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DUBAI CORPORATE TAX UPDATE

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SMALL BUSINESS RELIEF UNDER CORPORATE TAX UAE

The Ministry of finance has issued the Ministerial Decision No. 73 of 2023 On small Businesses Relief for the purpose of the Corporate tax Law

Small Business relief is intended to support start-ups & other small or micro business by reducing their corporate tax burden & compliance costs



- Taxable Persons that are resident persons can claim small Business Relief where their Revenue is below AED 3million for each tax period.
- This Revenue threshold will apply to tax periods starting on or after 1 June 2023 and will only Continue to apply to subsequent tax period that end before or on 31 December 2026.
 - Revenue can be Determined based on the applicable Accounting standards accepted in the UAE.
- Small business Relief will not be available to qualifying free zone Person or member of Multinational Enterprises Group (MNE GROUP) as defined in cabinet Decision No. 44 of 2020 on Organizing Reports Submitted by Multinational Companies. MNE groups are groups of companies With operations in more than one country that have consolidated group revenue of more than AED3.15 billion.

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- In tax periods where Business elect to apply Small Business Relief then Carry forward and set off of Loss and any disallowed Net Interest will not be allowed for such tax periods.
- The Ministerial Decision specifies that where the Federal Tax Authority establishes that taxable Persons have artificially separated their business or business activity and the total revenue of the entire business or business activity exceeds AED3 million in any tax period and such persons have elected to apply for small business relief. this would be considered an arrangement to obtain a corporate tax advantage under Clause (1) of Article 50 Regarding the General anti- abuse rules of the Corporate tax law.

ELIGIBLE TO CLAIM THE RELIEF

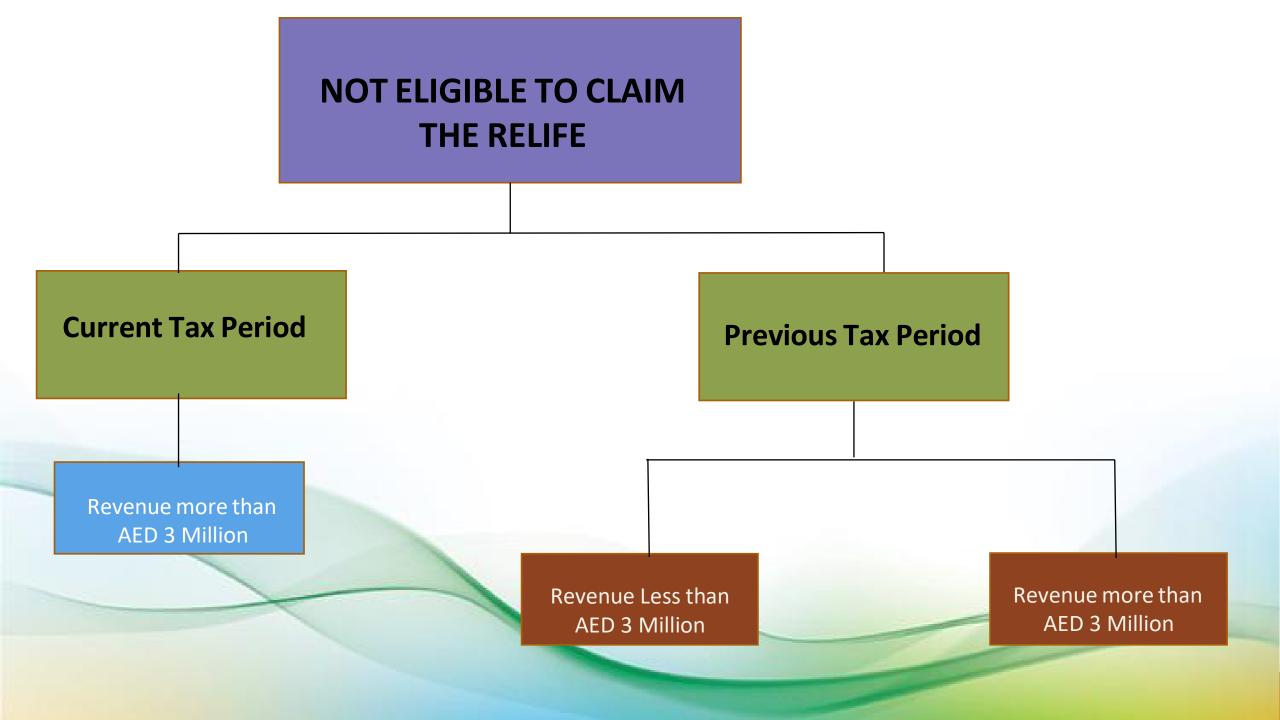
TAXABLE PERIOD

PREVIOUS TAX PERIOD

REVENUE LESS THAN AED 3 MILLION

CURRENT TAX PERIOD

Subjects to other conditions



Resident Person

Who is Eligible for Small Business Relief

Revenue in the Relevant Tax Period & Previous Tax Periods is BELOW AED 3 MILLIONS for each Tax Period.

Free Zone Persons (who is not a Qualifying Free Zone Person)

Not Members of Multinational Enterprises Groups (MNE Groups) *

Non Resident Person

Who is not Eligible for Small Business Relief Revenue in the Relevant Tax Period & Previous Tax Periods is MORE THAN AED 3 MILLIONS for each Tax Period.

Qualifying Free Zone Person

Members of Multinational Enterprises Groups (MNE Groups) *

Who should claim small business relief?

Entities that have taxable profits. Entities not having disallowed Net Interest Expenditure from such tax periods.

Who should not claim this relief?

Entities incurring losses & wish to carry forward Tax Losses. Entities having disallowed Net Interest Expenditure from such tax periods.