



# INTERNATIONAL TAXATION CONFERENCE - 2012

DECEMBER 6 - 8, 2012, ITC MARATHA HOTEL, MUMBAI

CONFERENCE TOPICS: SUBSTANCE AND FORM IN INTERNATIONAL TAXATION - EMERGING INTERNATIONAL TAX ISSUES IN INDIA - INTERNATIONAL TAX STRUCTURING FOR INVESTING ABROAD - INDIRECT TAXATION DEVELOPMENTS - RECENT INTERNATIONAL TAXATION DEVELOPMENTS: MODEL TREATY DEVELOPMENTS - REGIONAL DEVELOPMENTS - TRANSFER PRICING: INTANGIBLES - COUNTRY EXPERIENCES

**Former Honorary President: Professor Klaus Vogel**      **Conference Directors: Professor Roy Rohatgi/Roger Wheeler (USA)**  
**Advisory Committee: Mukesh Butani**      **R K Chopra**      **Dinesh Kanabar**      **T. P. Ostwal**  
**Jairaj Purandare**      **Kiran Umrootkar**      **Arvid Skaar (Norway)**      **Caroline Silberztein (France)**  
**Uday Gujadhur (Mauritius)**      **Shanker Iyer (Singapore)**      **Roger Wheeler (USA)**      **Michael Lang (Austria)**

## MESSAGE FROM THE CONFERENCE DIRECTORS

We have planned a three-day programme with a plenary session on Day One and concurrent sessions on separate topics on Day Two & Day Three. Our plenary session this year is on **Substance and Form in International Taxation on Day One**. On **Day Two** we have a joint morning session on **Emerging Issues in Indian International Taxation: 2012 Supreme Court Vodafone Decision in India and Subsequent Developments - New Advance Pricing Arrangement Program** and Concurrent sessions in the afternoon on (i) **International Tax Structuring for Investing Abroad (a) Tax Issues affecting MNCs (b) Transfer Pricing Rules for Developing Countries: Issues and Options**; (ii) **Indirect Taxation Developments: Considerations in Taxation of Financial Services (a) Taxation of Services: Centre State Division of Taxation Powers (b) Controversies in Taxation of Services in India..** On **Day Three** there are Concurrent sessions on (i) **International Tax Developments: Recent Developments in the UN and OECD Model Treaties - Some Recent International Tax Developments**, and (ii) **Transfer Pricing Developments: Intangibles - Country Experiences in Transfer Pricing**. The concluding joint session includes two panel discussions on Indian tax cases and developments in (i) **Transfer Pricing** and (ii) **International Taxation in India**. In addition, there are several other panel discussions and special presentations on the impact of international taxation on offshore financial centres and trusts.

## OUR SESSION CHAIRMEN

**Sohrab Dastur**, Senior Advocate, India; **Ketan Dalal**, PwC, India; **Jairaj Purandare**, ex PwC, India; **Kiran Umrootkar**, Jacobs Engg., India; **Dinesh Kanabar**, KPMG, India; **Nishith Desai**, Nishith Desai Associates, India; **Satya Poddar**, E & Y, India; **Mukesh Butani**, BMR Legal, India; **Pranav Sayta**, E & Y, India; **M. Lakshminarayanan**, Deloitte, India; **Uday Ved**, KPMG, India; **Shyamal Mukherjee**, PwC, India; **Caroline Silberztein**, Baker & McKenzie, France; **T P Ostwal**, TP Ostwal & Associates, India.

## OUR SPEAKERS

**Day One : Morning - Substance and Form in International Taxation (Plenary Session) :** Frederik Zimmer, Oslo University, Norway; Andrew Dawson, UK HMRC, United Kingdom; Michael Durst, Tax attorney, United States; Bruno Gangemi, Partner, Macchi di Cellere, Italy. **Afternoon - Marc Levey**, Partner, Baker & McKenzie, United States; Pramod Kumar, Member, ITAT, India; Marcos Valadao, Professor of Law, University of Brasilia, Brazil; Al Meghji, Partner, Osler, Hoskin & Harcourt, Canada; Nikhil Mehta, Barrister, United Kingdom. Special Presentations: Geoff Cook & Richard Teather, Jersey; Ambassador (Mrs.) Usha Dwarka-Canabady, former High Commissioner to India, Mauritius

**Day Two : Morning - Emerging Issues in Indian International Taxation:** Parthasarathi Shome, Director, ICRIER, New Delhi. Other Speakers: Girish Dave, Shefali Goradia and Uday Ved on Overview of Vodafone case, and recent "Shome" Reports on GAAR and Indirect Transfers followed by panel discussion with Pramod Kumar, ITAT, India; Al Meghji, Osler, Hoskin & Harcourt, Canada; Girish Dave, former Dir. of Intl. Tax, India; Nikhil Mehta, Barrister, United Kingdom; Mohan Parasaran, Adtl. Solicitor General, India and Mukesh Butani led by Dinesh Kanabar. Alpna Saksena, KPMG, India will speak on new APA in India. **Afternoon : Option A - International Tax Structuring for Investing Abroad: International Tax issues affecting Multinationals:** S Mahalingam, Executive Director, TCS, India; Peter Barnes, Tax Counsel, General Electric, United States; Catherine Damelincourt, VP - Group Tax, Alstom Group, France; **Transfer Pricing Rules for Developing Countries - Issues and Options** led by T P Ostwal, India (Panel Discussion): Michael Durst, United States; Michael Lennard, United Nations; Caroline Silberztein, France; Stig Sollund, Norway; Marcos Valadao, Brazil. **Afternoon : Option B - Indirect Taxation Developments:** Satya Poddar, Head - Indirect Tax, E & Y, India; Marie Pallot, Head of VAT Policy, New Zealand; Sachin Menon, Head - Indirect Tax, KPMG, India; Rohan Shah, Managing Partner, ELP, India; Prashant Deshpande, Head - Indirect Tax, Deloitte, India; with central and state Indian government officials. Special Presentations: Gregory Jones, Tax Director, KPMG, IOM; Thomas Hanzely, BBD, Bahrain; Dermot S. L. Butler, Chairman, Custom House Group, Malta; Pascal Janssens, Partner, PwC, Belgium.

**Day Three : Morning : Option A - Recent Developments in Model Tax Treaties:** Michael Lennard, Chief, International Tax Cooperation and Trade Section, United Nations; Mary Bennett, Partner, Baker & McKenzie, New York; **Substance and Form and Tax Treaties (Panel Discussion):** Mary Bennett, United States; Andrew Dawson, United Kingdom; Michael Kobetsky, Australia; Michael Lennard, United Nations; Stig Sollund, Norway. **Afternoon : Option A - Regional Tax Developments:** Shreya Rao, Senior Tax Lawyer, Nishith Desai Associates, India; Bruno Gangemi, Partner, Macchi di Cellere, Italy; Ana Claudia Akie Utumi, Partner, Tozzini Frere, Brazil; Veerinderjeet Singh, Chairman, Taxand, Malaysia. **Morning : Option B - Transfer Pricing Developments:** Caroline Silberztein, Partner, Baker & McKenzie, France; Michelle Levac, Chair - OECD Working Party 6, Paris; Peter Barnes, General Electric, United States; Stig Sollund, Dir. Gen. Tax, Norway; Marc Levey, Partner, Baker & McKenzie, United States. **Afternoon : Option B - Regional Developments:** Stig Sollund, Director General - Tax, Norway; Al Meghji, Partner, Osler, Hoskin & Harcourt, Canada; Michael Kobetsky, University of Melbourne, Australia; Rahul Mitra, Partner, PwC, India; Marlies de Ruiter, OECD, Paris.

**Panel Discussion Sessions:** We have several high level discussion sessions, including:

- **Economic Substance over Form in International Taxation - A Myth or Reality?** (Chairman: Professor Parthasarathi Shome, Director, ICRIER, New Delhi)
- **Substance and Form - Role of the Judiciary** (Chairman : Justice S. H. Kapadia, former Chief Justice of India), Hon. G. E. Veerabhadrapa, former President - Income Tax Appellate Tribunal, India.
- **Recent Transfer Pricing Cases and Issues in India** led by Vijay Iyer, National Transfer Pricing Leader and Partner, Ernst & Young, India
- **Recent International Taxation Developments in India** led by T P Ostwal, Partner, T P Ostwal Associates, India.

In our 2012 conference, we have over fifty expert speakers and panellists from all over the world. We have invited the former Chief Justice of India, S. H. Kapadia to attend and chair one of the panel sessions. As in prior years, our conference will include a sizeable participation from tax regulators, government bodies and the tax judiciary besides delegates from professional firms and multinational organizations in India and abroad.

## OUR SUPPORTERS IN 2012

<b>PATRON</b>		PricewaterhouseCoopers Pvt. Ltd. 		Nishith Desai Associates  LEGAL AND TAX COUNSELING WORLDWIDE MUMBAI SILICON VALLEY BANGALORE SINGAPORE MUMBAI-BKC NEW DELHI					
<b>PLATINUM</b>		KPMG  cutting through complexity	BMR Advisors 	Deloitte Touche Tohmatsu India Pvt. Ltd. 	Grant Thornton  An instinct for growth™	ELP  ADVOCATES & SOLICITORS	Ernst & Young Pvt. Ltd.  Quality In Everything We Do		
<b>GOLD</b>		Jersey Finance 	Isle of Man  ISLE OF MAN. WHERE YOU CAN	BBD 	TMF Group 				
<b>SILVER</b>		Guernsey  International Finance Centre	Bloomberg BNA 	International Financial Services 	Microsoft 	Baker & McKenzie 	Sovereign 		
<b>ASSOCIATE</b>		M & J Services 	Kross Border 	TCS  TATA CONSULTANCY SERVICES	Amicorp 				
Conference Promotion by		In co-operation with		Supported by		Conference Media Partner		FIT Publications by	

# THE CONFERENCE PROGRAMME

DECEMBER 6-8, 2012 ITC MARATHA HOTEL, MUMBAI

## DAY ONE : DECEMBER 6, 2012 (THURSDAY)

- 0800 - 2000 Registration  
1000 - 1015 Welcome to the Conference  
**Session : Substance and Form in International Taxation "Plenary Session"**  
Chairman **Sohrab Dastur**, Senior Advocate, India  
1015 - 1055 "Klaus Vogel" Speaker: **Frederik Zimmer**, Professor, Faculty of Law, University of Oslo, Norway  
**Substance and Form - Some General Issues**  
1055 - 1135 **Andrew Dawson**, Her Majesty Revenue & Customs, United Kingdom  
**Substance and Form under Model Tax Treaties**  
1135 - 1215 **Michael Durst**, Tax Attorney, United States  
**Substance and Form and Transfer Pricing**  
1215 - 1245 **Bruno Gangemi**, Partner, Macchi di Cellere, Studio Legale, Italy  
**Substance and Form - A European View**  
1245 - 1300 Session Chairman's Remarks and Questions  
1300 - 1400 Lunch  
**Session : Substance and Form in Practice**  
Chairman **Ketan Dalal**, Joint Head of Tax, PricewaterhouseCoopers, India  
1400 - 1430 U.S. **Marc Levey**, Partner, Baker & McKenzie, United States  
1430 - 1500 India **Pramod Kumar**, Member, Income Tax Appellate Tribunal, India  
1500 - 1530 Brazil **Marcos Valadão**, Professor of Law, Catholic University of Brasilia, Brazil  
1530 - 1600 Canada **Al Meghji**, Partner, Osler, Hoskin & Harcourt, Canada  
1600 - 1630 U.K. **Nikhil Mehta**, Barrister, United Kingdom  
1630 - 1700 Tea Break  
1700 - 1800 Panel Discussion I - Economic Substance over Form in International Taxation - A Myth or Reality?  
A panel discussion led by **Jairaj Purandare**, former Senior Partner, PwC, India and chaired by **Dr. Parthasarathi Shome**, Director and Chief Executive, ICRIER, New Delhi - Panellists: **Mary Bennett**, United States; **Bruno Gangemi**, Italy; **Ana Utumi**, Brazil; **Frederik Zimmer**, Norway  
**Special Presentations**  
1800 - 1830 **Geoff Cook & Richard Teather**, Jersey Finance, Jersey  
**Demonstrating Substance - Applying Case Law in an Offshore Context**  
1830 - 1900 Ambassador. (Mrs.) **Usha Dwarka-Canabady**, Ministry of Foreign Affairs, Mauritius  
**Mauritius as an International Financial Centre with particular reference to India-Mauritius Tax and Treaty Issues**  
1900 - 2230 Networking Dinner (Supported by Jersey Finance)  
**DAY TWO: DECEMBER 7, 2012 (FRIDAY)**  
**Session : Emerging Issues in Indian International Taxation**  
Chairman **Dinesh Kanabar**, Deputy CEO, KPMG, India  
0900 - 0915 Chairman's Remarks  
0915 - 0945 **Professor Parthasarathi Shome**, Director and Chief Executive, ICRIER, New Delhi  
**Emerging Issues in Indian International Taxation - Special Address**  
0945 - 1015 **Girish Dave**, former Director of International Taxation, India  
**Overview of Vodafone case in India and Indian Tax Policy**  
1015 - 1045 **Shefali Goradia**, International Tax Partner, BMR Advisors, India  
**Recent Developments in General Anti-avoidance Rules (GAAR) in India**  
1045 - 1115 **Uday Ved**, senior Partner and former Head of Tax, KPMG, India  
**Indirect Transfers and Retrospective Legislation in India**  
1115 - 1215 **2012 Supreme Court Vodafone Decision and Subsequent Developments**  
Discussion led by **Dinesh Kanabar** on the 2012 Indian Supreme Court decision in Vodafone appeal case, its retrospective amendment and subsequent developments. Panellists: **Girish Dave**, India; **Al Meghji**, Canada; **Nikhil Mehta**, United Kingdom; **Mohan Parasaran**, India; **Mukesh Butani**, India.  
1215 - 1245 **Alpana Saksena**, Director, KPMG, India  
**India's New Advance Pricing Arrangement (APA) Program**  
1245 - 1300 Discussion and Questions  
1300 - 1400 Lunch  
**Session : International Tax Structuring for Investing Abroad**  
Chairman **Nishith Desai**, Founder, Nishith Desai Associates, India  
1400 - 1500 **International Tax Issues affecting Multinationals**  
Discussion led by **Nishith Desai** - Panellists: **Peter Barnes**, General Electric, United States; **Catherine Damelin**, Alstom Group, France; **S. Mahalingam**, Tata Consultancy Services, India  
1500 - 1600 **Transfer Pricing Rules for Developing Countries - Issues and Options**  
Discussion led by **T P Ostwal**, India - Panellists: **Michael Durst**, United States; **Michael Lennard**, United Nations; **Caroline Silberztein**, France; **Stig Sollund**, Norway; **Marcos Valadão**, Brazil  
1600 - 1630 Discussion and Questions  
1630 - 1700 Tea Break  
**Session : Indirect Taxation Developments**  
Chairman **Satya Poddar**, Head of Indirect Tax Practice, Ernst & Young, India  
1400 - 1415 Chairman's Remarks  
1415 - 1445 **Marie Pallot**, Head of VAT Policy, New Zealand  
**Considerations in Taxation of Financial Services**  
1445 - 1515 **Sachin Menon**, Head of Indirect Taxation, KPMG, India  
**Taxation of Services: Overlaps in Centre-State Division of Taxation Powers**  
1515 - 1630 **Controversies in Taxation of Services in India**  
Discussion led by **Satya Poddar** - Panellists: **Prashant Deshpande**, Deloitte, India; **Sachin Menon**, KPMG, India; **Rohan Shah**,

- Economic Laws Practice, India; and invited speakers from corporates and government.  
1630 - 1700 Tea Break  
**Session : Special Presentations**  
Chairman **Kiran Umrootkar**, Trustee, Foundation for International Taxation, India  
1700 - 1730 **Gregory Jones**, Director of Taxation, KPMG, Isle of Man  
**Tax Structuring Opportunities using Isle of Man for Investing in the UK and European Union**  
1730 - 1800 **Thomas Hanzély**, Managing Director, BBD Enterprises, Bahrain  
**Middle East - Recent International Tax Developments**  
1800 - 1830 **Dermot S.L. Butler**, Chairman, Custom House Group, Malta  
**Non-tax costs of Regulatory Changes**  
1830 - 1900 **Pascal Janssens**, Partner, PricewaterhouseCoopers, Belgium  
**Belgium - Investment Incentives and Tax Advantages**  
1900 - 2200 Networking Dinner  
**DAY THREE: DECEMBER 8, 2012 (SATURDAY)**  
0830 - 1030 Panel Discussion II : Substance and Form Role of the Judiciary  
A panel discussion led by **Mukesh Butani**, Managing Partner, BMR Legal, India and chaired by **Justice S H Kapadia**, former Chief Justice of India. - Panellists: **Arvind Datar**, Senior Advocate, India; **Marc Levey**, United States; **Marcos Valadão**, Brazil; **Frederik Zimmer**, Norway; and **Hon. G.E.Veerabhadrapa**, former President Income Tax Appellate Tribunal, India  
1030 - 1100 Coffee Break  
**Session : Recent Developments in the Model Treaties**  
Chairman **Pranav Sayta**, National Leader & Partner, Ernst & Young, India  
1100 - 1130 **Michael Lennard**, Chief, International Tax Cooperation Section, United Nations  
**United Nations Treaty Model - The 2012 Update**  
1130 - 1200 **Mary Bennett**, Partner, Baker & McKenzie, United States  
**OECD Treaty Model - Recent Developments**  
1200 - 1300 **Substance and Form and Tax Treaties**  
Discussion led by **Pranav Sayta** - Panellists: **Mary Bennett**, United States; **Andrew Dawson**, United Kingdom; **Michael Kobetsky**, Australia; **Michael Lennard**, United Nations; **Stig Sollund**, Norway  
1300 - 1400 Lunch  
**Session : Some Regional Tax Developments**  
Chairman **M Lakshminarayanan**, Managing Partner - Tax, Deloitte, India  
1400 - 1430 **Shreya Rao**, Senior Tax Lawyer, Nishith Desai Associates, India  
**Developments in India**  
1430 - 1500 **Bruno Gangemi**, Partner, Macchi di Cellere, Studio Legale, Italy  
**Developments in Europe**  
1500 - 1530 **Ana Claudia Akie Utumi**, Partner, Tozzini Freire Advogados, Brazil  
**Developments in Latin America**  
1530 - 1600 **Veerinderjeet Singh**, Chairman, Taxand Malaysia  
**Developments in Asia (ex. India)**  
1600 - 1630 Discussion and Questions  
1630 - 1700 Tea Break  
**Session : Transfer Pricing Developments**  
Chairman **Uday Ved**, senior Partner & former Head of Tax, KPMG, India  
1100 1200 **Intangibles: Transfer Pricing or Anti-Abuse ? Definition and Ownership Issues**  
1200-1300 **Intangibles: Goodwill, Location Savings, Valuation Methods**  
Discussions led by **Caroline Silberztein** Panellists: **Peter Barnes**, GE, United States; **Michelle Levac**, Canada Revenue Authority, Canada; **Marc Levey**, Baker & McKenzie, United States; **Marlies de Ruitter**, OECD, Paris. **Caroline Silberztein**, Baker & McKenzie, France  
1300 - 1400 Lunch  
**Session : Transfer Pricing - Regional Developments**  
Chairman **Shyamal Mukherjee**, Joint Head of Tax, PricewaterhouseCoopers, India  
1400 - 1430 **Stig Sollund**, Director General, Tax Law Dept., Ministry of Finance, Norway  
**United Nations - Practical Transfer Pricing Manual for Developing Countries**  
1430 - 1500 **North America** **Al Meghji**, Partner, Osler, Hoskin & Harcourt, Canada  
1500 - 1530 **Australia** **Michael Kobetsky**, Professor, Melbourne University  
1530 - 1600 **India** **Rahul Mitra**, Partner, PricewaterhouseCoopers, India  
1600 - 1630 **OECD** **Marlies de Ruitter**, Head of Tax Treaty, Transfer Pricing & Financial Division, Paris  
1630 - 1700 Tea Break  
1700 - 1800 **Panel Discussion III : Recent Indian Cases and Developments in Transfer Pricing**  
- A panel discussion with selected conference speakers and delegates led by **Vijay Iyer**, National Transfer Pricing Leader & Partner, Ernst & Young, India. Panellists currently include **Vinod Mangotra**, ex Revenue KPMG, India; **Rohan Phatarpekar**, KPMG, India; **Karishma Phatarpekar**, Grant Thornton, India; and **Sanjay Tolia**, PricewaterhouseCoopers, India. The session will be recorded by CNBC - TV18.  
1800 - 1855 **Panel Discussion IV : Recent Indian Cases and Developments in International Taxation**  
- A panel discussion with selected conference speakers and delegates led by **T P Ostwal**, Partner, T P Ostwal Associates, India. Panellists currently include **Bijal Ajinkya**, Nishith Desai Associates, India; **Gokul Chaudhri**, BMR Advisors, India, **Sunil Shah**, Deloitte, India; and **G C Srivastava**, ex Revenue, India. The session will be recorded by CNBC - TV18.  
1855 - 1900 Concluding Remarks

## PROFILES AS AT NOVEMBER 15, 2012

### OUR FORMER HONORARY PRESIDENT

**Professor Klaus Vogel:** Professor Klaus Vogel was professor emeritus at the University of Munich. Prior to that date, he had been a professor at Erlangen-Nuremberg University (1964-66), Heidelberg (1966-77) and Munich (from 1977), where he retired as professor of public law and head of the Research Centre for German and International Tax Law. He was a member of the Permanent Scientific Committee of the International Fiscal Association from 1974-1990 and a visiting professor at Harvard, Berkeley, Perugia and Vienna universities. Over the years, he had written about 15 books and 240 articles on constitutional, administrative and tax law. He was the principal author of the renowned book on "Double Taxation Conventions". Professor Vogel passed away in December 2007 in Germany.

### OUR CONFERENCE DIRECTORS

**Roy Rohatgi:** Roy retired as Worldwide Partner in Arthur Andersen in the mid-nineties after nearly 25 years with the firm. In the eighties, he spent several years in Mumbai (Bombay) where he established the Indian firm of Arthur Andersen. He is a visiting professor in international taxation in several universities and author of the book "Basic International Taxation". He started this conference in 1995.

**Roger Wheeler:** Roger is a Tax Consultant with KPMG's Washington National Tax Office. Before joining KPMG, Roger worked 34 years with the General Motors Corporation (GM), the last 15 as Chief Tax Officer. Roger was nominated by "Tax Business" magazine as one of the "top 50" worldwide tax professionals. He is a past President of the International Fiscal Association - USA Branch.

### OUR SESSION CHAIRMEN

(in alphabetic order)

**Mukesh Butani:** Mukesh is the Managing Partner and Tax practice leader of BMR Legal. Mukesh was the Tax practice leader at Big 4 firms until August 2004. He is member of OECD's Business Restructuring & Advisory Group and Vice-Chairman of ICC Paris Taxation Commission. He was recently nominated member of the IFA Permanent Scientific Committee.

**Ketan Dalal:** Ketan is the Joint Head, Tax & Regulatory Services with PricewaterhouseCoopers in India and also a member of the India Leadership Team. Recently, International Tax Review listed him among India's leading tax advisors. In 1997, he helped set up RSM & Co., now merged into PwC.

**Sohrab Dastur:** Sohrab Dastur is a Senior Advocate who has been in practice in India for over fifty years. He is a past President of the Chamber of Income-tax Consultants. Until September 2004, he was a member of the IFA Permanent Scientific Committee.

**Dinesh Kanabar:** Dinesh is the Deputy CEO at KPMG, India. Previously, he was an Executive Director and Leader of Tax and Regulatory Practice of PricewaterhouseCoopers in India. Prior thereto, he was the founder Partner/Director of RSM/Ambit.

**Nishith Desai:** Nishith is the Founder of Nishith Desai Associates, a research-based law firm. He is an international tax and corporate lawyer, researcher, author and lecturer. Nishith Desai has been voted "External Counsel of the Year 2009" by Asian Counsel and Pacific Business Press and the "Most In Demand Practitioners" by Chambers Asia 2009.

**M Lakshminarayanan:** Laks is the Managing Partner - Tax at Deloitte Haskins & Sells in India. He specializes in serving multinational companies, both in setting them up and dealing with a wide range of their international tax issues. Laks also has hands-on experience in mergers, acquisitions and restructuring of companies.

**Shyamal Mukherjee:** Shyamal is the Joint Head of Tax at PricewaterhouseCoopers, India. He also leads the India Transfer Pricing (TP) practice of PwC. He is on the Board of Editors of the Asia Pacific Tax Bulletin published by the International Bureau of Fiscal Documentation (IBFD).

**T P Ostwal:** T.P. Ostwal is the Senior Partner of the firm of T.P. Ostwal & Associates in India. He is the ex-Chairman of International Fiscal Association - India Branch, and Vice President of the global Executive Committee of IFA. He is also a member of the Expert Group of the UN on Transfer Pricing for Developing Countries.

**Satya Poddar:** Satya is the Partner Policy/Advisory in Ernst & Young in India and heads its indirect taxation practice. Prior to joining E&Y in India in 2005, he was with the firm in Toronto since 1987. Before that he worked on GST issues and tax reforms with the Canadian government.

**Jairaj Purandare:** Jai was the Regional Managing Partner of PricewaterhouseCoopers (PwC) in India until late 2011. Previously, he was Chairman of Ernst & Young in India. Prior thereto, he was the Country Head of the Tax & Regulatory practice of Andersen in India. International Tax Review has named Jai several times as among the leading tax advisers in India.

**Pranav Sayta:** Pranav is a Partner in Ernst & Young, India and the national leader of the Tax practice for the Technology, Communication, Entertainment & Services sector. Pranav is a member of the Executive Committee of the IFA India Branch and a member of the Managing Committee of the Western Region Chapter of IFA India.

**Caroline Silberstein:** Caroline is a Partner in the international law firm of Baker & McKenzie, France. Prior to September last year, she was the Head of the Transfer Pricing Unit in the OECD Centre for Tax Policy and Administration. She was the Secretariat to Working Party No. 6 of the Committee on Fiscal Affairs and led the 2010 update of the OECD TP Guidelines.

**Kiran Umrootkar:** Kiran is currently the Director - Finance of Jacobs Engineering India Pvt. Ltd., an Indian subsidiary of a US multinational corporation engaged in engineering consultancy services. Previously, he worked as a banker with Standard Chartered Bank for 26 years and retired as Head of Treasury. Kiran is a Trustee of the Foundation for International Taxation since its inception.

**Uday Ved:** Uday is the Executive Director and former Head of Tax - KPMG India. Uday specializes in international tax, transfer pricing, foreign investment consulting and exchange control regulations. Prior to joining the firm, Uday was Partner and Head of Tax in RSM & Co. in India. Prior to RSM, Uday was a Senior Tax Partner in Arthur Andersen, India.

### OUR TECHNICAL SPEAKERS

(in alphabetic order)

**Peter Barnes:** Peter is Senior Tax Counsel - International for General Electric. He supports GE and its affiliates on tax matters throughout the Asia-Pacific region, particularly on transfer pricing and intellectual property issues. Prior to 1991, Peter worked at the U.S. Treasury in Washington, D.C. as U.S. Deputy International Tax Counsel. Peter is an adjunct professor for the NYU Law School graduate tax program.

**Mary Bennett:** Mary rejoined Baker & McKenzie LLP in 2011 as a Partner in its Washington DC office, where she was partner from 1990 to 2005. She was Head of the OECD's Tax Treaty, Transfer Pricing & Financial Transactions Division based in Paris during 2005-11. In the eighties, she worked as the Deputy International Tax Counsel at the U.S. Treasury.

**Dermot S. L. Butler:** Dermot is the Chairman of the Custom House Group of Companies, a global fund administration company, registered in Malta, and a member of worldwide TMF Group. He has served as expert witness on fund regulatory matters and as Deputy Chairman of the Alternative Investment Management Association. Dermot is a regular speaker and writer on hedge funds.

**Geoff Cook:** Geoff is the Chief Executive of Jersey Finance, a body which promotes the Finance Industry of Jersey globally. He is a regular speaker and contributor to conferences and seminars around the world. He also writes frequently on issues affecting Jersey and other financial centres. Previously, he was Head of Wealth Management for HSBC Bank Plc.

**Catherine Damelin-court:** Catherine is the Vice President of the Alstom Group in France since 2011. Previously, she was the Senior Vice President at Lafarge, managing a central tax team coordinating its international tax network. Earlier she had worked at Sanofi and Alcatel as an international tax lawyer in charge of the international tax functions of each Group.

**Arvind Datar:** Arvind is a Senior Advocate at the Supreme Court, the Madras and other High Courts, in India. He specializes in taxation, company

and constitutional law. Arvind is the Chief Editor of the forthcoming 10<sup>th</sup> edition of Kanga & Palkhivala's Law and Practice of Income Tax. He has written several law books and teaches at several leading law colleges in India

**Girish Dave:** Girish is an international taxation lawyer based in Mumbai, India. He retired as Chief Commissioner after 34 years in the Indian Revenue Service in 2010. Previously, he was the Director of International Taxation in Mumbai. Girish has represented as a lawyer the tax department in Indian courts and tribunals in several well known cases, including Vodafone.

**Andrew Dawson:** Andrew is the Head of the Tax Treaty Team in the UK's Revenue & Customs Department, responsible for the negotiation of the UK's double taxation treaties. He is currently the Chairman of the OECD Committee of Fiscal Affairs' Working Party on Tax Treaties, and is a former member of the UN Committee of Experts on International Tax Cooperation in Tax Matters.

**Prashant Deshpande:** Prashant heads the Indirect Tax practice of Deloitte in India. He advises large multinational and Indian companies on structuring of transactions, supply chains and business processes to optimize indirect tax incidence, besides assistance on tax compliance and litigation support. He was named as a leading tax advisor by International Tax Review in 2011.

**Michael Durst:** Michael is a Tax Attorney in Washington, and a columnist for the publication Tax Notes. He focuses his professional activities in the areas of international tax and transfer pricing. He served for several years as Director of the IRS Advance Pricing Agreement program dealing with its alternative dispute resolution programme.

**Ambassador (Mrs.) Usha Dwarka-Canabady:** Mrs. Dwarka-Canabady is the Head of Multilateral Economic Directorate, Ministry of Foreign Affairs, Regional Cooperation and International Trade in Mauritius. She is a former High Commissioner to India, and a Member of the Joint Working Group on the India-Mauritius Double tax treaty.

**Bruno Gangemi:** Bruno is the Senior Partner and Head of Tax in his firm Macchi di Cellere Gangemi in Italy. His practice covers a wide range of tax issues and structuring for both domestic and international taxation. He is also a former member of the Permanent Scientific Committee of the International Fiscal Association, and secretary of its Italian branch.

**Shefali Goradia:** Shefali is a partner with BMR Advisors' corporate tax practice based in Mumbai. Shefali features as one of the pre-eminent practitioners in India and has been listed in several international tax journals in the past. In 2009, she was rated as among the eight best tax advisers in the country by Legal 500 and the Tax Directors' Handbook.

**Thomas Hanzély:** Thomas is the Managing Director of BBD Enterprises, an international business and investment advisory firm based in Manama, Bahrain. Prior to joining BBD, Thomas worked for several years as in-house counsel at the Bank for International Settlements (BIS) in Basel, Switzerland. Previously, he was employed as a lawyer in both a law firm and a Swiss multinational.

**Vijay Iyer:** Vijay is the National Leader for Transfer Pricing in Ernst & Young, India. He has been rated as one of the world's leading Transfer Pricing Advisors for India by the Legal Media Group and by International Tax Review.

**Pascal Janssens:** Pascal is a partner in PricewaterhouseCoopers in Belgium. He specializes in foreign tax systems and their interaction with Belgium. Pascal is also co-author of a book on "Substance - Aligning Tax Planning with Business Realities".

**Gregory Jones:** Greg is the Director of Taxation with KPMG responsible for Isle of Man and Gibraltar. He specialises in international tax structuring in a wide range of industries. Greg is active in the standing committee to advise the IOM tax authorities on tax strategy and policy.

**H C Kapadia:** Justice Kapadia was until September this year (when he retired) the Chief Justice of India. He headed the three-man "bench" which gave the Vodafone decision at the Indian Supreme Court in January 2012. He was listed as one of the Global Top 50 influences in international taxation this year by the International Tax Review.

**Michael Kobetsky:** Michael is an Associate Professor at the University of Melbourne, Melbourne Law School. He is also currently a member of the United Nations Sub-Committee on Transfer Pricing. He has acted as a consultant with the OECD in Paris, Asian Development Bank and USAID program on tax issues. He has written several books on taxation and speaks widely on the subject.

**Pramod Kumar:** Pramod is a Member of India's Income Tax Appellate Tribunal. He has been on the Board of Directors of the International Association of Tax Judges. He has also worked in South South Sharing of Successful Tax Practices (S4TP) project by the United Nations, Pramod is probably best known for the high quality of his judgments on international tax cases in India.

**Michael Lennard:** Michael is the Chief, International Tax Cooperation and Trade in the Financing for Development Office of the United Nations. His work focuses on the international tax rules for developing countries, and improvements in their tax systems and administrations. Previously, he was a Tax Treaty Advisor at the OECD in Paris and had worked at the Australian Tax Office.

**Michelle Levac:** Michelle is the Transfer Pricing Specialist at the Canada Revenue Agency and the Chair of Working Party No. 6 (which deals with the taxation of multinational enterprises) at the OECD in Paris. She has wide experience in the determination of arm's length prices and the negotiation of transfer pricing cases with foreign tax authorities.

**Marc Levey:** Marc is a Partner in the New York office of Baker & McKenzie with specialisation in structuring and defending transfer pricing strategies. He previously had worked as Tax Attorney with the National Office of the IRS. He has also been a Senior Trial Attorney and Special Attorney in the U.S. Department of Justice.

**S. Mahalingam "Maha":** Maha is the Chief Financial Officer and Executive Director of Tata Consultancy Services (TCS), a major Indian multinational in the IT services industry. A chartered accountant by profession, he has played a key role in helping TCS as a group become a \$10 billion global company with over 200,000 employees during his 41 years with the organisation.

**Al Meghji:** Al is a tax litigation Partner in Osler, Hoskin & Harcourt LLP in Canada. He practises exclusively in the area of tax litigation, and has argued successfully several landmark tax cases in the Canadian Courts. He was previously with the Tax Litigation Section of the Department of Justice in Ottawa.

**Nikhil V. Mehta:** Nikhil is a tax Barrister and Indian advocate, and a member of Gray's Inn Tax Chambers in London. He has over 25 years of experience in international tax and has worked in leading law firms in the United Kingdom. Nikhil specializes on India-related transactions. He ran the India Business group at Linklaters for ten years.

**Sachin Menon:** Sachin is the National Head of Indirect Taxes in India at KPMG, He specializes on value added tax, and customs and excise laws, and has over 30 years' experience in virtually all indirect taxes in the country. He is also involved with the development of VAT rules in India.

**Rahul Mitra:** Rahul is the National Leader of the Transfer Pricing Practice of PwC India. He is a Partner in the Tax & Regulatory Services practice of PwC India. He was a speaker at the OECD roundtable conference in Paris on developing countries' perspective on APAs in 2012.

**Marie Pallot:** Marie Pallot is a Policy Manager with the New Zealand Inland Revenue. Marie is responsible for advising the New Zealand government on GST legislative reforms. Marie is a former Vice-Chair of the OECD's Working Party 9 on consumption taxes. Over the years she has been involved in GST issues involving financial services.

**Mohan Parasaran:** Mohan is a Senior Advocate and an Additional Solicitor General of India. He has successfully represented the Government in several landmark cases including the recent Vodafone tax case on its indirect acquisition of Hutch business in India in 2007. Previously, he was engaged in the practice of litigation law at the Supreme Court and several High Courts.

**Shreya Rao:** Shreya is a senior tax lawyer with Nishith Desai Associates in India. Shreya is currently an Executive Council member of the International Fiscal Association, India and a representative of the Young IFA Network in India. Shreya was awarded her masters in law by Harvard Law School. She also teaches as a Visiting Faculty at the National Law School, Bangalore.

**Marlies de Ruiter:** Marlies is the Head of the Tax Treaty, Transfer Pricing and Financial Transactions Division of the OECD's Centre for Tax Policy and Administration since February 2012. She provides strategic leadership and analytical input to the Centre's work on transfer pricing, tax treaties and financial transactions. She previously worked for several years in the Dutch Ministry of Finance.

**Alpana Saksena:** Alpana is Director, Global Transfer Pricing Services with KPMG on secondment to their USA National Tax Office in Washington DC and also Senior advisor on Tax Dispute Resolutions in Transfer pricing with KPMG India. Most of her past professional career has been with the Indian Revenue Service where she took voluntary retirement after 25 years.

**Rohan Shah:** Rohan leads the Tax Practice of Economic Laws Practice, ("ELP") as its Managing Partner in India. He is well known as a litigator on indirect tax and trade remedial disputes, and has been rated as among the leading tax lawyers by several international tax publications. "India Today" in January 2000 Edition included him in a listing of '50 Indians for the Next Millennium'.

**Parthasarathi Shome:** Professor Shome is currently the Director and Chief Executive of ICRIER, New Delhi. Previously, he was the Chief Economist, Her Majesty's Revenue & Customs (HMRC), United Kingdom, and Adviser to Union Finance Minister, India. Over the years, he has held various positions at the IMF, and was a Professor at American University, Washington DC. He recently chaired an expert committee of the Indian government to review certain tax issues arising from Vodafone case.

**Veerinderjeet Singh:** Veerinderjeet is the Chairman of Taxand Malaysia. He has served with the Malaysian Inland Revenue Department, and been a tax partner in international accounting firms and worked as a tax professor in his country. Currently, he is IFA Malaysia Chairman and is a member of the Commission on Taxation of the International Chamber of Commerce.

**Stig Sollund:** Stig is Director General at the Tax Law Department of the Norwegian Ministry of Finance and Head of its Tax Treaties and International Tax Section. He is also currently a member of the UN Committee of Experts on International Cooperation in Tax Matters and coordinator of the Subcommittee on Transfer Pricing Issues.

**Richard Teather:** Richard is a leading British academic specializing in offshore tax jurisdictions. In recent years, he has advised the Jersey parliament on their tax reform and the Cayman Islands on their fiscal problems. He was one of the experts sent by the European Commission to help eastern European countries in their transition to European Union membership.

**Ana Claudia Akie Utumi:** Ana is the Partner in charge of Tax at Tozzini Freire Advogados, a well known law firm in Brazil. She is a visiting professor in taxation at several institutes and universities in Brazil. Ana is a member of the Permanent Scientific Committee of the International Fiscal Association and of many similar tax educational bodies in Brazil.

**Marcos Valadão:** Marcos is a Professor of Law at Catholic University of Brasilia (Brazil), and Member of the Brazilian Administrative Court of Tax Appeals (CARF). He is the former Coordinator-General of International Relations of the Brazilian Revenue Service. Marcos is the Brazilian Member of the UN Committee of Experts on International Cooperation in Tax Matters.

**G.E.Veerabhadrapa:** Hon. Veerabhadrapa is a former President of the Income Tax Appellate Tribunal in India. Over the years, he has given several judgments on international tax issues.

**Frederik Zimmer:** Frederik is a Professor of Tax Law at the University of Oslo, Norway. He has also been a member of the Permanent Scientific Committee of the International Fiscal Association and the Chairman of its research subcommittee. Professor Zimmer was the general reporter on "Form and substance in tax law" at the 2002 IFA congress in Oslo.

Organized by

## FOUNDATION FOR INTERNATIONAL TAXATION

Our Administrative Office : 622 Maker Chambers V, 221 Nariman Point, Mumbai. 400 021 India

Tel : 91 22 2202 4259/61 - 91 22 6515 7488 Telefax : 91 22 2202 4260 Email : internationaltax.foundation@gmail.com

For more information and registration form, visit our website - [www.fitindia.org](http://www.fitindia.org) or contact Ms. Uma Sathnur by post, fax, email or telephone

*A copy of this brochure and the registration form can be downloaded from our website.*