

# HALF-DAY WORKSHOP: LATEST UPDATES & DEVELOPMENTS ON ANTI-AVOIDANCE

**Date:** 5 September 2018  
**Venue:** Sheraton Imperial Hotel, Kuala Lumpur  
**Event Code:** 18WS/036  
**Time:** 9.00am – 1.00pm (Half-Day)

## Introduction

Is tax avoidance legal and permissible or is it 'dead'? As tax liabilities constitute a direct cost of doing business, tax planning to minimise tax exposure is an important aspect of managing a business--but are your tax strategies legal? Are you able to distinguish between tax avoidance, tax evasion and tax mitigation? In Malaysia, the general and specific anti-avoidance provisions included in tax laws aims to defeat or pre-empt anticipated avoidance schemes, tax loopholes and to counteract the use of tax schemes that artificially create a tax benefit without cost to the tax payer. With the ever changing anti-avoidance provisions in the Malaysian tax laws, it is crucial to be kept up to date as running afoul of tax laws will invite heavy penalties.

This programme sheds light on the latest updates and developments on Anti-Avoidance and case law developments in this area of tax law, including the relevant provisions of the Act. The facilitators will explain the essence of the tax principles to help you better understand the distinction between legitimate tax planning and abusive or aggressive tax planning.

## Objectives

This seminar seeks to provide:

- Guidance on the general principles of the status of anti-avoidance in the current Malaysian tax environment;
- A quick tour of the various provisions that deal with general and specific anti-avoidance;
- An illustration on the workings of the main general anti-avoidance provision in section 140;
- A distinction between tax evasion, tax avoidance, tax mitigation, aggressive tax planning and permitted tax planning;
- A high level understanding of the application of these provisions;
- An understanding on the latest judicial developments from case law perspective and its implications, which is in constant change; and
- A highlight of the latest developments around the world and implications to Malaysian taxpayers

## Programme Outline

- 9.00 am – Dealing with the issues on Anti-Avoidance as highlighted in the objective.  
Speaker : SM Thanneermalai
- 10.30 am – Morning Refreshment
- 11.00 am – Case Law Development  
Speaker: Vijey M Krishnan
- 12.15 pm – Forum discussion between the speakers
- 12.30 pm – Q&A session
- 1.00 pm – Lunch

## Who Should Attend

- CEOs, COOs, CFOs
- Directors/General Managers
- Entrepreneurs
- Financial Controllers
- Finance Directors/Managers
- Tax Managers/Professionals

## Methodology

Lectures accompanied with practical examples and sharing of the speaker's past experience.

### Speakers

SM Thanneermalai is currently the Managing Director of Thannees Tax Consulting Services Sdn Bhd. He was previously a Partner of PriceWaterhouseCoopers until June 2015, and between July 2015 to December 2017 he was the Managing Director of Crowe Horwath KL Tax Sdn Bhd. He is also currently the Chairman of the Board of Trustees of the Malaysian Tax Research Foundation. He is also the former president of the Chartered Tax Institute of Malaysia (CTIM), and a member of the Chartered Accountants of England and Wales (ICAEW) and the Malaysia Institute of Accountants (MIA). SM Thanneermalai has extensive experience in handling a vast variety of transfer pricing and corporate tax assignments. He specialises in assisting multinational companies and local conglomerates with international tax planning, transfer pricing, tax audits, investigations, corporate tax matters and generally on all aspects of tax laws including GST matters. He has been working in the field of taxation since 1980. He works very closely with the Inland Revenue Board of Malaysia, Royal Malaysia Customs Department, the Tax Policy Division of the Ministry of Finance, MIDA, MDEC and etc.

VIJEY has over 20 years of experience in tax law. He heads the tax practice group at Raja, Darryl & Loh. He was previously a consultant with the Tax and Business Advisory Division of the then Arthur Andersen in Kuala Lumpur. Vijey regularly appears before the Special Commissioners of Income Tax, the High Court, the Court of Appeal and the Federal Court on points of tax law. 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 the Chambers Asia Pacific and as a Leading Lawyer in Asialaw Profiles. His areas of work in revenue matters covers all areas of tax. This includes include pre-filing and pre-transaction tax law sensitivity analyses and opinions, dispute resolution with tax authorities, tax appeals to the courts on income tax, real property gains tax, customs duties, GST and stamp duties, tax issues in M&A transactions and transfer pricing. Vijey is an Associate of the Chartered Tax Institute of Malaysia. He is or has been involved in various committees including the GST and Tax Sub-Committee of the Malaysian Bar, the Tax Committee of the American Malaysia Chamber of Commerce, the CTIM GST-SST Transformation Working Group and CTIM Technical Committee – Indirect Taxation and Stamp Duty.

## Registration Form

Please retain original copy for your records. | Please photocopy for additional delegates. | Registration can be made via fax.

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#### \*Registration Fees


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|--|----------|
| <input type="checkbox"/> CTIM/ACCA Member    | RM300.00 |
| <input type="checkbox"/> Member's Firm Staff | RM350.00 |
| <input type="checkbox"/> Non-Member          | RM400.00 |

\* The above registration fee is inclusive of course materials, refreshment and lunch.

- \* Seats are limited and based on first-come, first-served basis
- \* Registration of participants will be confirmed upon registration, receipt of full payment or an acceptable employers guarantee and settlement of previous outstanding dues.
- \* All outstanding payment must be received on or prior to the date of the event for participants to be allowed to attend. The institute reserves the right to cancel the registration if no payment is received prior to or on the date of the event.
- \* Walk-in participant registration and attendance is subject to availability of seats and full payment.
- \* Certificate of attendance will only be released upon participant signing the attendance register before 10.30am, full attendance and after completion of the event.

#### Enquiries

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 Fax: 03-2161 3207  
 03-2162 8990  
 Email: cpd@ctim.org.my

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 50450 Kuala Lumpur

#### Contact Person:

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 Ms Ally (ext 123 / ally@ctim.org.my)

#### Participant's Contact Details

Full Name : \_\_\_\_\_

Company : \_\_\_\_\_

I/C Number : \_\_\_\_\_

Designation : \_\_\_\_\_

Membership No :  CTIM/ACCA \_\_\_\_\_

Tel : \_\_\_\_\_

Member's Firm Staff \_\_\_\_\_

Fax : \_\_\_\_\_

Company Address : \_\_\_\_\_

Email : \_\_\_\_\_

\_\_\_\_\_

Mobile : \_\_\_\_\_

Vegetarian

#### Payment Method

Online Payment via JomPAY



**Bill Code:** 21790  
**Ref-1:** Event Code  
**Ref-2:** Mobile Number

JomPAY online at Internet and Mobile Banking with your Current, Savings or Credit Card account

Cash for Amount of RM \_\_\_\_\_

Cheque No. \_\_\_\_\_

For Amount of RM \_\_\_\_\_

\*All cheque should be made payable to "CTIM-CPE"

MASTER / VISA Credit Card

For amount of RM \_\_\_\_\_

Card No

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Expiry Date

Authorised Signature

(month/year)

Cardholder's Name ( as per credit card )

#### Replacements

Please note registrations for the event are not interchangeable but replacements are acceptable. Please notify us at least three days prior to the event if you intend to send a replacement. CPD points will be allocated to the designated attendee. If the replacement is not a Member but a Member's Firm Staff or Non-Member, the appropriate fees will apply.

#### Cancellations

The Chartered Tax Institute of Malaysia must receive cancellations in writing five working days prior to the event. Refund amount is subject to deduction of administration and finance charges. No refund will be given for cancellations received within less than five working days of the event.

#### Confirmation of Registration

The confirmation letter will be emailed 5 days before the commencement of the event upon receipt of full payment. In the event you do not receive the confirmation letter 5 days before the event, please contact us immediately.

#### Disclaimer

The Organiser reserves the right to change the speaker, date, venue or to cancel the event if the number of participants is less than 20. A minimum of 3 days notice will be given.

#### Recording

Video / Sound recording is strictly prohibited.