



Introduction

International tax and transfer pricing are primary focus areas for revenue authorities globally. The upsurge of foreign investments and cross-border transaction across Africa requires tax and finance professionals with a deep knowledge of transactional tax, international tax and transfer pricing.

Deloitte School of Tax in partnership with International Bureau of Fiscal Documentation (IBFD) is pleased to invite you to a three day international tax and transfer pricing workshop to be held from the 20 to 22 September at Sarova Whitesands Resort in Mombasa.

The workshop will feature IBFD international tax experts and East and Central Deloitte international tax practitioners. The workshop will focus on the international tax aspects of a corporate structure.

Program Outline

Day 1

Time	Activity
07:30 - 08:30	Registration
09:00 - 10:45	Current Trends in international tax planning <ul style="list-style-type: none"> • Corporate international tax planning in context • What is aggressive tax planning? • OECD reports on Base Erosion and Profit Shifting • Other international developments – FATCA and exchange of information • Impact on multinationals and their international tax planning structures
10.45 - 11.00	Break – Refreshments
11.00 - 12.45	International Tax Considerations in Corporate Tax Planning <ul style="list-style-type: none"> • Examples of common holding/financing/captive insurance structures • Structuring of R&D activities and intangibles • Application of international tax principles <ul style="list-style-type: none"> – Treaty entitlement – Capital gains taxation under tax treaties – Transfer pricing considerations in intra-group finance – Substance considerations under international tax principles – Transfer pricing considerations in the structuring of R&D activities and intangibles • Application of anti-avoidance rules <ul style="list-style-type: none"> – CFC rules – Thin capitalization rules – Specific anti-hybrid rules – Anti-tax haven rules – Treaty anti-abuse rules
12.45 - 13.45	Lunch
13.45 - 15.30	International Tax Considerations in Corporate Tax Planning <i>(Continued)</i>
15.30 - 15.45	Break – Refreshments
15.45 - 17.00	Case Study

Day 2

Time	Topic and Brief Outline
09.00 - 10.45	<p>The Role of Tax Treaties in Corporate Tax Planning</p> <ul style="list-style-type: none"> • Importance of tax treaties in corporate tax planning • Treaty residence and treaty entitlement • What is “liable to tax”? • Treaty tiebreaker rules for dual residents • Treaty shopping and “abuse of treaty” • Beneficial ownership concept in corporate tax planning • Application of domestic anti-avoidance measures • OECD/G20 BEPS Action Plan – Action 6 • Practical examples and cases
10.45 - 11.00	<p>Break – Refreshments</p>
11.00 - 12.45	<p>Special Considerations in Capital Gains Tax Planning</p> <ul style="list-style-type: none"> • Article 13 of the OECD Model Tax Convention • Direct vs indirect disposal of shares • Disposal of real estate and real estate companies/entities • The role of tax treaties in capital gains planning • Examples and cases
12.45 - 13.45	<p>Lunch break</p>
13.45 - 15.30	<p>Concept of Permanent Establishment (PE) in Corporate Tax Planning</p> <ul style="list-style-type: none"> • Fixed place of business PEs • Agency PEs • Services PEs • PEs in business restructuring • PEs in the digital economy • Practical examples and recent case law • OECD/G20 BEPS Action Plan – Action 7
15.30 - 15.45	<p>Break – Refreshments</p>
15.45 - 17.00	<p>Case Study</p>

Day 3

Time	Topic and Brief Outline
09.00 - 10.45	Transfer Pricing (TP) Principles and Corporate Tax Planning <ul style="list-style-type: none"> • Importance of transfer pricing principles in corporate tax planning • New international transfer pricing guidelines under Actions 8, 9 and 10 of OECD BEPS Action Plan <ul style="list-style-type: none"> – Re-characterization and non-recognition – Allocation of risks – Remuneration for functions, assets and risks • Application of OECD Transfer Pricing Guidelines on intra-group services and financial transactions • Current controversies and some examples • Practical examples
10.45 - 11.00	Break – Refreshments
11.00 - 12.45	Transfer Pricing Aspects of Global Value Chains <ul style="list-style-type: none"> • The application of the arm's length principle to global value chains • Global supply chain structures in the post-BEPS era • Chapter IX of the OECD Transfer Pricing Guidelines on business restructuring <ul style="list-style-type: none"> – what can the taxpayers rely on? – what can the tax administrations adjust? • Current controversies and some examples <ul style="list-style-type: none"> – Market premium and location savings – Marketing activities – Synergies • Practical examples and cases
12.45 - 13.45	Lunch break
13.45 - 15.30	Transfer Pricing Aspects in the Structuring of R&D Activities and Intangibles <ul style="list-style-type: none"> • Transfer pricing considerations in intangibles tax planning <ul style="list-style-type: none"> – Re-characterization and non-recognition – Allocation of risks – What are intangibles for transfer pricing purposes? – Entitlement to intangibles related returns – Valuation of intangibles – Ex-post adjustments for hard to value intangibles • Practical examples and cases
15.30 - 15.45	Break – Refreshments
15.45 - 17.00	Case Study

Instructors Bios

Tamás Kulcsár

Tamás Kulcsár is the Manager of International Tax Training (ITT) at IBFD specialized in international tax law. He is also a contracted expert of the International Monetary Fund (IMF). Before joining ITT, Mr Kulcsár was responsible for the EU desk at the IBFD Knowledge Centre. He also worked for the International Fiscal Association, the European Commission and the Hungarian government in different managerial roles. After obtaining a JD and a postgraduate degree in Economics from Hungary, he acquired an Advanced Diploma in International Taxation from the Chartered Institute of Taxation (United Kingdom) and an LLM in Tax from the University of London, Queen Mary College (United Kingdom).

Premkumar Baldewsing (AKA Boyke Baldewsing)

Boyke Baldewsing is a Principal Research Associate at IBFD. He has extensive experience in the (inter)national tax arena. Mr Baldewsing has also worked as an international tax expert for various Big Four and law firms. His experience covers, inter alia, tax advice, tax opinions, chairing technical meetings, coaching junior tax professionals, managing client portfolios, and advising on and negotiating tax rulings. Mr Baldewsing has been a senior registrar at the Tax Chamber of the Court of Appeal in The Hague for four years, and has also been a co-writer of several tax articles, and visiting lecturer at Nyenrode University. Mr Baldewsing has a master's degree in Tax Law from the University of Leiden.

Fred Omondi – East and Central Africa TP expert

Fred is a Tax Partner in Deloitte East Africa. He has over 12 years' experience in various aspects of taxation including tax reviews/ health-checks, handling tax audits, transfer pricing, international tax issues and advising clients on tax issues relating to business set up and restructuring. He has assisted many organizations, both local and multinational, in managing their tax affairs. Fred has built a solid reputation in handling tax controversy - tax audits by the KRA including representing clients at the Kenya Tax Tribunal; (KRA audits and dispute resolution), leading tax advisory engagements including advisory on set-up and tax efficient structures; managing tax compliance assignments and reporting, working in conjunction with audit team and client personnel; Tax due diligence and tax reviews; advising on tax implications of major transactions; carrying out transfer pricing documentation assignments and resolving transfer pricing audit cases; and facilitating staff training and client workshops on taxation.

Doris Gichuru – East Africa TP expert

Doris Gichuru is a manager in Deloitte East Africa transfer pricing team. She has extensive experience in transfer pricing planning and documentation including carrying out an in-house implementation of the transfer pricing policy for a large multinational company in East Africa.

Doris spent over 2 years in South Africa specialising in transfer pricing where she was engaged in documentation and revenue authority audit support work for some of South Africa's largest mining, energy, financial services and pharmaceutical companies. Doris also has seven years' experience in corporate and international tax including industry experience as a group tax manager for East Africa Breweries Limited.

Who should attend?

- Chief Finance Officer
- Group Tax Manager
- Group Finance Officer
- Finance Manager
- Tax Manager
- Finance or Tax Senior Consultant

Registration

Registration should be done before September 10th 2017. The fee is exclusive of local taxes.

Early Bird (pay before August 25th) - \$990

Regular/On-site (pay after August 25th) - \$1,100

Method of payment

Please make all payments payable:

Bank	Barclays Bank of Kenya
Branch	Westlands
Account Name	Deloitte & Touche
Account Number	0227213736
Code	BARCKENX

Included in the workshop

- Workshop session materials
- Breakfast, Lunch & Coffee breaks
- Case studies

Housing and Travel

Hotel information

The workshop will be held at Sarova Whitesands Resort. While it will be most convenient for you to stay at the workshop venue, we have a number of good hotels in close proximity to Whitesands. Please see the list of recommended hotels below and accompanying contact details.

Please note that any accommodation too far from the conference venue might necessitate some travel, using cabs, to get to Whitesands Hotel.

Hotel Name	Contacts	Email Address	Contacts	Distance from Workshop Venue
Sarova Whitesands Beach Hotel	Hannah Nderi	Hannah.nderi@sarovahotels.com	+254 722 319 005	N/A
Traveller’s Beach Hotel	Vivian	reservations@travellershtl.com	+254 720 648 708	Next Door (500m)
Kahama Hotel	Cecilia	kahamahotel@gmail.com	+254 720 593 388	1.1 KM
Pride Inn Mombasa	Mubeen A. Shah	mubeen@prideinn.co.ke	+254 721 537 142	3.6 KM
Mombasa Continental	Zipporah	zippy@mcr.kengahotels.co.ke	+254 722 325 579	5.4 KM

Airport Information

Moi International airport handles local and international traffic with more than eighteen airlines flying directly from and to Europe, and offering connections to over twenty cities in the region. The airport is located 19.2km from the Sarova Whitesands Resort (the chosen venue for the workshop).

While the Hotel is only a 45 minutes’ drive from the Airport under normal traffic conditions, please allow for about 1.5 hours travel time; to and from the airport. This will cushion you against any traffic snarl-ups you may encounter.

Transportation to Sarova Whitesands

- **Uber:** We recommend that you take an Uber from the airport to the hotel. However, other approved taxi/cab providers are available at the airport;
- **Hotel Shuttle services:** Most of the recommended hotels can arrange for airport transfers for their guests on request. Kindly confirm this with the hotel you will book your accommodation with;
- **Transfer arrangements:** Kindly reach out to Vera Adongo should you need us to make airport transfer arrangements for you. The charges for the transfer will be billed to you together with the training fees; and
- **Emergency contact:** kindly reach out to Vera Adongo on 0717-204682 should you need help upon landing at Moi International Airport.

Traveling to Mombasa, Kenya from abroad

Please be sure to check whether your preferred Airline has direct flights to Moi International Airport in Mombasa.

Don’t worry about it if your preferred airline does not have direct flights to Mombasa. You can take a connection flight from the Jomo Kenyatta International Airport to Moi International Airport Mombasa – which takes about 45 minutes.

The following is a schedule of airlines that fly to Moi International Airport from Jomo Kenyatta International Airport Nairobi.

Country	City	Airline
Kenya	fly to Mombasa	with Kenya Airways
		with Jambo Jet
		with Fly 540
		with Fly Sax



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