



Sparking innovative ideas

Asia Pacific Webcast series

Program guide
July – September 2018

Asia Pacific Tax

International Tax

Principal Purposes Test (BEPS Action 6): Making sense of the rule and drawing lessons from the case studies discussed in the deliverable (Part 1)

> 24 July, 2:00 – 3:00 PM HKT (GMT +8)

Host: Christopher Roberge

Presenters: Danny Po, Sunil Shah, and Hooi Beng Tan

Action 6 of the BEPS Action Plan identified treaty abuse, and in particular treaty shopping, as one of the most important sources of BEPS concerns. One of its key measures is the introduction of a general anti-abuse rule based on the principal purposes of transactions or arrangements (the principal purposes test or "PPT" rule) for inclusion in the OECD Model Tax Convention, and by way of the Multilateral Instrument (MLI) its effective inclusion in tax treaties already concluded by all participants in the BEPS Inclusive Framework. In part 1 of this webcast, we'll discuss:

- PPT rule contained in paragraph 7 of Article 10 of the OECD Model Tax Convention.
- Selected case studies discussed in the BEPS Action 6 Deliverable.
- Principles that may be drawn from the discussion of those cases in the deliverable.
- Comments and insights concerning the application of such principles to commonly encountered business models.
- Taxpayer reaction to the introduction of the PPT rule.

Stay updated concerning the impact of the introduction of the PPT rule to commonly used business models.

Principal Purposes Test (BEPS Action 6): Making sense of the rule and drawing lessons from the case studies discussed in the deliverable (Part 2)

> 6 September, 2:00 – 3:00 PM HKT (GMT +8)

Host: Leonard Khaw

Presenters: Sunil Shah, Hooi Beng Tan, and Julie Zhang

Action 6 of the BEPS Action Plan identified treaty abuse, and in particular treaty shopping, as one of the most important sources of BEPS concerns. One of its key measures is the introduction of a general anti-abuse rule based on the principal purposes of transactions or arrangements (the principal purposes test or "PPT" rule) for inclusion in the OECD Model Tax Convention, and by way of the Multilateral Instrument (MLI) its effective inclusion in tax treaties already concluded by all participants in the BEPS Inclusive Framework. In part 2 of this webcast, we'll continue to discuss:

- Selected case studies discussed in the BEPS Action 6 Deliverable.
- Principles that may be drawn from the discussion of those cases in the deliverable.
- Comments and insights concerning the application of such principles to commonly encountered business models.
- Taxpayer reaction to the introduction of the PPT rule.

Stay updated concerning the impact of the introduction of the PPT rule to commonly used business models.



Asia Pacific Tax

International Tax

Practical value chain structures and solutions: Post BEPS and US tax reform

> 27 September, 11:00 AM – 12:00 PM HKT (GMT +8)

Host: Kerry Lambrou

Presenters: Jivan Datta and Brian Pinto

In the current global business climate, companies' supply chains and IP models are being impacted by technology, innovation, and disruption whilst simultaneously facing a rapidly changing and complex tax environment. The goal of this session is to discuss challenges and practical solutions to address the rapidly changing landscape around the Global Tax Reset dominated by BEPS measures and US tax reform in the context of companies' operating models and supply chains. We'll discuss:

- Overview.
 - A world of change
 - Increasing importance of value chain alignment
- US tax reform – planning opportunities and key considerations.
 - Global Intangible Low-Taxed Income (GILTI)
 - Base Erosion Anti-Abuse Tax (BEAT)
- Key developments in Asia Pacific.
- Principal locations going forward.
- Post-reform centralized operating model planning.
 - Intellectual property models
 - Service models
 - Manufacturing models

Join us in this session as we discuss the challenges on the value chain structures and learn how you can navigate them in future landscape.

India Spotlight

India's GST update: When the rubber hits the road

> 26 July, 2:00 – 3:00 PM HKT (GMT +8)

Host: Robert Tsang

Presenters: Parul Anand and Mahesh Jaising

GST is young in India, but growing fast. There are two aspects of India's GST journey into adolescence that you should know. Firstly, in the area of getting certainty in tax positions. Ambiguity in GST positions could lead to incorrect business decisions and potential litigation. Advance rulings could help, and the GST Advance Ruling framework has been expanded significantly to include ongoing transactions and covers the entire range of questions from levy to registration requirements for a taxpayer. How can you use this to your advantage? Is there other alternate dispute resolution options that one should look at? Secondly, India's new GST rules on anti-profiteering are starting to bite and businesses are now being asked to think about how indirect tax affects pricing strategy. What are the new anti-profiteering rules and how do they work? Is your supply chain into, inside, and out of India affected? Are these rules B2C only, or do they affect B2B transactions too? Do the new rules cover both goods and services? We'll discuss:

- Advance ruling and other alternate dispute resolution options.
- Anti-profiteering concepts.
 - Legal framework and the practicalities arising
 - What strategy should your business adopt to cope?

Learn about India's GST position to better prepare yourself on how you can make informed decision for your business and organization.

Increasing thrust on bilateral Advance Pricing

Agreements (APA): Relaxation in Article 9(2) norms in India

> 2 August, 2:00 – 3:00 PM HKT (GMT +8)

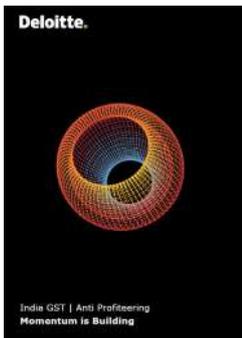
Host: Sanjay Kumar

Presenters: Vishweshwar Mudigonda and Sharon Tan

When the Indian APA program was launched in 2012, most of the taxpayers flocked to file unilateral APAs. This was primarily due to taxpayers seeing the APA as a program which would help them reduce their litigations. The APA program did live up to that expectation and Mutual Agreement Procedures (MAP) resolutions have also picked up. Recently, there is a discernible move towards filing bilateral APAs – in particular the number of bilateral APAs in the overall filing has increased during the last two financial years. This trend is likely to continue during the current year. The Indian government has removed its barrier which includes the requirement of Article 9(2) in tax treaties, the absence of this meant that the Indian competent authorities did not consider they had an obligation to negotiate bilateral APA or MAP in transfer pricing with some countries. Amendments have also been made in tax treaties such as, tax treaties with Singapore and Korea. Those probably are the key reasons for the increase in bilateral APA filings. We'll discuss:

- India's journey of APAs with special attention to bilateral APAs.
- Indian government's objective and vision on its recent move on Article 9(2) of tax treaty.
- Comparison of Indian APA program with other matured APA jurisdictions and questions, in particular, on bilateral APAs and MAP.
- Practical challenges in implementing India's unilateral Act of relaxing Article 9(2) norms.
- Indian authorities' preparedness for increasing flow of bilateral negotiation requests for early disposals.

Learn about the important developments on the Indian APA and MAP program and how does it affect the future landscape in India.



Many businesses have already adjusted pricing post the introduction of GST. Given the ongoing developments, businesses now need to ensure that the action taken meets the obligations of the anti-profiteering law. Businesses should review, refresh, and remediate processes and strategies to ensure ongoing compliance. Visit www.deloitte.com/in or contact your Deloitte contact to help you stay relevant and compliant with the anti-profiteering obligations.

Asia Pacific Tax

Transfer Pricing

Hong Kong's new transfer pricing regime: Adapting to global standards

> 16 August, 2:00 – 3:00 PM HKT (GMT +8)

Host: Leonard Khaw

Presenters: Petrina Chang and Karen Shi

Transfer pricing is a subject of increasing importance for multinationals with significant related party transactions, as jurisdictions across the globe continue to enact new regulations to implement recommendations of the OECD's project to address BEPS. In December 2017, the HKSAR Government released the long-awaited draft amendment bill which, when enacted, will implement a number of measures to address BEPS in Hong Kong. The draft amendment bill attracted attention and commentary from industry and trade bodies, and in response, the Government has made several rounds of changes to the bill, and released a final draft. The law is expected to be finalized in summer 2018. In this session, it will be useful for companies seeking to understand the key legislative measures that have been enacted, how taxpayers should prepare for the new compliance requirements. We'll discuss:

- Transfer pricing rules and the powers of the Inland Revenue Department to make adjustments to non-arm's length transactions.
- Advance pricing arrangements (APA).
- Three-tier transfer pricing documentation requirements.
- Exclusion of "specified domestic transactions" from transfer pricing rules and local file preparation.
- Mechanics for making claims for relief from double taxation.
- The adoption of the authorized OECD approach for the attribution of income to permanent establishments.

Learn more as we discuss the potential impact of the new law in respect of longstanding arrangements and practice adopted by Hong Kong taxpayers.

Transfer pricing and permanent establishment: Insights on new guidance

> 28 August, 2:00 – 3:00 PM HKT (GMT +8)

Host: Cam Smith

Presenters: Mark Carlton, Rohinton Sidhwa, and Manu Sriskantharajah

The concept of permanent establishment (PE) and of digital PEs relies heavily on transfer pricing concepts in one of the most controversial areas of international tax. In this session, we will review the transfer pricing aspects of these recent developments, along with legal and economic insights on potential implications and considerations for taxpayers. We'll discuss:

- The OECD's recently issued updated guidance on the attribution of profits to PEs.
- The EC and individual countries' proposals on the taxation of digital PEs, and resulting legal and technical challenges.
- Perspectives on the OECD's recently issued interim report on taxation of the digital economy in the context of digital PEs.

Join us as we discuss the number of changes to the PE landscape in recent months and how taxpayers may prepare themselves for the coming changes.

Global Mobility, Talent & Rewards

Post tax season update in Asia Pacific: Evolving trends in tax collection by tax offices and audit focus areas

> 30 August, 2:00 – 3:00 PM HKT (GMT +8)

Host: Russell Bird

Presenters: Michele Chao, Anupama Deshpande, Homi Mistry, Kenneth Peh, and Paul Rubinstein

To many people and organizations, tax filing is a regular form-filing exercise and often a repeat of prior year filing. It worked at the time when status-quo was the norm, but now this would pose a number of risks in this rapidly evolving era, especially as tax authorities digitize and leverage mobility information collated from variant sources. Filing positions also become obsolete over time, and incorrect approaches are being inherited. The recent changes to the global tax framework fuelled by the BEPS initiatives will impact the way businesses are structured and further how employees are deployed. We'll discuss:

- How tax authorities are stepping up their activities in securing tax revenue.
- The focus areas where our clients have experienced heightened challenges.
- Technology solutions introduced by tax authorities that not only improve process efficiency, but also enhance scrutiny of income reporting.
- How you should think about mobility tax when facing either a business or deployment structure change.

Join us to learn about the changes we observed over the past tax season and what it means to your organization in mitigating tax risks.



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Asia Pacific Tax

China Spotlight

China tax update: Upcoming insights, challenges, and opportunities

> 4 September, 2:00 – 3:00 PM HKT (GMT +8)

Host: Li Qun Gao

Presenters: Lynch Jiang and Victor Li

In this session, we will provide an update on the latest and important developments in Chinese tax policy and practices. In the international tax arena, there are a few important regulations that were promulgated. In regard to indirect tax, VAT rates were reduced and the threshold for small-scale taxpayers was unified. We will also review the post BEPS transfers pricing rules and practices in China. We'll discuss:

- Bulletin 37 which provides guidance on the administration of Enterprise Income Tax (EIT) withheld on China-source income derived by Non-Resident Enterprises (NREs).
- Bulletin 9 which clarifies certain rules regulating Beneficial Owners (BOs).
- Circular 88 which allows deferral of Withholding Tax (WHT) on dividends paid to foreign investors and reinvested in China.
- Challenges and implications on the VAT rates.
- Lessons learned from the implementation of three-layer Transfer Pricing (TP) documentation, the latest trend of TP audits, and how to manage TP risks.

Join us in this session as we learn more about the updates in China and how they may affect your organization.

M&A Tax

Common tax due diligence, structuring, and post deal tax compliance challenges on acquisitions of B2C businesses

> 11 September, 2:00 – 3:00 PM HKT (GMT +8)

Host: Danny Po

Presenters: Robert Tsang and Janet Zhang

B2C businesses – as one of many different digital economy forms, has its own unique features. The sector poses big challenges in tax administration, especially in relation to indirect taxes like VAT and GST. Any acquisitions of B2C businesses would inevitably face tax due diligence issues. How to structure the deal and ensure its tax compliance post transaction? Are there any underlying indirect tax risks? How do we manage VAT/GST costs effectively? We'll discuss:

- An overview of deal structures and tax impacts on the tax administration.
- Practical case studies.
- Gazing into the crystal ball – implications on the future landscape.

Gain a better understanding of emerging tax issues for B2C businesses and learn how you might mitigate challenges in the coming years.



普通话网络讲座 Chinese Language Webcasts

统一报告标准 (Common Reporting Standard) : 中国大陆金融机构的合规应对及方案建议

> 8月29日上午11时—下午12时 香港/北京时间 (GMT +8)

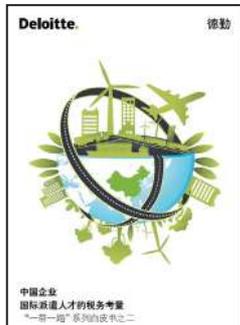
主持人: 俞娜

主讲人: 陆曦及俞娜

Common Reporting Standard (CRS) (统一报告标准) 是始于经济合作与发展组织 (OECD) 对财务帐户信息的互换标准发展出来的概念, 用以推动和建立多边信息自动交换机制, 以强化全球税务合作, 共同打击海外逃税行为。2017年5月, 在CRS背景下, 中国大陆正式发布《非居民金融账户涉税信息尽职调查管理办法》, 该办法对金融机构开展非居民金融账户涉税信息尽职调查工作进行了规范, 管理办法自2017年7月1日起施行, 首次非居民信息申报规定在2018年5月31日前完成。首年信息申报年度的金融同业实施现状如何? 尚未采取行动的机构应如何积极应对? 我们将讨论:

- CRS管理办法的背景及基本介绍。
- 金融机构在CRS管理办法下的合规实施现状。
- 金融机构的持续合规及应对方案建议。

请参与此网络讲座, 深入了解CRS背景下中国大陆金融机构的合规应对及方案建议。



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中国企业
国际派遣人才的税务考量
“一带一路”系列白皮书之二

中国企业国际派遣人才的税务考量

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Our Presenters

Asia Pacific Tax

Australia

Mark Carlton, Paul Rubinstein, Cam Smith, Manu Sriskantharajah

China

Petrina Chang, Li Qun Gao, Lynch Jiang, Leonard Khaw, Victor Li, Kenneth Peh, Danny Po, Christopher Roberge, Karen Shi, Janet Zhang, Julie Zhang

India

Parul Anand, Mahesh Jaising, Sanjay Kumar, Homi Mistry, Vishweshwar Mudigonda, Sunil Shah, Rohinton Sidhwa

Japan

Russell Bird

Malaysia

Hooi Beng Tan

Oman

Robert Tsang

Singapore

Michele Chao, Anupama Deshpande, Kerry Lambrou, Sharon Tan

United States

Jivan Datta, Brian Pinto

普通话网络讲座 Chinese Language Webcasts

陆曦 (Xi Lu), 俞娜 (Natalie Yu)



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