



Confederation of Indian Industry

Conference on Base Erosion and Profit Shifting (BEPS) Impact on Indian Tax Landscape

Friday, 7 November 2014

Sovereign Hall, Hotel Le Meridien, New Delhi

Agenda

0900 - 1000 hrs	Registration	
1000 - 1100 hrs	Inaugural Session - OECD Action Plan Progress on BEPS and Implications	
	Welcome Remarks	Mr Chandrajit Banerjee Director General Confederation of Indian Industry
	Theme Address	Ms Neeru Ahuja Chairperson, CII Sub Group on BEPS & Partner Deloitte Haskins & Sells
	Address	Mr Sudhir Kapadia Partner & National Tax Leader EY, India
	Address	Mr John Staples Senior Policy Adviser Corporation Tax Strategy HM Treasury UK
	Address	Mr Archie Parnell Vice Chairman, BIAC Tax Committee & Managing Director Goldman Sachs
	Special Address	Mr Akhilesh Ranjan Joint Secretary Ministry of Finance
	Concluding Remarks	Ms. Neeru Ahuja
1100 - 1130 hrs	Tea/ Coffee Break	

1130 - 1230 hrs

Session I

Action Item 1: Tax challenges of the digital economy: the road ahead

The digital economy - through the power of information, communication and technology (ICT) - has created new business models and advanced the ability to carry on business from various locations without physical presence. Growth of the digital economy and services creates challenges for taxation, as taxation Rules of most countries as well as the Tax Treaties are framed to tax profits from traditional models.

Session will address key features of the digital economy, the main tax challenges raised from both direct and indirect tax perspective.

Moderator

Ms Neeru Ahuja
Chairperson, CII Sub Group on BEPS &
Partner
Deloitte Haskins & Sells

Panelists

Mr Nicholas Houghton
Deputy Director
CTIS
HM Revenue & Customs
UK

Mr Amarjeet Singh
Partner, Global International
Corporate Tax
KPMG India

Mr Vinay Kumar Singh
Director
Central Board of Direct Taxes
Ministry of Finance

1230 - 1330 hrs	<p>Session II</p> <p>Action Item 13: Country-by-Country reporting- ensuring the right balance: Re-examining Transfer Pricing Documentation</p> <p><i>All commercially sensitive and critical information of the business such as business model, key value drivers of the business, intangibles property, pricing policy etc. are required to be included in the Master file reporting template which is proposed to be made available to all the entities of the MNEs. If such information reaches competition of the MNE or becomes public (through tax cases reporting or otherwise), it may give business advantage to competitors or to any other un-authorized person and may significantly jeopardize the business operations of the taxpayer. There needs to be a right balance between providing useful information to tax administrations and minimizing the associated compliance costs for business.</i></p> <p><i>Session will examine factors which ensure the right balance.</i></p> <table border="1" data-bbox="492 709 1500 1625"> <tr> <td data-bbox="492 709 1003 825">Moderator</td> <td data-bbox="1003 709 1500 825">Mr Rohan Phatarphekar National Head Transfer pricing KPMG India</td> </tr> <tr> <td data-bbox="492 825 1003 999">Panelists</td> <td data-bbox="1003 825 1500 999">Mr John Staples Senior Policy Adviser Corporation Tax Strategy HM Treasury UK</td> </tr> <tr> <td data-bbox="492 999 1003 1115"></td> <td data-bbox="1003 999 1500 1115">Ms Bela Seth Mao Country Tax Head Shell India</td> </tr> <tr> <td data-bbox="492 1115 1003 1257"></td> <td data-bbox="1003 1115 1500 1257">Mr Archie Parnell Vice Chairman, BIAC Tax Committee & Managing Director Goldman Sachs</td> </tr> <tr> <td data-bbox="492 1257 1003 1373"></td> <td data-bbox="1003 1257 1500 1373">Mr M H Qureshi Head of Tax- Asia Pacific Genpact</td> </tr> <tr> <td data-bbox="492 1373 1003 1488"></td> <td data-bbox="1003 1373 1500 1488">Mr Tarun Arora Partner- Transfer Pricing Deloitte Haskins & Sells</td> </tr> <tr> <td data-bbox="492 1488 1003 1625"></td> <td data-bbox="1003 1488 1500 1625">Mr Sobhan Kar Officer on Special Duty Central Board of Direct Taxes Ministry of Finance</td> </tr> </table>	Moderator	Mr Rohan Phatarphekar National Head Transfer pricing KPMG India	Panelists	Mr John Staples Senior Policy Adviser Corporation Tax Strategy HM Treasury UK		Ms Bela Seth Mao Country Tax Head Shell India		Mr Archie Parnell Vice Chairman, BIAC Tax Committee & Managing Director Goldman Sachs		Mr M H Qureshi Head of Tax- Asia Pacific Genpact		Mr Tarun Arora Partner- Transfer Pricing Deloitte Haskins & Sells		Mr Sobhan Kar Officer on Special Duty Central Board of Direct Taxes Ministry of Finance
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1330 - 1430 hrs	Lunch Break														

1430 - 1530 hrs	Session III Action Item 8: Transfer pricing aspects of intangibles: to ensure outcomes are in line with value creation	
	<p><i>The OECD identified, in its BEPS action plan, three actions related to transfer pricing outcomes, to be in line with value creation—one of the three actions is Action 8 (Intangibles), which calls for developing rules to prevent base erosion and profit shifting that arises through the movement of intangibles among multinational group members.</i></p> <p><i>Session will address latest developments in the work on the transfer pricing aspects of intangibles and the interaction of this work with other elements of the Action Plan.</i></p>	
	Moderator	Mr Vijay Iyer Partner & Transfer Pricing Leader Ernst & Young LLP
	Panelists	Mr Shailendra Jindal Country Head - Taxation Goodyear India Limited
		Mr Navin Jain General Manager - Taxation Cairn India Group
		Mr Anis Chakravarty Senior Director Deloitte Touche Tohmatsu India Private Limited
		Mr Sobhan Kar Officer on Special Duty Central Board of Direct Taxes Ministry of Finance
1530 - 1545 hrs	Tea/ Coffee Break	

1545 - 1715 hrs	<p>Session IV</p> <p>Action Item 6: Tax treaty abuse: design framework of domestic tax treaty measures to prevent abuse</p> <p>Action Item 5: Harmful tax practices- to counter more effectively: taking into account transparency and substance</p> <p>Action Item 15: Multilateral instruments: to implement an innovative approach to international tax matters</p> <p><i>Treaty frameworks are vulnerable to the greatest abuse and there needs to be a balance between efforts to alter treaty frameworks and efforts to alter domestic laws. Harmful tax practices need to be countered effectively with transparency, including compulsory spontaneous exchange on rulings related to preferential regimes, and on requiring substantial activity for any preferential regime.</i></p> <p><i>Session will discuss areas of tax treaty abuse, and examine issues of harmful tax practices; along with the use of a multilateral instrument, and the impact on India.</i></p> <table border="1"> <tr> <td data-bbox="475 835 792 947">Moderator</td> <td data-bbox="800 835 1479 947">Mr Vijay Mathur Senior Adviser-Tax & Regulatory Services PricewaterhouseCoopers Private Limited</td> </tr> <tr> <td data-bbox="475 957 792 1068">Panelists</td> <td data-bbox="800 957 1479 1068">Mr Archie Parnell Vice Chairman, BIAC Tax Committee & Goldman Sachs</td> </tr> <tr> <td data-bbox="475 1079 792 1236"></td> <td data-bbox="800 1079 1479 1236">Mr Nicholas Houghton Deputy Director CTIS HM Revenue & Customs UK</td> </tr> <tr> <td data-bbox="475 1247 792 1358"></td> <td data-bbox="800 1247 1479 1358">Mr Rohinton Sidhwa Partner, Direct Tax Services Deloitte Haskins & Sells</td> </tr> <tr> <td data-bbox="475 1369 792 1480"></td> <td data-bbox="800 1369 1479 1480">Mr Aseem Chawla Co-founder (Partner) MPC Legal</td> </tr> <tr> <td data-bbox="475 1491 792 1602"></td> <td data-bbox="800 1491 1479 1602">Mr Rahul Navin Director Central Board of Direct Taxes Ministry of Finance</td> </tr> </table>	Moderator	Mr Vijay Mathur Senior Adviser-Tax & Regulatory Services PricewaterhouseCoopers Private Limited	Panelists	Mr Archie Parnell Vice Chairman, BIAC Tax Committee & Goldman Sachs		Mr Nicholas Houghton Deputy Director CTIS HM Revenue & Customs UK		Mr Rohinton Sidhwa Partner, Direct Tax Services Deloitte Haskins & Sells		Mr Aseem Chawla Co-founder (Partner) MPC Legal		Mr Rahul Navin Director Central Board of Direct Taxes Ministry of Finance
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1715 hrs	Concluding Remarks & Close of Conference												