



Energy & Renewables

Tax & Legal

May 2023

Tax & Legal advice for the Energy Sector

Energy projects are globally affected by a significant number of tax rules and laws. Deloitte Tax & Legal provides expert tax advice in the field of energy and related activities involving the following areas:

- Wind energy
- Solar energy
- Oil and gas
- Power-to-X projects
- Energy and infrastructure projects
- On- and off-shore operations
- Hydrocarbon activities



We offer our clients a wide range of integrated services within our specialised service lines:

Global Business Tax



Global Employer Service



Indirect Tax



Transfer Pricing



Legal





Global competencies anchored locally

In Deloitte we share our knowledge so that our clients always get the best solutions to their challenges whether at home or abroad

Deloitte is the biggest professional services firm of the world

Our global network enables us to always draw on experts with the newest insights and deepest knowledge

Our clients' challenges range as far as our competencies go. Because of this, we are always able to offer tailored solutions to specific client challenges

The globally connected Deloitte network of member firms is constituted of more than **330,000 professionals** that make an impact that matters for clients in more than **150 countries and territories**.

Global Business Tax

Our Global Business Tax department delivers deep knowledge of tax and statutory requirements as well as a breadth of experience applying them in practice worldwide.

Practical tax advice combined with our consistent tax compliance framework instil confidence that a consistent approach is followed across jurisdictions.

We help simplify tax management and oversight while providing global visibility for making informed strategic decisions.

Our tax advisers in Global Business Tax provide tax advice in specialised areas within the Energy & Renewables sector such as e.g.;

- Permanent establishment risk exposures for on- and offshore operations and activities in Danish and international waters.
- Danish hydrocarbon taxation on profits from the exploration and extraction of oil and gas on the Danish continental shelf.



Contact information



Marie Pugholm Pedersen
Director
maripedersen@deloitte.dk

Gudny Erla Sigurdardottir
Senior Consultant
gerla@deloitte.dk

Global Employer Services

Our Global Employer Services department assists global organisations in understanding and complying with employer obligations such as withholding, reporting and payment in relation to tax, social security and other registration obligations related to the mobile population of the company on a worldwide scale.

In addition, our Global Employer Services can assist with income tax returns and other tax or social security related matters for your mobile population worldwide.

Our tax advisers in Global Employer Service provide tax advice in specialised areas within the Energy & Renewables sector, such as e.g.;

- Danish hydrocarbon taxation for employees carrying out work in Denmark related to exploration and extraction of oil and gas on the Danish continental shelf.
- Hiring-out of labour evaluation and taxation for employees formally employed abroad but working in Denmark.
- Employer obligations when having projects in other countries and assigning employees to the locations.



Contact information



Camilla Lind
Partner
calind@deloitte.dk

Caroline Haure Nyborg
Senior Consultant
cnyborg@deloitte.dk

Immigration & Relocation

Our Immigration & Relocation department assists global organisations in understanding and complying with Danish immigration when hiring personnel outside of Denmark's borders. We can assist with residence and work permits, assessments of work permit requirement on an individual basis and a wide scale of relocation services.

Our professionals in Immigration & Relocation provide expert advice within the Energy & Renewables sector such as:

- Assessments of specific work activities in Denmark and whether a work permit is required or the activities are covered by the exemption rules such as "Fitter rule", board members, business travelers etc.
- Assessments of current work permits ensuring your company is compliant with the Danish Immigration rules.
- Assistance with applications for Danish residence- and work permits for employees carrying out work in Denmark within all fields.
- Assistance with Fast Track-certification of companies in order to benefit from a smooth and quick job start for Non-EU employees.
- Assistance with Relocation services such as Home finding, School search, Local registrations, setting up a Danish bank account, access to online public authorities etc. (MitID, E-boks).



Contact information



Britt Kornaat
Director
bkornaat@deloitte.dk

Jeanette K. Onat
Manager
jonat@deloitte.dk

Indirect Tax

Our Indirect Tax department delivers deep knowledge of VAT, excise duty, customs duty requirements as well as a breadth of experience applying them in practice worldwide.

Our extensive experience advising companies within the Energy & Renewables sector and our global network of Deloitte indirect tax professionals ensure that we can advise on the specific transaction flow carried out and the indirect tax compliance obligations following the embedded structure.

Our tax advisers in Indirect Tax provide tax advice in specialised areas within the Energy & Renewables sector, such as:

- Fixed establishment for VAT purposes and risk exposure for on- and offshore operations and activities in Danish and international waters.
- VAT qualification of transactions for on- and offshore operations as well cross-border operations.
- VAT and customs duty treatment of machinery and tools applied for on- and offshore projects.



Contact information



Jesper Bianco Hildebrandt
Partner
jhildebrandt@deloitte.dk

Sebastian Schubert Waldstrøm
Manager
swaldstroem@deloitte.dk

Transfer Pricing

Our Global Transfer Pricing department delivers expert knowledge of transfer pricing regulations and how to comply with these in practice. Furthermore, we have great experience with the cross field between transfer pricing and special tax laws, e.g. the Danish hydrocarbon taxation.

Our extensive experience advising companies within the Energy & Renewable sector and our global network of Deloitte transfer pricing professionals ensures that we can advise on the specific transfer pricing issues with this sector taking into account two or more countries' transfer pricing regulations.

Our professionals in Global Transfer Pricing provide expert advice such as:

- Analysis of transfer pricing risk exposures on existing operating and business models, including the specific risks concerning a developer business models.
- Advice on establishing transfer pricing models when establishing presence abroad in new markets or when performing restructurings, including alignment of the transfer pricing model to the business and operating model.
- Assistance defending existing transfer pricing models in transfer pricing audits, and assistance getting future transfer pricing models proactively approved by tax authorities through bilateral or multilateral Advance Pricing Arrangement.
- Guidance on transfer pricing compliance requirements in Denmark and abroad, including preparation of transfer pricing documentation.



Contact information



Emil Peter Hansen
Partner
emhansen@deloitte.dk

Lene Blendstrup Jakobsen
Senior Manager
lenjakobsen@deloitte.dk

Legal

Our Legal department delivers extensive advice within the Energy & Renewables sector and has a team offering a wide range of competences and experience from practical cases.

Our field of legal advice in connection with companies operating within the Energy & Renewables sector ranges widely, including optimising the corporate structure of any group, assessing specific comprehensive contracts or delivering advice within regulatory matters.

Our legal professionals in Deloitte Legal provide in-depth advice such as:

- Advice within renewable energy-, electricity-, waste water-, water-, heating-, and hydrocarbon regulation.
- Assessment of whether it is necessary to establish a branch in Denmark based on specific contracts and/or engagements.
- Analysis of the compliance-level of a company according to statutory requirements and local legislation.
- Guidance regarding complex investment structures in relation to the Energy & Renewables sector.



Contact information



Helle Vestergaard Rasmussen
Partner
hiasmussen@deloitte.dk

Frederik Therkelsen
Consultant
ftherkelsen@deloitte.dk



Deloitte provides industry-leading audit and assurance, tax and legal, consulting, financial advisory, and risk advisory services to nearly 90% of the Fortune Global 500® and thousands of private companies. Our professionals deliver measurable and lasting results that help reinforce public trust in capital markets, enable clients to transform and thrive, and lead the way toward a stronger economy, a more equitable society and a sustainable world. Building on its 175-plus year history, Deloitte spans more than 150 countries and territories. Learn how Deloitte’s approximately 415,000 people worldwide make an impact that matters at www.deloitte.com.

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited (“DTTL”), its global network of member firms, and their related entities (collectively, the “Deloitte organization”). DTTL (also referred to as “Deloitte Global”) and each of its member firms and related entities are legally separate and independent entities, which cannot obligate or bind each other in respect of third parties. DTTL and each DTTL member firm and related entity is liable only for its own acts and omissions, and not those of each other. DTTL does not provide services to clients.

This communication contains general information only, and none of Deloitte Touche Tohmatsu Limited (“DTTL”), its global network of member firms or their related entities (collectively, the “Deloitte organization”) is, by means of this communication, rendering professional advice or services. Before making any decision or taking any action that may affect your finances or your business, you should consult a qualified professional adviser.

No representations, warranties or undertakings (express or implied) are given as to the accuracy or completeness of the information in this communication, and none of DTTL, its member firms, related entities, employees or agents shall be liable or responsible for any loss or damage whatsoever arising directly or indirectly in connection with any person relying on this communication. Please see www.deloitte.com/about to learn more.

© 2023 Deloitte Statsautoriseret Revisionspartnerselskab. For more information, contact Deloitte Global