

# Transfer Pricing Documentation Country by Country Report and BEPS

Date	Venue	Event Code
26 June 2018	Renaissance Hotel, Kuala Lumpur	18WS/034
28 June 2018	Mutiara Hotel, Johor Bahru	18WS/035

**Time :** 9.00am - 5.00pm

## Introduction

The introduction of country-by-country reporting requirements in Budget 2017 and the widespread sharing of that and other information by tax authorities in the future will ensure that the transfer pricing policies of multinationals are scrutinised like never before. This will lead to more transfer pricing queries by tax authorities, likely leading to challenges, disputes, full-scale audits, adjustments and ultimately double taxation. Multinationals need to act promptly to protect themselves.

A significant volume of global trade consists of international transfers of goods and services, capital (such as money) and intangibles (such as intellectual property) within an MNE group. There is evidence that intra-group trade is growing steadily and arguably accounts for more than 30 per cent of all international transactions. In addition, transactions involving intangibles and multitiered services constitute a rapidly growing proportion of an MNE's commercial transactions and have greatly increased the complexities involved in analysing and understanding such transactions.

In such a situation, it becomes important to establish the appropriate price, called the "transfer price", for intra-group, cross border transfers of goods, intangibles and services. Transfer pricing refers to the setting of prices for transactions between associated enterprises involving the transfer of property or services.

There is a risk that taxpayers, especially MNEs, will be faced with a multiplicity of approaches to applying the arm's length standard in practice that can lead to compliance burdens and the risk of unrelieved double taxation. This can be the case even where there is no issue of tax avoidance or evasion, because of the scope for differences of view about what the arm's length price would be in a particular case.

The practical issues and a detailed discussion on the Transfer Pricing Documentation requirements as well as the country by country reporting requirements will be carried out by the speaker during this seminar.

## Objectives

- To highlight the Malaysian TP Rules and Guidelines
- To discuss and brainstorm on the concept of the arm's length principle
- To explain the TP Documentation requirements
- To elaborate on the Arm's Length Pricing Methodologies
- Conduct a detailed discussion on the Functional analysis
- Discussion about comparability analysis and the factors determining comparability
- Understanding TP and Double Taxation Agreements
- Managing the TP function in a MNE
- Updating on the Base Erosion and Profit Shifting (BEPS) developments
- Explaining about the Country by Country Reporting requirements
- Case Studies

## Methodology

The workshop will be conducted with PowerPoint presentations, discussions, case studies and sharing of real life example. Recent tax developments, case laws and Public Rulings and the recently Gazetted Finance Act 2017 will be discussed.

## Who Should Attend

- Finance Directors
- Chief Financial Officers
- Financial Controllers
- Finance Managers
- Accountants
- Auditors
- Tax Managers
- Tax Consultants
- Company Secretaries
- Business Advisors

## Speaker's Profile

Harvinder Singh is a Fellow of the Chartered Association of Certified Accountants and is a member of the Malaysian Institute of Accountants (MIA) as well as the Chartered Tax Institute of Malaysia (CTIM). Harvinder was attached to the firms of Pricewaterhouse Coopers and Ernst & Young as a tax consultant and is currently the Managing Partner of Harvey & Associates, a boutique firm that specialises in taxation consulting services as well as a Partner in SCS Global Consulting (M) Sdn Bhd. He has more than 20 years of experience in the field of taxation. He is currently serving as the Chairman of the Editorial Board of the Budget Commentary and Tax Information Booklet which is produced jointly by MIA, CTIM and the Malaysian Institute of Certified Public Accountants. Harvinder has extensive experience in taxation advisory, transfer pricing documentation preparation, tax planning as well as tax audits and investigations and he serves as a tax consultant to various MNEs and other organisations.

