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7 December 2020

Americas Tax Roundup

Latest news – Americas

[COVID-19 relief measures continue throughout Americas](#)

Jurisdictions throughout the region continue to announce new and expanded measures to respond to the COVID-19 pandemic.

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[Mexico's tax administration publishes regulations on reporting under mandatory disclosure rules](#)

The Mexican tax administration has published amendments to the Mexican general tax rules for 2020, including with respect to the mandatory disclosure rules (MDRs) for certain transactions established as part of the 2020 tax reform. The amendments set forth the electronic filing requirements for reportable transactions under the new MDRs. As the MDR regime requires reporting certain transactions no later than 15 February 2021, taxpayers should be reviewing transactions to identify reporting requirements and the information required to meet the reporting obligation.

[Canada's 2020 federal Fall Economic Statement includes income tax measures and GST/HST proposals](#)

Canada's Deputy Prime Minister and Minister of Finance announced a broad range of tax measures in her first Fall Economic Statement (FES). Alongside updates to previously announced measures in connection with the stock option deduction and the Canada Emergency Wage Subsidy, the FES includes new income tax proposals relating to the corporate taxation of digital services, among other topics. The FES also contains significant Goods and Services Tax (GST)/Harmonized Sales Tax (HST) proposals, including measures designed to ensure that GST/HST applies fairly and effectively in the context of an increasingly digital economy.

[Chile deposits Multilateral Convention to Implement Tax Treaty Related Measures to Prevent BEPS](#)

Following the Chilean Congress's recent ratification of the *Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting* (MLI), Chile deposited its instrument of approval with the OECD on 26 November 2020. It also submitted its MLI positions and reservations as well as the list of covered tax agreements. The deposit of the MLI means the MLI will apply to taxes levied in tax periods beginning on or after 1 January 2021.

[OECD releases 2019 mutual agreement procedure statistics and 2019 mutual agreement procedure awards](#)

The OECD has published the 2019 statistics on Mutual Agreement Procedures (MAP). For 2019, the statistics include information from all OECD and G20 members and from those members of the OECD/G20 Inclusive Framework on BEPS that joined the Inclusive Framework prior to 2020 – for a total of 105 jurisdictions. The 2019 data covers almost all MAP cases worldwide. The OECD also announced the 2019 MAP awards recognizing particular efforts of competent authorities across a range of metrics.



[OECD releases Consultation Document on 2020 review of BEPS Action 14](#)

The OECD has released a public consultation document on the review of the minimum standard on dispute resolution under BEPS Action 14. The consultation document seeks stakeholder input on proposals for the 2020 review of the Action 14 minimum standard regarding various items by 18 December 2020. The continued focus by the OECD and participating jurisdictions on the implementation of effective dispute resolution mechanisms is a positive step to improve access to an effective and timely mutual agreement procedure (MAP) process.

[OECD holds second Tax Certainty Day](#)

The OECD Centre for Tax Policy and Administration has held its second annual Tax Certainty Day. The virtual discussion focused on the state of the tax certainty agenda and ways to make further improvements to both dispute prevention and dispute resolution programs and processes. Tax certainty continues to be very important to the business community. Businesses should monitor further developments, including the output of the 7-8 December 2020 OECD Forum on Tax Administration meeting, where details of new or expanded programs may be announced.

[OECD releases 2020 update on peer review of preferential tax regimes and no or only nominal tax jurisdictions](#)

The OECD has released an update on the results of the peer reviews of jurisdictions' domestic laws under BEPS Action 5 (harmful tax practices). The updated results cover 49 regimes, bringing the number of regimes that have been reviewed, or are under review, to 295. The release of the updated results underscores that the Inclusive Framework on BEPS continues its focus on jurisdictions' implementation of the BEPS Action 5 minimum standard despite the COVID-19 crisis and the ongoing global discussions on the BEPS 2.0 project.

This week's tax treaty news in the Americas

- ▶ Canada and UK: trade continuity agreement agreed to in principle
- ▶ Costa Rica and United Arab Emirates: Legislative Assembly of Costa Rica approved tax treaty

Upcoming webcasts

[International tax: The 2020 year in review \(11 December\)](#)

Please join EY's thought leaders to review selected 2020 US international tax developments and discuss potential changes to US and global tax policy. Topics will include significant US Treasury regulations, developments impacting cross-border mergers and acquisitions, and policy proposals from US President-elect Joe Biden (as recognized by the Associated Press) and the OECD.

Recently issued EY podcasts

[US Cross-Border Taxation weekly podcast, 4 December 2020](#)

EY's weekly US Cross-border Taxation podcast reviews the week's US international tax-related developments. Highlights this week include: OECD to hold virtual public consultation on BEPS 2.0 Pillar 1 and Pillar 2 Blueprints on 14-15 January 2022; IRS releases final and proposed PFIC regulations; IRS issues final regulations under Sections 245A and 951A that coordinate two sets of anti-abuse rules; IRS LB&I releases internal guidance re: examinations with Section 965 transition tax issues. You can register for this weekly podcast on iTunes [here](#).



This week's EY Global Tax Alerts

COVID-19 | Key Alerts and other resources from EY's Global Tax

Global Tax Alerts were issued this week with updated COVID-19 news, covering the following jurisdictions: Canada. Access the Alerts and other COVID-19 related materials [here](#).

Additional Global Tax Alerts

- ▶ [Report on recent US international tax developments – 4 December 2020](#)
- ▶ [Canada: Income tax measures from the 2020 federal Fall Economic Statement](#)
- ▶ [Mexico's Tax Administration publishes regulations on reporting under mandatory disclosure rules](#)
- ▶ [Chile deposits Multilateral Convention to Implement Tax Treaty Related Measures to Prevent BEPS](#)
- ▶ [Canadian Government presents Federal Fall Economic Statement 2020](#)
- ▶ [Italy publishes ministerial guidance on Mandatory Disclosure Rules](#)
- ▶ [Australia introduces instant asset write-off alternative \\$5b turnover test and opt-out rule](#)
- ▶ [Denmark enacts new rules on international taxation](#)
- ▶ [Luxembourg Tax Authorities clarify application of EU Parent-Subsidiary Directive with respect to Gibraltar companies](#)
- ▶ [France publishes final guidance on Mandatory Disclosure Rules](#)
- ▶ [Spain releases draft Bill implementing ATAD 2 for public consultation](#)
- ▶ [Belgium implements EU plastics tax measures](#)
- ▶ [Austria to enact new interest limitation rule in accordance with EU ATAD as of 2021](#)
- ▶ [Belarus joins BEPS Inclusive Framework and Global Forum on Transparency and Exchange of Information for Tax Purposes](#)
- ▶ [New Zealand introduces new tax guidance for cryptoassets](#)
- ▶ [Poland implements significant changes to corporate income tax law – final bill published in Journal of Laws](#)

Transfer Pricing Alerts

- ▶ [Italy issues new transfer pricing documentation requirements and proposes changes to APA procedure](#)

OECD Alerts

- ▶ [OECD holds second Tax Certainty Day](#)
- ▶ [OECD releases 2020 update on peer review of preferential tax regimes and no or only nominal tax jurisdictions](#)

Human Capital Alerts

- ▶ [The economic employer concept is coming to Sweden](#)
- ▶ [Insights provided from Hong Kong's 2020 Annual Meeting between Inland Revenue Department and Institute of Certified Public Accountants](#)

Indirect Alerts

- ▶ [Canada announces specified GST/HST regime for e-commerce supplies](#)
- ▶ [Egypt updates its customs laws](#)
- ▶ [Kenyan Tax Appeals Tribunal holds claim of input VAT must be supported by evidence of an underlying transaction](#)
- ▶ [UK to implement domestic reverse charge on construction services as of 1 March 2021](#)



EY Industry and Tax Services publications

Industries

Automotive

- ▶ [How to make EV charging pay](#)

Consumer Products & Retail

- ▶ [Three I's that could reframe the future of retail](#)

Mining & Metals

- ▶ [How advancing mobility will disrupt the mining and metals sector](#)

Government & Public Sector

- ▶ [How structural reforms can pave the way to Europe's long-term growth](#)

Health & Life Sciences

- ▶ [Why interconnecting virtual and physical health care is a smart move](#)
- ▶ [How you know a hospital is smart](#)
- ▶ [Why focusing on what matters to consumers and staff matters most](#)
- ▶ [Five trends shaping health care's data-driven future](#)
- ▶ [How do you create the care models of tomorrow that are barely imaginable today?](#)

Oil & Gas

- ▶ [How Q3 2020 earnings calls reflected the mixed economic recovery](#)

Power & Utilities

- ▶ [What will be the long-term effects of short-term decisions?](#)

Private Equity

- ▶ [Why customer experience should matter more to private equity firms](#)
- ▶ [What an accelerating value creation agenda means for private equity](#)

Services

Tax

- ▶ [What regulations govern returning to the office as we enter the 'beyond' phase](#)
- ▶ [Four cornerstones of legal function transformation following COVID-19](#)

Issues

Growth

- ▶ [What every CFO needs to know about the cloud](#)

Comments

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



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