



Energy & Renewables

Tax & Legal

February 2024

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.



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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.



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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).



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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.



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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.



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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.



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