

Structuring Tax Efficient Investments via Holding Companies

-Intermediate Level

(CTIM Members enjoy 50% subsidised rate)

16  CPD points



Date: 1 - 2 November 2012

Venue: Renaissance Hotel, Kuala Lumpur

Event Code: JV/007

Overview and Learning Objectives

This intermediate-level course provides an overview of the tax planning goals and objectives of a multinational group and an in-depth discussion on the use and taxation of holding companies. The course deals with specific tax planning goals and objectives and how such objectives can be achieved through the use of global holding company structures. The course addresses the tax aspects to be taken into account when establishing and dealing with holding companies, sets forth the criteria to be used in evaluating and selecting a holding company location, and offers an overview of the domestic legislation of countries that are often used as a location to establish holding companies.

The course will cover holding companies regimes in Hong Kong and Singapore, and provides an overview of holding companies regimes in Luxembourg, Mauritius, Netherlands as well as the use of Labuan. The course also examines the use of holding companies for financing and intellectual property management activities of multinational groups and focuses on the tax aspects to be taken into account by such group. Finally, a case study session will allow participants to apply the concepts discussed during the course.

This is an interactive course with a maximum of 50 participants. During the course, participants will be provided with a course binder containing documents relevant to the course.

Who should attend?

This course represents an ideal instrument for tax consultants and professionals, lawyers and accountants who wish to gain a complete overview of the taxation of holding companies in Malaysia, with an emphasis on certain jurisdictions, and to better understand how holding companies are utilized in a global planning context.

Course Level and Prerequisites

This is an intermediate level course. Participants should be familiar with the structure of tax treaties and their allocation rules in addition to the domestic law of Malaysia, in particular as it relates to cross-border situations.

Speaker's Profile

Bart Kosters is a Senior Principal Research Associate in IBFD's Tax Services Department. Until January 2010, he was in charge of the IBFD Topicals Knowledge Group and until August 2005 he was the Head of the IBFD Asia-Pacific Research Team. After obtaining his master's degree in Law from the State University of Leiden in 1988, Mr Kosters started working in the Dutch tax administration where he successfully completed the postgraduate programme for tax inspectors. From 1992 to 2001, he was a senior staff member at the Dutch Ministry of Finance where he was responsible for tax treaty negotiations and application as well as for drafting direct tax legislation. From 2006 to 2009, he was the Key Expert Taxation in the European Technical Assistance Programme for Vietnam (ETV2). Furthermore, he is a permanent contributor on international tax matters for a leading weekly tax magazine in the Netherlands and is a regular speaker at tax conferences.

Chris J. Finnerty is an International Tax Partner at Ernst & Young, United States (US). He was previously based in Shanghai, China and was responsible for the leadership of the International Tax Services group for Greater China serving multinationals investing into China, and the region, as well as Hong Kong and China based companies investing abroad. Mr Finnerty has extensive experience in international merger and acquisition and designing and implementing comprehensive integrated solutions that optimize the tax position of US multinationals. In that capacity, he has provided international tax consulting services to numerous global companies over the past 19 years and has significant experience in design, development, and implementation of global holding companies, tax efficient financing, cash repatriation and redeployment structures, and global income migration. He is a frequent speaker and lecturer at firm sponsored global events and various tax organizations internationally, including the Tax Executives Institute and the IBFD.

Julian Wong is a Partner in the International Tax Services group at Ernst & Young, Malaysia. He specializes in tax projects involving debt restructuring, supply chain planning, cross-border acquisitions and project management, and coordination of large scale restructuring and implementation projects. Mr Wong's focus is on assisting outbound clients from Malaysia and coordinating regional Asia-Pacific accounts. He holds a Bachelor of Commerce (Majoring in Accounting) and Laws (LL.B) from Monash University, Australia, and is also a member of the Institute of Chartered Accountants of Australia.

Day 1

08.30 - 09.00	Registration
09.00 - 09.20	Welcome and IBFD Overview
09.20 - 11.00	Overview of Legal and Tax Aspects <ul style="list-style-type: none"> Goals and Objectives of Holding Company Structures <ul style="list-style-type: none"> Legal and Tax Considerations Emerging themes Selection of Holding Company Location <ul style="list-style-type: none"> Tax and Other Parameters Desired Attributes: a Wish-List Holding Company Foundational Structures
11.00 - 11.20	Break – Refreshments
11.20 - 12.45	Goals and Objectives for a Malaysian Company <ul style="list-style-type: none"> Overview of Tax Drivers Anti-Avoidance Rules Labuan as a Holding Company Location Tax Planning Models Current Developments
12.45 - 14.00	Lunch
14.00 - 15.30	Asia-Pacific Holding Company Jurisdictions – Singapore and Hong Kong (plus Mauritius) <ul style="list-style-type: none"> Attractiveness as a Holding Company Location Taxation of Dividends and Capital Gains Participation Exemption Requirements Taxation of interest income and Inter-group Financing Thin Capitalisation rules and Deductibility of Funding Costs Taxation of Foreign Exchange Gains & Losses Anti-avoidance / Controlled Foreign Company (CFC) Rules Taxation of Royalty Income and Inter-group Licensing Capital Duties and Other Indirect Taxes Withholding Taxes on Outbound Payments Double Tax Treaties in Force Accounting Requirements Unwind Considerations
15.30 - 15.50	Break – Refreshments
15.50 - 17.00	Asia Pacific Holding Company Jurisdictions – Singapore and Hong Kong (plus Mauritius) – (continued)

Day 2

09.00 - 11.00	Overview of the Domestic Legislation – the Netherlands and Luxembourg <ul style="list-style-type: none"> Attractiveness as a Holding Company Location Taxation of Dividends and Capital Gains Participation Exemption Requirements Taxation of interest income and Inter-group Financing Thin Capitalisation rules and Deductibility of Funding Costs Taxation of Foreign Exchange Gains & Losses CFC Rules Taxation of Royalty Income and Inter-group Licensing Capital Duties and Other Indirect Taxes Withholding Taxes on Outbound Payments Double Tax Treaties in Force Accounting Requirements Unwind Considerations
11.00 - 11.20	Break – Refreshments
11.20 - 12.20	Overview of the Domestic Legislation – the Netherlands and Luxembourg – (continued)
12.20 - 14.00	Lunch
14.00 - 15.30	Intellectual Property (IP) Management <ul style="list-style-type: none"> IP Management Structures Current Developments IP Transfers
15.30 - 15.50	Break – Refreshments
15.50 - 17.00	Case Study

STRUCTURING TAX EFFICIENT INVESTMENTS VIA HOLDING COMPANIES

Registration Fees

CTIM Member 50% Subsidised Fee RM1,200.00

Course Fee RM2,400.00

Seats are limited based on first-come, first-served basis.

* Registration of participants will be confirmed upon receipt of full payment or an acceptable employers guarantee and settlement of previous outstanding dues.

* Walk-in participant registration is subject to availability of seats and full payment.

* Certificate of Attendance will be issued upon full attendance and receipt of full payment.

Enquiries



Contact Ms Yus / Mr Jason / Ms Fadeah / Ms Ally
Tel: 03-2162 8989 Ext 121/108/113/123
Fax: 03-2161 3207 / 03-2162 8990
E-mail: cpd@ctim.org.my



B-13-2, Block B, Level 13, Unit 2, Megan Avenue II,
No 12, Jalan Yap Kwan Seng,
50450 Kuala Lumpur

Participant's Contact Details

Full Name : _____

Company : _____

I/C Number : _____

Designation : _____

CTIM Membership No : _____

Tel : _____

Postal Address : _____

Fax : _____

Dietary Requirements (if any) : _____

Mobile : _____

Payment Method

I / we hereby enclose

Cash for Amount of RM _____

Card No _____ Expiry Date _____

Cheque No. _____

For Amount of RM _____
(Non-refundable) and made payable to CTIM-CPE

Cardholder's Name (as appeared on credit card)

Please debit my

Direct Access-CTIM Master Card _____
for amount of RM _____

Direct Access-CTIM Visa Card _____
for amount of RM _____

Cardholder's Signature _____ Date _____
(signature must correspond with the specimen signature on card)

Master Card / Visa Card _____
for amount of RM _____

Replacements

Please note registrations for the event are not interchangeable but replacements are acceptable. Please notify us at least three days prior to the event if you intend to send a replacement. CPD points will be allocated to the designated attendee. If the replacement is not a Member but a Member's Firm Staff or Non-Member, the appropriate fees will apply.

Confirmation of Registration

The confirmation letter will be issued 5 days before the commencement of the event. In the event you do not receive the confirmation letter 5 days before the event, please contact us immediately.

Cancellations

The Chartered Tax Institute of Malaysia must receive cancellations in writing five working days prior to the event. No refund will be given for cancellations received within less than five working days of the event.

Disclaimer

The Organiser reserves the right to change the speaker, date, venue or to cancel the event if the number of participants is less than 30. A minimum of 3 days notice will be given.

Membership and Education Programme Promotion

- I am interested in becoming a Member of Chartered Tax Institute of Malaysia, please send me further details
- I am interested in learning more about the Chartered Tax Institute of Malaysia's Education / Examination Programme, please contact me.