

Cross Border Transactions and Withholding Tax

Date : 4 August 2020, Tuesday
Venue : Berjaya Times Square Hotel, Kuala Lumpur
Time : 9.00 am – 5.00 pm
Event Code : 20WS/041

The tax issues connected to cross border transactions can be complicated. These include withholding tax implications, tax treatment of “foreign source income” and the related expenses and the consequences of sales of assets between controlled parties, to name a few. This workshop will take the participants through a detailed discussion on the important areas to be considered to ensure that the tax affairs of the relevant parties engaged in cross border transactions are adequately addressed.

Cross border transactions encompass transfer of goods, services, capital, and technology. It is possible that more than one country has a taxation claim on income from such transactions. As a consequence, the same income may be taxed twice i.e. Economic Double Taxation Occurs. As such, Double Taxation Agreements play an important role in providing relief.

- ◆ Overview of taxation issues for outbound and inbound investments
- ◆ Withholding tax and permanent establishment considerations
- ◆ Royalties, interest, technical fees and withholding tax implications
- ◆ Special Classes of Income under Section 4A of the Income Tax Act, 1967
- ◆ Section 109B vs Section 107A of Income Tax Act, 1967 - how it is applied in practice
- ◆ Rules to consider in determining if income is Malaysian derived income
- ◆ Steps to determine if income remitted to Malaysia is foreign or Malaysian sourced
- ◆ Determination of Permanent Establishments and the income tax implications
- ◆ Tax treatment of cross border sales / purchases of assets
- ◆ The OECD Model Treaty - a discussion
- ◆ Double Taxation agreements
- ◆ Avoidance of double taxation
- ◆ Tax havens and overseas holding company structures
- ◆ Anti-avoidance issues
- ◆ Case studies

Objectives of Tax Treaties (Double Taxation Agreements)

- ▶ Primary Objectives
 - Avoidance of Double Taxation
 - Prevention of Fiscal Evasion
- ▶ Secondary Objectives
 - Promote international trade
 - Create certainty and tax stability
 - Provide mechanism for resolution of international disputes
 - Promote tax incentives by the developing countries
 - Allocate taxing rights between contracting states
 - Prevent tax discrimination

The Speaker will share his vast experience and knowledge of the factors that need to be considered in ascertaining the Malaysian taxation implications arising as a result of engaging in cross border transactions.

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.

Please note that the CPD points awarded qualify for the purpose of application and renewal of tax agent license under Section 153, Income Tax Act, 1967.

Please present your identification card upon registration and collection of certificate of attendance for verification purposes. Registration and collection of the certificate of attendance on your behalf is not allowed.

Face-to-Face Training During the COVID-19 Pandemic
The face-to-face training will be conducted according to the COVID-19 Standard Operating Procedure (SOP) and guidelines issued by the authorities.

Registration Form

Please retain original copy for your records. | Please photocopy for additional delegates. | Registration can be made via fax.

Cross Border Transactions and Withholding Tax

Registration Fees

- CTIM/ACCA Member RM424.00
 Member's Firm Staff RM530.00
 Non-Member RM636.00

*The above registration fees are inclusive of 6% Service Tax effective from 1 March 2019.

- * Seats are limited and based on first-come, first-served basis
- * Registration of participants will be confirmed upon registration, receipt of full payment or an acceptable employers guarantee and settlement of previous outstanding dues.
- * All outstanding payment must be received on or prior to the date of the event for participants to be allowed to attend. The Institute reserves the right to cancel the registration if no payment is received prior to or on the date of the event.
- * Walk-in participant registration and attendance is subject to availability of seats and full payment.
- * Certificate of attendance will only be released upon participant signing the attendance register before 10.30am, full attendance and after completion of the event.

Enquiries



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Participant's Contact Details

Full Name : _____

Company : _____

I/C Number : _____

Designation : _____

Membership No : CTIM _____

Tel : _____

ACCA _____

Fax : _____

Member's Firm Staff _____

Email : _____

Company Address : _____

Mobile : _____

Vegetarian

Payment Method

- Online Payment via JomPAY



Bill Code: 21790
 Ref-1: Event Code
 Ref-2: Mobile Number

JomPAY online at Internet and Mobile Banking with your Current, Savings or Credit Card account

- Cash for Amount of RM _____

- Cheque No. _____
 For Amount of RM _____

*All cheque should be made payable to "CTIM-CPE"

- MASTER / VISA Credit Card

For amount of RM _____

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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.

Cancellations

The Chartered Tax Institute of Malaysia must receive cancellations in writing five working days prior to the event. Refund amount is subject to deduction of administration and finance charges. No refund will be given for cancellations received within less than five working days of the event.

Confirmation of Registration

The confirmation letter will be emailed 5 days before the commencement of the event upon receipt of full payment. In the event you do not receive the confirmation letter 5 days before the event, please contact us immediately.

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 20. A minimum of 3 days notice will be given.

Recording

Video / Sound recording is strictly prohibited.