

Federal Decree-Law No. (60) of 2023

Amending certain provisions of Federal Decree-Law No. (47) of 2022

On the Taxation of Corporations and Businesses

We, Mohamed bin Zayed Al Nahyan

President of the United Arab Emirates,

Having reviewed the Constitution,

And Federal Law No. (1) of 1972 concerning the Competencies of Ministries and the Powers of Ministers, and its amendments,

And Federal Decree-Law No. (47) of 2022 on the Taxation of Corporations and Businesses,

And based on the proposal of the Minister of Finance and the approval of the Cabinet,

We have issued the following Decree-Law:

Article One

1. The following two definitions shall be added to the definitions contained in Article (1) of the aforementioned Federal Decree-Law No. (47) of 2022:

Top-up Tax: The top-up tax imposed on Multinational Enterprises in accordance with this Decree-Law and the rules and regulations specified by the Cabinet under Article (3) of this Decree-Law for the purposes of the Pillar Two rules issued by the Organisation for Economic Co-operation and Development.

Multinational Enterprise: An entity and/or one or more of its constituent entities located in the State or in a foreign jurisdiction, as specified by a decision issued by the Cabinet upon the proposal of the Minister.

2. A new clause numbered (3) shall be added to Article (3) of the aforementioned Federal Decree-Law No. (47) of 2022, with the following text:

Article (3) Clause (3)

Without prejudice to the provisions of clauses (1) and (2) of this Article, the Cabinet shall, upon the proposal of the Minister, issue a decision regulating all cases, provisions, conditions, rules, controls, and procedures for imposing the Top-up Tax on Multinational Enterprises and for exemption therefrom, so that the total effective tax rate imposed on them is (15%) fifteen percent.

Article Two

The text of Article (65) of the aforementioned Federal Decree-Law No. (47) of 2022 shall be replaced with the following text:

The revenues from Corporate Tax, Top-up Tax, and administrative penalties collected under this Decree-Law shall be subject to sharing between the Federal Government and the Local Governments in accordance with the provisions of the effective Federal Law in this regard.

Article Three

Notwithstanding the provision of Article Four of this Decree-Law, the provisions of the Top-up Tax stipulated in Clause (2) of Article One of this Decree-Law shall come into effect from the date specified by a decision of the Cabinet upon the proposal of the Minister, and this decision shall be published in the Official Gazette.

Article Four

This Decree-Law shall be published in the Official Gazette and shall come into effect on the day following the date of its publication.

Issued by us at the Presidential Palace - Mohamed bin Zayed Al Nahyan
Abu Dhabi: President of the United Arab Emirates
On: 17 / Rabi' al-Awwal / 1445 H
Corresponding to: 02 / October / 2023 AD