ Italy issues guidance on transfer pricing documentation

## Human Capital Alerts

- ▶ Australia: Flexing the border while reinvigorating skilled migration
- ▶ Russia announces temporary ban on travel from Botswana, Eswatini, Hong Kong, Lesotho, Madagascar, Mozambique, Namibia, South Africa, Tanzania and Zimbabwe
- ▶ South Korea temporarily suspends quarantine exemptions for certain travelers; new restrictions announced for travelers from nine African countries

## Indirect Tax Alerts

- ▶ Cyprus Administrative Court rules on Correction of Error request related to overpayment of VAT later assessed in another EU Member State

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## EY Industry and Tax Services publications

### Industries

#### Financial Services

- ▶ [How sustainable finance can help decarbonize the real economy](#)
- ▶ [Why insurers must reimagine their finance service delivery model](#)

#### Government & Public Sector

- ▶ [Six ways that governments can drive the green transition](#)

#### Consumer Products & Retail

- ▶ [CEO video: Building resilient growth at AB-InBev](#)

#### Private Equity

- ▶ [Can PE win deals if it doesn't deal with DEI?](#)
- ▶ [Video: Three entrepreneurs who are lighting the path toward economic vitality](#)

#### Services

#### Tax

- ▶ [Five tax steps to take before 2021 ends and global reforms take hold](#)

## Comments

If you have any questions or suggestions about this newsletter, please email Global Tax News Update Help at: [globaltaxnewsupdatehelp@ey.com](mailto:globaltaxnewsupdatehelp@ey.com).



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