



CPD Seminars – Hong Kong and PRC Taxation Series

Hong Kong Institute of CPAs proudly presents this Hong Kong and PRC Taxation series of seminars between July 2010 and August 2010.

Programmes

Date / Programme code	Time	Topic	Speaker	CPD hour
14 July 2010 (S100714)	6:30 p.m. – 8:00 p.m.	Litigating Tax Disputes in Hong Kong	Mr. Michael Olesnický, Mr. Steven Sieker	1.5
11 August 2010 (S100811)	6:30 p.m. – 8:00 p.m.	Recent Development of Hong Kong Tax Treaties	Mr. Jeremy Choi, Mr. Kenneth Wong	1.5
18 August 2010 (S100818)	6:30 p.m. – 8:00 p.m.	PRC Individual Income Tax for Expatriates and Cross-border Employees	Ms. Kathy Siu	1.5
23 August 2010 (S100823)	6:30 p.m. – 8:00 p.m.	Practical Application of Transfer Pricing from the Hong Kong and China Perspectives	Mr. Rhett Liu, Ms. Cecilia Lee, Mr. David McDonald, Ms. Wengee Poon	1.5

Venue	Hong Kong Institute of CPAs Training Centre, 27/F., Wu Chung House, 213 Queen's Road East, Wanchai, Hong Kong
Enrolment fee (for each seminar)	HK\$190 for HKICPA member or student; and IA/ HKIAAT's member or student HK\$180 for online enrolment HK\$330 for non-member
Language	English
Format	Seminar
Competency	Taxation*
Rating	Intermediate Level* - Sound understanding of the knowledge area. The ability to apply knowledge and skills to a range of situations and able to deal with new situations.
Target audience	All parties who want to update their knowledge on Hong Kong and PRC taxation

* Please refer to Institute's CPD Learning Resource Centre for details.



S100714 - Litigating Tax Disputes in Hong Kong

About the programme

If a taxpayer objects against a tax assessment and receives an unfavourable determination from the Commissioner, what are the next steps? The two speakers will outline the strategies and procedures involved. Topics to be discussed include:

- Should the taxpayer give up, or litigate? What are the factors to decide?
- How much will it cost?
- Choosing a Counsel/advocate.
- Should you go to the Board of Review or Court of First Instance?
- Trying to achieve a settlement – what are the strategies?
- Pre-trial procedures – agreeing facts and documents with the IRD.
- Selecting witnesses and preparing witness statements.
- Conducting the hearing – procedures, tips and traps.
- The evidence trap – what is the advocate's role?

Speakers

Mr. Michael Olesnicky, Tax Partner, Baker & McKenzie Hong Kong

Mr. Olesnicky heads Baker & McKenzie's Tax Group in the Hong Kong and China offices which consists of over 30 tax professionals. He is a highly recommended lawyer by various legal directories, including Chambers Asia, AP Legal, PLC Which Lawyer? and The International Who's Who of Corporate Tax Lawyers. He was editor of the Hong Kong Law Journal, and is an Honorary Lecturer in the Department of Professional Legal Education at the Hong Kong University. Mr. Olesnicky writes and speaks frequently on Hong Kong and regional tax matters. His practice focuses on Hong Kong and Asian regional tax advisory work, tax litigation, as well as wealth management and estate planning.

Mr. Steven Sieker, Tax Partner, Baker & McKenzie Hong Kong

Mr. Sieker is a partner of the Hong Kong office. Mr. Sieker's practice focuses on Hong Kong, Canadian and Asian corporate tax advisory work, private wealth planning, tax enquiry and litigation. He has written and contributed to a number of publications in Hong Kong, Canada and internationally, and ranked as a leading tax adviser by various legal publications. Mr. Sieker is a former member of the Hong Kong Board of Review.

S100811 - Recent Development of Hong Kong Tax Treaties

About the programme

In the past, one of the drawbacks of Hong Kong as an international platform and regional headquarters has been its lack of a network of comprehensive double tax treaty agreements ("CDTA"). In recent years, this has begun to change following the execution of CDTAs with European and regional countries like Belgium, Luxembourg, China, etc. Changes in law which took effect on 12 March 2010 allow the Inland Revenue Department to enter into CDTAs with the more liberal 2004 OECD Exchange of Information Article. This hugely accelerates Hong Kong's signing of CDTAs with other jurisdictions. Shortly after the changes, Hong Kong signed CDTAs with the Netherlands, Brunei and Indonesia in late March 2010 and it is expected that there will be more CDTA signings in 2010.

In this seminar, the speakers will share their views on the following topics:

- Development of Hong Kong tax treaties.
- Tax efficient corporate structures through the use of the tax treaties.
- Update on the application of the Hong Kong tax residency certificates for claiming treaty benefits.

Speakers

Mr. Jeremy Choi, Tax Partner, PricewaterhouseCoopers Ltd.

Mr. Choi joined PricewaterhouseCoopers in 1994. He is a Partner in the Tax Services group in Hong Kong office responsible for clients in the consumer and industrial products industries as well as retailing and transportation industries.

Mr. Choi has extensive experience in Hong Kong and regional tax consultancy work including, corporate restructuring and tax-efficient holding structures, regional tax planning, mergers and acquisition, etc.

He is a member of the Hong Kong Institute of Certified Public Accountants and the American Institute of Certified Public Accountants. He has a Bachelor Degree in Economics and another degree in Law.

Mr. Kenneth Wong, Tax Partner, PricewaterhouseCoopers Ltd.

Mr. Wong is a Partner in the Corporate Tax group of PricewaterhouseCoopers, Hong Kong.

Mr. Wong has over 13 years' experience in providing Hong Kong and regional corporate tax consulting services to a wide range of local and multinational clients in the retail and consumer products, technology and telecommunications industries. He has extensive experience in tax dispute resolution, corporate structuring, cross-border tax planning and transfer pricing.

Mr. Wong graduated from the Chinese University of Hong Kong with a Bachelor Degree in Business Administration and Finance. He is a member of the Hong Kong Institute of Certified Public Accountants, the Association of Chartered Certified Accountants and the Taxation Institute of Hong Kong.



S100818 - PRC Individual Income Tax for Expatriates and Cross-border Employees

About the programme

Individual Income Tax ("IIT") in PRC can be a complex subject. The State Administration of Taxation ("SAT") has frequently issued new measures and notices to enforce the collection of IIT. A couple of new notices issued by the SAT last year would particularly increase the tax and administrative burden to expatriates and cross-border employees working between China and Hong Kong. We will explore the implications on some of the IIT regulations and recently issued notices that are particularly relevant for expatriates and cross-border business travelers working in the PRC.

Topics include:

- Filing and reporting obligations for expatriates working in PRC.
- IIT implications on cross-border employees.
- IIT exemption on certain fringe benefits.
- Potential exposures on improper secondment arrangements.
- Recent updates on certain remuneration items including:
 - Directors' Fees vs. Employment Income.
 - Taxation of double pay and annual bonus.

Speaker

Ms. Kathy Siu, Principal, AzureTax Limited in Hong Kong

Ms. Siu qualified in the UK as a Chartered Accountant with a Big Four firm. She is also a member of the Hong Kong Institute of Certified Public Accountants and a fellow member of the Taxation Institute of Hong Kong. Her practice focuses on PRC taxation, international assignment and cross-border tax advisory, and transfer pricing.

S100823 - Practical Application of Transfer Pricing from the Hong Kong and China Perspectives

About the programme

Transfer Pricing is an increasingly hot topic in Hong Kong and China and this seminar will be of interest to anyone required to set, document or defend transfer prices on related party transactions.

The focus of the seminar will be on determining transfer prices in practice and the speakers will talk through some real life examples to illustrate the issues that taxpayers have to consider. The case studies will be based on examples from the manufacturing/trading, financial services and business services industries.

Speakers

Mr. Rhett Liu, Tax Partner of PricewaterhouseCoopers

Mr. Liu is actively involved in assisting clients in defending transfer pricing audit and tax investigation cases, reviewing and evaluating transfer pricing risks, rationalising transfer pricing policies, formulating cost recharging policies and applying for Advanced Pricing Agreements in China.

Ms. Cecilia Lee, Tax Partner of PricewaterhouseCoopers

Ms. Lee has extensive experience in advising multinationals on transfer pricing matters, including Global Structure Alignment in Asia and Europe, intercompany services and cost sharing analyses, intangible property planning, Chinese Tax Authority and US Internal Revenue Service (IRS) transfer pricing audit defence, Advance Pricing Agreements, Sarbanes-Oxley 404 reviews and Global Transfer Pricing Documentation studies.

Mr. David McDonald, Tax Director of PricewaterhouseCoopers

Mr. McDonald's practice focuses on financial services transfer pricing and includes providing advice on setting policies, documenting transactions, entering into APAs, engaging in transfer pricing related tax planning, global and regional transfer pricing studies and transfer pricing related audit defense. Mr. McDonald specialises in supporting fund management, insurance, capital markets and banking institutions. He also specialises in transfer pricing for financial issues such as loans, guarantees, cash pool arrangements and thin capitalisation.

Ms. Wengee Poon, Senior Tax Manager of PricewaterhouseCoopers

Ms. Poon specialises in transfer pricing services, including assistance to clients in determining their transfer pricing structures, formulation of transfer pricing policies, preparation of transfer pricing documentation and performing post-implementation structure maintenance services.

