

Minutes of the ITPG Winter Meeting in Marbella on February, 20th 2015

Chairman: Oliver Biernat

Secretary: Jana Hartig

Participants:

Country	Company	Name	Email
Belgium	ACCO ACCOUNTANTS	CAMPS, Filip	filip@accogroup.be
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09:00 to 09:30 (30 min)

Oliver Biernat: Comtax training for users and those who might be interested to use a tax planning software

09:30 to 09:40 (10 min)

Oliver Biernat / Hosts: Welcome to ITPG Winter Meeting Marbella, Presentation of Agenda, Introduction of first time-attendees of an ITPG meeting.

09:40 to 11:30 (110 min)

Robert Anthony: Case Study on international holding and trade companies (Part 1):

Explanation of case by Robert Anthony

Formation of 6 groups with the task to find best solution for the given case; each group working separately on the case

Groups:

- Green group: Tobias Wilhelm (Switzerland), Santiago Lapausa (Spain), Sonal Shah (UK), Brian Marita (USA), Artur Plutowski (Poland), Knut Einar Rishovd (Norway)

- Blue group: Marian Augustin (Slovakia), Asish Bairagra (India), Alan Rajah (UK), Graeme Saggars (South Africa), Csaba Valentik (Switzerland), Dr. Sergio Finulli (Italy)

- Black group: Stanley Ruchelman (USA), Robert Worthington (Canada), Naomi Lawton (UK), Matteo Bedogna (Italy), Federico Grossi (Italy), Andrea Angheleddu (Italy)

- Orange group: Huub Kapel (Netherlands), Douglas Dickey (USA), Steven McCrindle (UK), Fernando Frühbeck (Spain), Filip Camps (Belgium), Simona Cucchi (Italy),

- Purple group: Julie Bryant (UK), Viviane Moro (France), Bärbel Wierzoch (Germany), Claudine Heinrich (France), Oyvind Baltzersen (Norway)

- Pink group: Carlos Frühbeck (Spain), Thomas Ditges (Germany), Simone Voeste (Germany), Camilo Torres Romero (Colombia), José Carreras (Mexico), Marc Nideröst (Switzerland)

Jury:

Robert Anthony (France), Oliver Biernat (Germany), Claudio Cocca (Switzerland)

11:30 to 12:00: Coffee Break

12:00 to 14:20 (140 min)

Robert Anthony: Case Study on international holding and trade companies (Part 2)

10 min. presentation of each group incl. Q&A

Final decision of Jury on winning team: Team Purple

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09:40 to 10:10 (30 min)

Ashish Bairagra: Taxation of Indirect Transfers. How do different countries tax such indirect transfers

10:15 to 11:30 (75 min)

Klaus Kuespert: Case study on Base erosion/profit shifting

Panel discussion based on a real case

Panel members: Brian Marita (USA), Julie Bryant (UK), Viviane Moro (France), Carlos Frühbeck (Spain), Sergio Finulli (Italy), Artur Plutowski (Poland), Oliver Biernat (Germany)

→To Do (Klaus Kuespert): Send German documentation guidelines for transfer price evaluation to all participants

11:30 to 12:05 Coffee Break

12:05 to 13:00 (55 min)

Oliver Biernat: Internal ITPG Topics

- Overview on chairs and regions, membership development (goal: reach 500+ members in 2015)
 - o Looking for vice chairs for MEA region (esp. Middle East and North Africa), Asia Pacific (esp. Pacific)
 - o Looking for regional chairs and vice chairs: Indirect Taxes subgroup for AP, NA and MEA
 - News from the regions
 - o AP: Ashish Bairagra (Update of Questionnaire for Tax and Regulatory Aspects for Expatriates in AP region, Development of new Questionnaire for Tax and Regulatory Aspects for Royalty and Fees for Technical Services)
 - o LA: n/a
 - o NA: Douglas Dickey (Comment on WebEx meetings: Importance of CPE credits, min. duration 50mins)
 - o MEA: Graeme Saggars (Goals: increase participation; Suggestion of ITPG meeting during GGI MEA conference in Dubai Feb 2016)
 - o VAT subgroup: Steven McCrindle reported
 - Results/contents GGI chairperson meeting on 7th Feb 2015:
 - o Own LinkedIn group for ITPG (similar to M&A practice group)?
 - Only worth if members actively participate
 - Coordination needed
 - o Ideas welcome for sponsors who would pay for holding a presentation at ITPG meetings
 - o No extra charge for PG meetings in the future (in case they take place with another GGI conference)
 - o Summary of results from PG evaluation sheets
 - ITPG FYI client Newsletter
 - o ITPG members so far interested in publishing an article in May/June 2015 edition
 - Ashish Bairagra
 - Graeme Saggars
 - Robert Worthington
 - Steve McCrindle
 - Jose Carreras
 - Stanley Ruchelman (or someone from his company)
 - Artur Plutowski
- All those also interested in publishing an article please contact Barbara Reiss (b.reiss@ggi.com)
- Possible participation in IFA Annual Meeting (August 30th – September 4th 2015 in Basel)?
 - o Experiences from past meetings by ITPG participants
 - More academic focus than practical focus
 - Avg. participant number 2000-2500

- To really become integrated you would need to participate several times
 - Claudio will go in order to find new GGI members
 - Conclusion: not recommended to go for members that are not interested in academic topics.
- Comtax software
 - Interested ITPG members (despite from those who already signed) so far:
 - Camilo Torres Guerrero
 - José Carreras
- IBFD database: Special offers for ITPG members
 - Full membership for 3.262 €/year: Members interested please contact Oliver Biernat till end of February (min. number of participants: 5)
 - Transfer pricing module for 389€/year: Members interested please contact Oliver Biernat till end of February (so far 11 members showed interest but didn't finally commit)
- Certificates 2014 for senior members
 - Will be send to members via Email soon
- Suggestions for the next Winter meeting
 - Dubai (Claudio Cocca claims that no full ITPG meeting would be possible parallel to MEA meeting (max. half day); ITPG meeting could be held extra one week before). Some members feel that there is not much overlap between participants of the ITPG meeting and MEA conference. Dubai is seen as too far away from Central Europe where the majority of ITPG members come from for the winter meeting.
 - Other suggestions: Spain (Mallorca, Barcelona, Canary Islands), Rome/Italy, Frankfurt (was denied as too cold)
 - Summary: Nice weather, south of Europe, not too far away (Interested ITPG members situated in South Europe to host the next ITPG winter meeting please contact Oliver Biernat)
- ITPG WebEx Meetings
 - Separate WebEx Meetings planned/held for every region to avoid language and time zone differences and to increase participation
- Overview on upcoming ITPG meetings

13:00 to 13:10 (10min)

Federico Grossi: Short presentation on next IBS in Florence (May 30th 2015)

13:10 to 13:30 (20 min)

Robert Worthington: Cross-border Financing Using Hybrid Instruments

13:30 to 13:50 (20 min)

Huub Kapel: Art 15 OECD / Split salary

13:50 to 15:10: Lunch

15:10 to 15:25 (15 min)

Matteo Bedogna: Transfer Pricing Litigation – Case History with Italian Tax Authority

15:25 to 16:10 (45 min)

Arlene Rochlin/Patrizia Giannini: “COMPLIANCE is elementary, my dear Mr. Watson” or the elements of COMPLIANCE - for both accountants and lawyers

16:10 to 16:35: Coffee Break

16:35 to 16:55 (20 min)

Santiago Lapausa: Spanish Golden Visa (10 min) and a few notes about the Spanish tax reform

16:55 to 17:25 (30 min)

Stanley Ruchelman: Treaty Abuse under B.E.P.S. – L.O.B.? G.A.A.R? Both?

17:25 to 17:40 (15 min)

Marc Nideröst: Update on planned major corporation tax reform in Switzerland

17:40 Adjourn