

Training Category



CPD : LEGAL LEARNING LAB

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A New Dawn for Taxation (Or Another False Start)?: 3rd Annual Malaysian Bar Budget and Tax Updates Seminar

This annual budget event – now in its third year – will deal with the latest legislative changes and case law that legal practitioners must be aware of. This will include the area of transfer pricing and the need for arm's-length terms and pricing in corporate transactions and dealings between associated companies, which is an area that is often overlooked by legal practitioners. Get an insight into these, updates on Sales and Service Tax ("SST"), and other topical tax law issues. Recent reported and unreported tax cases and disputes, and their implications, will also be examined.

Don't miss this opportunity to interact with tax practitioners from the accounting and legal professions, and have your questions answered. Meet thought leaders in the field, who will provide consolidated insights about the tax, legal and economic implications on business in Malaysia following the unveiling of the 2019 Budget.

This event is held for the benefit of Members – the unbeatably low registration fees say it all!

Who will benefit most from this event?

Managers from the corporate sector and retail industry, owners and operators of small- and medium-sized businesses, in-house counsel, accountants, tax consultants, and Members of the Bar.

About the Speakers

Leow Mui Lee is the Managing Director of Axcelasia Taxand Sdn Bhd. She graduated from Monash University, Australia with a Bachelor of Economics degree, majoring in accounting and finance. She is a member of CPA Australia and the MIA, and a council member of Chartered Tax Institute of Malaysia ("CTIM").



Mui Lee has many years of tax experience with leading international accounting firms in Malaysia. She leads Taxand's transfer pricing service line and has serviced a broad spectrum of clients, including large multinational corporations and public listed companies. She has also managed projects relating to tax audits and investigations, tax risk management as well as Goods and Services Tax ("GST") and SST reviews.

Under Mui Lee's stewardship, Taxand has won numerous awards, including Best Tax Advisory Firm 2018 and Most Outstanding for Transfer Pricing 2016. She co-authored the 2012 CCH publication's *Guide to Transfer Pricing - Rules, Planning and Compliance Strategies*. She has also spoken at various tax conferences in Malaysia and abroad.

Thenesh Kannaa is a partner at TraTax, a firm of independent tax advisers rated as Top 10 in Malaysia for transaction tax. He specialises in indirect taxation and international taxation, encompassing transactional tax, tax due diligence, tax incentives, withholding tax, business structuring and transfer pricing.



29 Nov 2018 (Thursday) | 9:00 am to 5:00 pm

Raja Aziz Addruse Auditorium

Wisma Badan Peguam Malaysia
(Formerly known as Wisma Straits Trading)
Unit 2-02A, 2nd Floor
2 Leboh Pasar Besar, 50050 Kuala Lumpur

Registration Fees

| | | |
|-------------------------------------|--|-------|
| Members of the Bar | | RM250 |
| Members Admitted from 1 July 2011 | | RM100 |
| Law Students and Pupils in Chambers | | RM100 |
| Non-Members | | RM350 |

CPD Code: T3/29112018/BC/BC181268/6

Registration for the event will begin at 8:30 am

Thenesh is a Council Member of CTIM, and a member of various committees that provide input to the Government on policy and technical aspects of Malaysian taxation. He has been recently appointed into ACCA's Expert Panel for Taxation. He has been interviewed on contemporary tax matters by RTM 2, Traxx.fm (RTM 4), V'Buzz (Astro TV), *Malaysia SME*, *New Straits Times* and *the Sun*.

Thenesh is a licensed tax agent, fellow member of ACCA, UK, and member of MIA, CTIM and IFA. He is also co-author of various books and articles on Malaysian taxation.

Yohan Francis Xavier is Executive Director (Transfer Pricing) at Baker Tilly (Malaysia). Yohan obtained his Bachelor of Business (Commerce) degree from Charles Sturt University in Australia. He is currently a member of CTIM. Prior to joining Baker Tilly, he served in KPMG and Deloitte. He has more than 15 years of experience in tax advisory and compliance. His primary focus is on transfer pricing, specifically with matters that involve documentation, tax planning, supply chain restructuring and audit defence. In addition to the above, he has also been involved in tax audits and investigations as well as personal tax compliance and advisory. He is experienced in tax incentives planning, which involves feasibility studies and evaluation of tax incentives, and application for government grants / incentives for strategic projects.



His experience spans across industries and functions, from manufacturing and distribution to services, in FMCG, IT & ITES, technology-related products, branded apparel, lifestyle goods, food and beverages, automotive, construction, forestry,



Organised by
Bar Council
Continuing Professional Development Department
15 Leboh Pasar Besar, 50050 Kuala Lumpur

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plantation, and oil and gas. He has also serviced some of the most valued MNCs as well as the biggest local clients. He is a frequent speaker in tax and annual budget seminars, and has conducted seminars for clients on transfer pricing.

Irene Yong was admitted as an advocate and solicitor of the High Court of Malaya in 1999 after obtaining an LLB (Honours) degree from the University of London in 1997. In 2003, she completed her MBA degree at Warwick Business School, UK. Irene is a member of Messrs Shearn Delamore & Co.'s Tax and Revenue Practice Group, and became a partner of the firm in 2008.



Irene has been recognised as a Leading Advisor by the International Tax Review ("ITR")'s Tax Controversy Leaders (2013–2018) and Indirect Tax Leaders (2017–2018), and recognised as Tax Counsel in The Legal 500 Asia Pacific (2008/2009, 2011/2012, 2013/2014 and 2014 editions). She is a member of the International Fiscal Association, Malaysia Branch and the Bar Council's Tax Subcommittee.

Irene has presented papers on Malaysian tax and revenue law, and written articles for the IBFD's *Asia-Pacific Tax Bulletin*. She is one of the authors of Bloomberg BNA's *Business Operations in Malaysia*. Irene has also won the International Tax Contributor of the Year Award by Bloomberg Tax for her article "Malaysia's New MAP Guidelines – Potential Impact on Taxpayers" in the Tax Management Transfer Pricing Report.

Vijey M Krishnan, Partner, Tax Practice Group, heads the revenue law practice group at Messrs Raja, Darryl & Loh, which he joined in 1999. He has over 20 years of experience in tax matters. He was previously a consultant with the Tax and Business Advisory Division of the then-Arthur Andersen in Kuala Lumpur.



He has consistently been recommended in the area of tax in publications such as The Asia Pacific Legal 500, the Tax Directors Handbook, and Chambers Asia Pacific. He is listed as a Leading Individual in the area of tax in Chambers Asia Pacific and as a Leading Lawyer in Asialaw Profiles.

Vijey is an Associate of the Chartered Tax Institute of Malaysia, and has been involved in various committees, including the Bar Council GST and Tax Subcommittee; the Tax Committee of the American Malaysia Chamber of Commerce; the Chartered Tax Institute of Malaysia Technical Committee – Indirect Taxation and Stamp Duty; and the CTIM GST-SS Tax transformation group.

Wong Tat Chung was admitted to the Bar of England and Wales in 1986, and as an advocate and solicitor of the High Court of Malaya in October 1988.



His fields of practice include corporate finance, mergers and acquisitions and capital markets, and other corporate and commercial matters. He has been involved in both domestic and cross-border transactions. His experience and practice also include, for example, debt and equity securities offerings, corporate restructurings of insolvent companies, takeovers, initial public offerings, infrastructure, privatisations, and debt restructurings.

He is the Co-Chairperson of the Bar Council Corporate and Commercial Law Committee, and chairs various of its subcommittees. He is one of the vice chairs of the banking finance and securities committee of the Inter-Pacific Bar Association, and a member of the Company Secretarial, Practice Sub-Committee; the Accounting and Audit Sub-Committee; and the Insolvency Sub-Committee under the Corporate Practice Consultation Forum established by the Companies Commission of Malaysia.

Anand Raj was admitted as an advocate and solicitor of the High Court of Malaya in 1996 and has been a partner of Messrs Shearn Delamore & Co. since 2003. Anand's practice areas include all aspects of tax and transfer pricing disputes and litigation, as well as competition law and antitrust. Anand is the Co-Head of the firm's Antitrust Practice.



Anand was recognised as the 2017 Asia Tax Disputes and Litigation Practice Leader of the Year by ITR. He is consistently ranked in Tier 1 of ITR (2013–2018) and Chambers (2011–2018) tax law practitioners, and has also been listed in Who's Who Legal: Corporate Tax Lawyers 2016, 2017 and 2018. Anand has also been recognised in the International Who's Who Legal: Competition Lawyers for 2013–2018 and has also been recognised as a leader in his fields by the Global Competition Review, Chambers Asia Pacific, The Legal 500 Asia Pacific, Asialaw Profiles, and other directories.

Anand is the Chairperson of the Bar Council Tax Subcommittee, and a member of the Competition Law Subcommittee. He is Chair of the International Fiscal Association, Malaysia Branch; the Co-Chair of the Inter-Pacific Bar Association's Competition Law Committee; and inaugural Chair of LAWASIA's Antitrust and Competition Law Subcommittee.

Programme

(Each session includes a question-and-answer segment.)

8:30 am Registration

9:00 am **Highlights of 2019 Budget**
Speaker: Leow Mui Lee, *Managing Director*
Axcelasia Taxand Sdn Bhd

10:30 am Refreshments

10:45 am **Comments on the Budget and Tax Reform Initiatives; and Updates on SST**

Speakers:

- (1) Thenesh Kannaa, *Partner, TraTax*
- (2) Irene Yong, *Partner*
Messrs Shearn Delamore & Co.

Moderator: Wong Tat Chung, *Partner*
Messrs Wong, Beh & Toh

12:15 pm Lunch

1:45 pm **The Need for a Transfer Pricing Analysis, and Applicability of Arm's-Length Terms in Corporate Transactions**

Speaker: Yohan Francis Xavier, *Executive Director*
(Transfer Pricing), Baker Tilly (Malaysia)

Commentary:

Anand Raj, *Partner, Messrs Shearn Delamore & Co.*

3:00 pm Refreshments

3:30 pm **Panel Discussion on Recent Cases, and Updates on Tax Law**

Speakers:

- (1) Vijey M Krishnan, *Partner*
Messrs Raja, Darryl & Loh
- (2) Anand Raj, *Partner, Messrs Shearn Delamore & Co.*

5:00 pm End



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I would like to register for the event (all fields must be completed):

Name: _____

(Tick where applicable)

Member of the Bar (Membership No): _____

Pupil in Chambers (Petition No) : _____

Non-Member (NRIC No): _____

Email: _____

Name of Firm / Organisation: _____

Address: _____

Tel: _____ Fax: _____

Signature: _____ Date: _____

The personal information that you provide to the Bar Council, whether now or in the future, may be used, recorded, stored, disclosed or otherwise processed by or on behalf of the Bar Council for the purposes of facilitation and organisation of this event, research and audit, maintenance of a participant database for the promotion of this event, and such ancillary services as may be relevant.

Payment options:

- (1) Direct deposit to Hong Leong Bank Berhad, (Account No: 002-00-76072-4; SWIFT Code: HLBBMYKL); or
- (2) Cheque or bank draft, payable to "Malaysian Bar Continuing Legal Education"; or
- (3) Cash payment (up to RM250 only), at the ground floor of the Bar Council Secretariat.

All payments must be made in advance of the event, and include all bank charges. Registration will be confirmed once proof of payment is provided by email or fax, and full payment is received.

Seats will be allocated on a first come, first served basis.

Cancellations must be made in writing. There will be no refunds for cancellations made after **23 Nov 2018 (Friday)** but substitutions are allowed. The organiser reserves the right to modify, cancel or postpone the event, should circumstances arise that make such action necessary, whereupon all registration fees paid will be refunded.

Points for the Continuing Professional Development ("CPD") Scheme will not be awarded to Members of the Bar and pupils in chambers who arrive more than 15 minutes late, are not present throughout the event, or leave before its scheduled end.

- (1) Materials will be emailed only. No printed notes will be provided.
- (2) No recording of the event is permitted via any means at any time.
- (3) No part of the event content may be used / reproduced in any form without the written and explicit consent of the Bar Council and speaker(s).

Please direct all correspondence (including completed registration forms and proof of payment) and enquiries to:

Nur Syafiq Che Isa / Roslan Mahamud
Tel: 03-2050 2111 Fax: 03-2050 2112
Email: cpd@malaysianbar.org.my



Organised by
Bar Council
Continuing Professional Development Department
15 Leboh Pasar Besar
50050 Kuala Lumpur