

TRANSFER PRICING

- Challenges and Response

Date: 25 March 2014
Time: 9.00am to 5.00pm
Event Code: JV004

Venue: MAICSA Auditorium,
3rd Floor Bangunan MAICSA,
Mid Valley, Kuala Lumpur

Introduction

Transfer Pricing is not a new issue but a subject that has been always present in Malaysian tax laws. The Inland Revenue Board is now paying close attention to Transfer Pricing and with the passing of the Transfer Pricing Rules 2012, companies and individuals can expect this subject to be examined thoroughly should they come under Tax Audits or Investigations. Being a relatively complex matter, many taxpayers have not undertaken sufficient preparations and they would be unable to respond appropriately to action by Revenue.

This is a new area of enforcement by Revenue and participants would be led through all the important aspects of the law and the Transfer Pricing Rules 2012 in particular. In addition, the relevant Guidelines issued by the Director General would also be studied as this is an important document all "related-parties" should be familiar with. The objective is for participants to learn how to manage taxation requirements even before being audited. Two other sub-topics that would be covered are the Trigger Factors under which a taxpayer would be selected for scrutiny and "Contemporaneous Transfer Pricing Documentation" which forms the foundation of a strong justification and defence.

IRB's tax audit and investigation operations, especially on Transfer Pricing, would usually result in additional assessments and penalties. Participants would be guided on how to answer IRB's challenge and pursuing an effective appeal.

Introduction

Transfer Pricing

- Introduction and Amendments
- Transfer Pricing – The Law
- Tangibles and Intangibles
- Transfer Pricing – Trigger Factors
- Acceptable Pricing Methodology
Cross-Border/Inter-Company Transactions
- Transfer Pricing and Arm's Length dealings
- What Constitutes "Related Parties"?
- Control – Directors and Equity
- Transfer Pricing and Individuals
- Establishing Comparability

Transfer Pricing

"Contemporaneous Documentation"

- What is "Contemporaneous Documentation"?
- Who must Prepare and Approve it
- Changes and Reviews
- Internal and External Comparables
- Advance Pricing Arrangements and Advance Rulings
- Lessons from the Glaxo Case
- Revenue Action – Finalisation and Appeals,

Budget Proposals 2014 - Selected Items

Speaker's Profile

Vincent Josef, a former Assistant Director General of the Inland Revenue Board (IRB), had served in various branches and divisions during his 35 years' service. These included the Companies Branch, the Investigations Branch, the Collections Branch and the IRB Headquarters. Prior to his retirement, he was in charge of Branch Evaluation and expanding Tax Payments Through Banks. In addition to managing his tax consultancy practice, he lectures on Malaysian Taxation at various institutions and organisations. Mr Josef recently wrote a book on "Tax Audits and Investigations Guide, Malaysia" published by CCH Malaysia and is also their Consultant Editor. He is a member of CTIM.



■ CTIM 8 CPD POINTS

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COURSE FEE

| | Fee (RM) |
|---------------------|----------|
| CTIM/MAICSA Member | 350 |
| Member's Firm Staff | 400 |
| Non Member | 450 |

Certificate of Attendance will be released upon participant signing the attendance sheet before 10.30am, full attendance and receipt of full payment and after completion of the event.

IMPORTANT NOTES:

For enquiries, please contact

MAICSA

Contact Nik Yuslina

Tel: 03-2282 9276 Ext. 611 or 608 Fax: 03-2283 4492

E-mail: training@maicsa.org.my

Chartered Tax Institute of Malaysia

Tel: 03-2162 8989 Fax: 03-2162 8990

CPD Points: All participants will be presented with a Certificate of Attendance upon full payment of fees and successful completion of the seminar for use in registering CPD points.

Cancellation: Please inform us in writing if you intend to cancel. No refunds are given for cancellation by delegates less than 7 days before the workshop. A 20% administration charge will be retained on other cancellations. Please substitute an alternative delegate if you wish to avoid cancellation penalties. Cancelled unpaid registrations will also be liable for full payment of the course fee. Any difference in fee charges will be imposed when a non-member is substituted for a participant who is a MAICSA / CTIM member.

Disclaimer: The Organisers reserve the right to change the speaker, date and to cancel the workshops should unavoidable circumstances arise.

Invoice: This registration form serves as our official invoice. No further invoice will be issued.

Please fax/email/post this form and submit payment to:-

MAICSA

Bangunan MAICSA,

No. 57, The Boulevard, Mid Valley City

Lingkar Syed Putra

59200 Kuala Lumpur

Fax: 03-2283 4492

E-mail: training@maicsa.org.my

Fee is made payable to MAICSA. Admission will only be permitted upon receipt of full payment.

Payment Details

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Cheque / Bank Draft No. _____ for amount of RM _____ (non-refundable) and made payable to 'MAICSA'.

Please charge RM _____ (non-refundable) to my credit card/debit card: Visa Master (tick ✓ where appropriate)

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Name on the card: _____ Signature: _____
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Contact Person*: _____ Designation*: _____

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| Designated Contact Person: | Manager, Training Division |
| Mailing address: | MAICSA Bangunan MAICSA, No. 57, The Boulevard Mid Valley City, Lingkaran Syed Putra, 59200 Kuala Lumpur |
| Telephone No. : | 03-2282 9276 |
| Fax No. : | 03-2283 4492 |
| E-mail address: | training@maicsa.org.my |

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 - to our vendor (in terms of email address) for the purpose of email blasts on behalf of MAICSA - **applicable to MAICSA members, students and affiliates only**;
 - to our collaborative partner(s) in terms of name for issuance of certificates of attendance in paragraph 3(a); and
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Issued by: MAICSA Training Division

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The Malaysian Institute of Chartered Secretaries and Administrators (“MAICSA” atau “kami”) dikehendaki untuk mematuhi Akta Perlindungan Data Peribadi 2010 (dirujuk sebagai “Akta”) yang mengawal selia pemprosesan data peribadi dalam transaksi komersial. Untuk tujuan Notis Data Peribadi ini, terma-terma “data peribadi” dan “pemprosesan” akan mempunyai maksud sepertimana ditakrifkan dalam Akta.

Notis Data Peribadi ini adalah digunakan terhadap mana-mana pihak yang data peribadinya diproses oleh MAICSA atau bagi pihak MAICSA.

1. Notis Data Peribadi ini bertujuan untuk memaklumkan anda bagaimana data peribadi anda diproses oleh MAICSA.
2. Data Peribadi anda yang diproses oleh kami mungkin termasuk nama, jawatan, nama syarikat, maklumat perhubungan, alamat emel dan apa-apa data peribadi lain yang diperlukan untuk tujuan yang dinyatakan dalam perenggan 3 di bawah.
3. MAICSA bakal menggunakan data peribadi anda untuk tujuan berikut (secara keseluruhan merujuk kepada “Tujuan”):
 - (a) untuk memproses borang pendaftaran anda untuk program latihan (termasuk persidangan) yang dianjurkan oleh MAICSA dan anjuran kerjasama entiti-entiti yang lain dan untuk tujuan pentadbiran seperti senarai kehadiran, pengeluaran invois, resit dan sijil kehadiran;
 - (b) untuk berkomunikasi dengan anda tentang pengesahan program latihan dan sebarang perkara yang berkaitan dengan program latihan/persidangan MAICSA;
 - (c) untuk memaklumkan anda apa-apa perubahan pada program latihan yang melibatkan anda;
 - (d) untuk penghantaran resit dan sijil kehadiran melalui pos;
 - (e) untuk lain-lain tujuan pentadbiran yang berkaitan dengan Tujuan yang dinyatakan di atas.
4. Data peribadi anda dikumpul dari pelbagai sumber maklumat, termasuk maklumat yang telah anda berikan kepada kami, maklumat daripada pihak-pihak ketiga dan maklumat dalam domain awam.
5. Anda mungkin boleh mengakses dan meminta untuk pembetulan data peribadi anda. Sila hubungi kami melalui maklumat perhubungan yang dinyatakan di bawah sekiranya anda mempunyai apa-apa pertanyaan atau aduan berkenaan dengan data peribadi anda:

| | |
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| Perjawatan orang yang boleh dihubungi | Pengurus, Divisyen Latihan |
| Alamat pos: | MAICSA Bangunan MAICSA, No. 57, The Boulevard, Mid Valley City, Lingkaran Syed Putra, 59200 Kuala Lumpur |
| No. Telefon: | 03-2282 9276 |
| No. Faks: | 03-2283 4492 |
| Alamat Emel | training@maicsa.org.my |

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- a) MAICSA mungkin mengenakan bayaran sehingga RM10 (untuk data peribadi) dan RM30 (untuk data peribadi yang sulit) untuk memproses permintaan anda untuk mengakses data peribadi anda; dan
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 - ii) kepada entiti-entiti yang lain yang menganjurkan program latihan bersama MAICSA, dari segi nama peserta untuk pengeluaran sijil kehadiran seperti yang dinyatakan di perenggan 3(a); dan
 - iii) dimana pendedahan maklumat itu perlu atau diberi kuasa oleh undang-undang atau atas perintah Mahkamah.
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 8. Sekiranya tidak dinyatakan sebaliknya oleh kami pada masa pengumpulan data peribadi, adalah wajib bahawa anda membekalkan data peribadi anda yang diminta oleh pihak kami. Kegagalan untuk membekalkan kami dengan data peribadi anda, boleh menyebabkan Tujuan di atas tidak dapat dilaksanakan.
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Kami ingin menghantar maklumat tentang program latihan anjuran MAICSA pada masa akan datang melalui emel atau faks. Sekiranya anda tidak bersetuju untuk dihubungi dengan cara ini, sila tandakan “X” pada kotak ini ***tidak digunakan untuk ahli MAICSA, pelajar dan affiliate***

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Dikeluarkan oleh: Divisyen Latihan MAICSA