



10th IBFD International Tax Conference

Selected international tax issues and transfer pricing in China and around the globe

Programme 17 October 2019

Shenzhen, China



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Introduction

The development of international taxation is an ongoing process. In 2019, the tax world is in the middle of the implementation of BEPS actions by many countries, and corporations with cross-border transactions and tax administrations are working hard to adapt their domestic tax rules or treaties to comply with the new and ever-changing international tax rules. In an era of the post-BEPS, IBFD continues to commit itself to promoting the development of international taxation and to supporting the international tax community facing the tax challenges. The IBFD annual International Tax Conference is the event through which we aspire to achieve our goal in China.

This year's conference – **the 10th IBFD International Tax Conference: Selected tax issues and transfer pricing in China and around the globe** – will be held on 17 October 2019 at the Shenzhen Marriott Hotel Nanshan in Shenzhen. The conference of this year is different in two aspects. Firstly, it is the first time that IBFD is hosting its annual conference in Shenzhen, a city that has become a leading global technology hub and Chinese Silicon Valley since the start of China's "opening up" policy. Secondly, the conference has been extended from a half-day to a one-day event to accommodate a special afternoon session. For this afternoon session, we have specially invited experts from the State Taxation Administration, the tax administrations of several European countries and tax representatives of multinational enterprises to discuss transfer pricing, which remains an anti-tax avoidance focus of many tax administrations.

About the topics

Taxation of the digitalized economy

It has long been recognized that the current international tax rules need to be revised to address taxation of the digitalized economy. On the basis of the current rules with regard to nexus and allocation of profits, companies may, due to a lack of physical presence, generate enormous amounts of profit without being taxed or being minimally taxed in the jurisdictions where the value is created by users and the market. Action 1 of the OECD's BEPS Project describes this problem. As a follow-up, the OECD published an Interim Report in 2018 and, more recently, a Public Consultation Document (in February 2019) and Programme of Work (in May 2019) in the hope that a consensus on how to tax the digitalized economy will be achieved in 2020. In the meantime, several countries have already taken the initiative to tax social media platforms, search engines or online marketplaces. At the conference, an IBFD expert will update the audience on the latest developments and provide an analysis of the main issues.

Taxpayers' rights

In an environment with the wide use of data and ever-changing complex tax rules, many issues have emerged in respect of taxpayers' privacy, uncertainty and right to information. Taxpayers' rights have increasingly become a subject that attracts attention. In early 1990, the OECD already issued a Practice Note on Taxpayers' Rights and Obligations, and the State Taxation Administration has improved its taxpayers' services in the past 10 years. Three years ago, IBFD launched a study in this area and since then has organized three conferences to address this issue. Considering the increased importance of the subject, IBFD would like to take the opportunity at its annual conference in Shenzhen to promote and encourage further discussion on this subject in China.

Transfer pricing

Transfer pricing remains a challenging tax issue for both taxpayers and tax administrations around the world. Although there is a certain degree of consensus on the arm's length principle, countries have different views on many transfer pricing issues. The definition, identification and valuation of intangibles and the allocation of profits in the context of the digitalized economy are two examples. As transfer pricing always involves more than one tax jurisdiction, international tax cooperation is not only desirable, but also necessary. The afternoon session of this



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conference will be devoted entirely to transfer pricing and, together with IBFD, officials from the OECD, State Taxation Administration, several European countries and partners from Maisto e Associati in Italy will discuss transfer pricing in depth and deliver contributions to the process of seeking possible solutions for pressing and complex transfer pricing problems.

About the speakers

As with previous IBFD annual conferences in China, IBFD has strived to invite speakers that can provide views from different angles. Apart from the keynote speaker from IBFD, competent high-ranking tax officials from the State Taxation Administration will speak at the conference. Moreover, this year's conference will welcome tax officials from selected European countries to speak at a panel discussion in the afternoon session.

Traditionally, the taxpayer's point of view is an important part of the discussion at the conference. IBFD will therefore invite a company to share their experience and to voice their concerns and problems. On top of that, Maisto e Associati, a tax firm based in Milan, Italy, will be invited to give their views on the issues to be discussed.

The objective and purpose of the IBFD International Tax Conference is to provide a platform for information and discussions. In the end, we have a common interest: resolving or minimizing tax problems in the international trade and investment.

What does this conference offer attendees?

- ▶ presentations and insights provided by distinguished speakers on a complimentary basis;
- ▶ simultaneous English and Chinese translations;
- ▶ lunch on a complimentary basis;
- ▶ a 2-week free trial of the IBFD Tax Research Platform; and
- ▶ meeting other tax professionals and peers.



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09:00 – 09:30 Registration

09:30 – 09:45 Opening address

Speaker:

Jan Maarten Slagter, CEO of IBFD

09:45 – 10:30 What is the way going forward? Taxation of the digitalized economy

With a focus on:

- ▶ the developments on new international tax rules with regard to nexus and the allocation of taxing rights;
- ▶ the proposals for and (potential) adoption of digital tax by several countries; and
- ▶ the impact on traditional business.

Speaker:

To be determined, IBFD

10:30 – 11:00 Shenzhen tax administration's role in the "Belt and Road Initiative" and work of anti-tax avoidance

With a focus on:

- ▶ Shenzhen's role in the "Belt and Road Initiative" – tax services for taxpayers;
- ▶ current work on anti-tax avoidance; and
- ▶ tax cooperation with the Hong Kong tax authority.

Speaker:

Guojun Zhang, Commissioner of the tax administration of Shenzhen

11:00 – 11:20 Coffee/tea break

11:20 – 12:00 Taxpayers' rights

With a focus on:

- ▶ the recent work on taxpayers' rights;
- ▶ the main issues regarding taxpayers' rights; and
- ▶ how to improve certainty for taxpayers in the post-BEPS era.

Speaker:

To be determined, Corporate representative and IBFD

12:00 – 13:15 Lunch

Afternoon Session: EUROPE CHINA TRANSFER PRICING FORUM

13:15 – 13:30 Opening address of afternoon session

Speaker:

Victor van Kommer

Director of Tax Services, IBFD

13:30 – 14:15 Recent developments in the transfer pricing landscape in China

With a focus on:

- ▶ transfer pricing in China from a tax administration's perspective;
- ▶ specific transfer pricing issues in China; and
- ▶ the way forward in China in respect of transfer pricing tax administration.

Speaker:

Yi Wang

Director Anti-tax avoidance unit of International Taxation Department of State Taxation Administration

14:15 – 15:00 Recent developments in the transfer pricing landscape in Europe

With a focus on:

- ▶ EU dispute resolution Directive;
- ▶ Joint audits
- ▶ ICAP and impact on transfer pricing risk assessment
- ▶ Impact of OECD initiatives on digital economy on the general TP frameworks.

Speaker:

Paolo Valerio Barbantini

Deputy Head of Italian Revenue Agency

15:00 – 15:30 Coffee break

15.30 – 17.15 Roundtable discussion: Current Transfer Pricing Issues in the cross border relations between Europe and China

Roundtable discussion:

With a focus on:

- ▶ the definition of intangibles and their situs for transfer pricing purposes;
- ▶ transfer pricing model for manufacturers;
- ▶ transfer pricing model for distributors;
- ▶ transfer pricing and R&D
- ▶ ensuring the application of the ALP: the year-end adjustments;
- ▶ preventing double taxation caused by transfer pricing: Bilateral APA between China and European countries
- ▶ eliminating double taxation caused by transfer pricing: MAP between Europe and China

Moderators:

Tizhong Liao

Director-General of International Taxation Department of State Taxation Administration



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Guglielmo Maisto
Founding partner of Maisto e Associati
Member of Board of Trustee IBFD

Panellists:

Simone Di Vaia (head of MAP/BAPA office – Italian Revenue Agency)
Arnaud Sage (French Competent Authority)
Forest Young (Siemens)
Bruno Gibert (EU JTPF)
Tony Dong (KWM)

17:15 – 17:45 Closing remarks

Speakers

Zhiyong Zhang
Chairman of China International Tax Research Institution
Former Deputy Commissioner of State Taxation Administration
Member of Board of Trustees of IBFD

Registration and venue

How to register

If you are interested in attending the 10th IBFD International Tax Conference on 17 October 2019, please register online:

English: <https://www.ibfd-conferences.org/10th-ibfd-internationaltaxconference>

中文/Chinese: <https://www.ibfd-conferences.org/10th-ibfd-internationaltaxconference/cn/register>

For more information, you can contact IBFD at info@ibfd-conferences.org or call Ms Kun Li at +86-10-5907 1260.

The venue

The event will be held at:
Shenzhen Marriott Hotel Nanshan
No. 88, Haide Yi Road, Nanshan District
518054 Shenzhen, China
Tel: +86-755-8666 6666

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