

SUPPORTED BY:



7CPE POINTS AWARDED
Points qualify for the purpose of application or renewal of tax agent licence under Subsection 153(3), Income Tax Act 1967.

ENJOY 5% GROUP DISCOUNT
for registration of 3 pax & above from the same organisation.

TRANSFER PRICING CONFERENCE 2022

Ensure Greater Compliance with Transfer Pricing Regulations

26 May 2022, Thursday | 9.00am – 5.30pm



OPENING REMARK BY
YEE WING PENG
Chairman, Taxation Practice Committee
Malaysian Institute of Accountants

Transfer pricing (TP) regulations are becoming ever more complex, compounded by constantly changing tax legislations locally and globally. Therefore, it can be arduous to ensure that proper measures are taken to ensure compliance with the TP rules at all times. As the Inland Revenue Board of Malaysia (IRBM) is increasingly vigilant in examining taxation matters, you are advised to be responsible in complying with the latest TP laws and regulations. In addition to adhering strictly to the rules and regulations, you must ensure that any changes in the TP mechanism during these uncertain times are supported with proper documentation and evidence.

The 1-Day virtual “Transfer Pricing Conference 2022” will update you on the latest developments in TP regulations, specifically Section 113B and Section 140A(3C) of the Income Tax Act 1967 (ITA 1967) which have introduced criminal liability for failure to maintain contemporaneous TP documentation and the imposition of a surcharge on all TP adjustments arising from preparing an incorrect return, irrespective of whether there is tax payable on the adjustments. Join our expert speakers ranging from tax authorities to recognised tax practitioners who will share their critical insights, guidance and best practices for complying with the stricter transfer pricing regulations.

KEY CONFERENCE TAKEAWAYS

- **GET TIPS** on how to comply with TP rules and guidelines
- **GAIN** an in-depth understanding of what happens during TP audits and investigations
- **MAINTAIN** contemporaneous transfer pricing documentation
- **EXPLORE** the transfer pricing methods – approaches, benefits, and risks
- **UNDERSTAND** the impact of the OECD Two Pillars on the local TP regime

WHO SHOULD ATTEND

- CFOs
- Accountants
- Finance Professionals
- Tax Directors
- Tax Practitioners
- Heads of Finance or Tax
- Partners of Accountancy & Consulting Firms and Legal Firms

TRANSFER PRICING CONFERENCE 2022

Ensure Greater Compliance with Transfer Pricing Regulations



CONFERENCE OUTLINE

8.30 am PARTICIPANTS LOGIN TO JOIN THE CONFERENCE

9.00 am **OPENING REMARK**

YEE WING PENG *Chairman, Taxation Practice Committee, Malaysian Institute of Accountants*

9.05 am **THE ARM'S LENGTH PRINCIPLE IN TRANSFER PRICING (TP)**

This session discusses the application issues in determining the arm's length price i.e. the appropriate methods to be applied in a particular set of circumstances and the potential issues arising which may be challenged by the IRBM

SPEAKER

LILIA EDLINA *Director, Transfer Pricing, PricewaterhouseCoopers Taxation Services Sdn Bhd*

9.45 am **IS THE PROFIT SPLIT METHODOLOGY THE WAY FORWARD?**

There are many technicalities to manage when it comes to transfer pricing. Learn more about the transactional profit split method and its approaches, benefits, and risks.

SPEAKER

SM THANNERMALAI *Managing Director, Thannees Tax Consulting Services Sdn Bhd*

10.45 am BREAK

11.00 am **TP DOCUMENTATION AND HOW TO COMPLY WITH TP GUIDELINES**

This session focusses on tightened TP compliance requirements introduced under Section 113B of the ITA 1967, with effect from 1 January 2021. The TP documentation should be made available within 14 days upon request by the IRBM and applies to TP audit cases which have commenced on or after 1 January 2021.

12.00 pm BREAK

1.00 pm [PANEL SESSION]

IRBM'S STRATEGIES, ACTIONS AND EXPERIENCES IN TP AUDIT OR INVESTIGATION

IRBM conducts TP audits to ensure that taxpayers have complied with TP Rules and Guidelines. Get an in-depth understanding of why taxpayers are subject to TP audits, the preparations to be made, and how to mitigate the risk of being selected for TP audit or investigation.

MODERATOR

BOB KEE *Executive Director, Tax, KPMG Malaysia*

PANELLIST

THERESA GOH *Senior Partner, Transfer Pricing, Deloitte Malaysia*

2.30 pm **TP OF INTRA-GROUP FINANCIAL TRANSACTIONS**

Intragroup financing is a service between associated persons which falls under Section 140A(2) of the ITA 1967, in the form of financial assistance that include loans, interest bearing trade credits, advance or debt, and the provision of any security or guarantee. This session focusses on intra-group financing and documenting of financial assistance pricing policy.

3.15 pm BREAK

3.30 pm [PANEL SESSION]

EFFECTIVE MANAGEMENT OF TP – TP DISPUTE AGAINST THE IRBM

Provides guidance on management of TP disputes even before a dispute is raised and adoption of best practices for effective management of TP.

MODERATOR

KHOR YONG YONG *Member, Tax Practice Committee, MIA*

PANELLIST

KALSUMAWATI MOHD ARIS *Head, Tax, Shell Malaysia*

VIJEY R. MOHANA KRISHNAN *Partner, Tax Practice Group, Raja Darryl & Loh*

4.30 pm **IMPACT OF THE OECD TWO PILLARS ON THE LOCAL TP REGIME**

Discusses the introduction of BEPS 2.0 (Pillar One and Pillar Two), in particular Pillar Two which is commonly known as the Global Minimum Tax proposal. In a way, Pillar Two provides an opportunity for Malaysia to re-assess its non-tax factors and strive harder to ensure that it remains a favoured destination for investments.

5.30 pm END OF CONFERENCE

TRANSFER PRICING CONFERENCE 2022

Ensure Greater Compliance with Transfer Pricing Regulations



CONFERENCE SPEAKERS



BOB KEE

Bob is Executive Director–Tax at KPMG Malaysia, and co-leads KPMG’s transfer pricing practice in Malaysia. He helps clients solve complex transfer pricing problems, including formulating defense strategies for tax audits and planning to mitigate/minimise transfer pricing risks. He advises on BEPS related issues and in providing transfer pricing documentation and advisory services to companies in a variety of industries. He is also experienced in indirect taxes, specifically on SST, GST, and WTO rules of valuation. He has a strong working relationship with the Inland Revenue Board, the Customs Department and the Ministry of International Trade and Industry and is a frequent speaker at external transfer pricing events and KPMG organised workshops for clients. Bob holds a Bachelor of Commerce from the University of Melbourne and is an Approved Tax Agent of the Malaysian Ministry of Finance. He is a Fellow of the Chartered Accountants Australia and New Zealand, a Chartered Tax Practitioner of CTIM, a Member of MIA and a Member of CTIM’s Transfer Pricing sub-committee.



KALSUMAWATI MOHD ARIS

Kalsum leads the Tax function of Shell Malaysia with 25 years of experience in direct (both Petroleum Income Tax and Corporate Income Tax), indirect and employment taxes, with expertise ranging from tax policy, advisory, compliance, corporate structuring, mergers and acquisitions, tax audits and investigations, transfer pricing audits and cross border exposures management. She ensures that the Shell Malaysia Group of Companies comply with the letter and the spirit of the tax laws. She also holds the role as the Convenor of the Fiscal and Economics sub-committee of the Petroleum Production Sharing Contractors Committee (PPSC), a committee of the Malaysian International Chamber of Commerce & Industry (MICCI). She works closely with government authorities, actively advocates for new improved tax policies and has been invited to participate in and provide input to various task forces on tax policy matters. Prior to joining Shell, she was a Tax Manager in the tax practice of Ernst and Young specialising in the Financial Services sector. She holds a Bachelor of Accounting from University of Malaya.



KHOR YONG YONG

Yong Yong has over 20 years of experience in auditing and other special works including experience obtained in one of the Big 4. He has over 20 years of experience in advising and assisting companies particularly in the areas of audit and taxation (including transfer pricing and international tax). He also led multiple M&A Due Diligence and Review engagements across various industries such as property development, construction, and manufacturing. Prior to Mazars, he was a partner of a medium size international accounting firm. Yong Yong is a member of the Malaysian Institute of Accountants, Chartered Accountants of Australia and New Zealand, International Fiscal Association, and Insolvency Practitioners Association of Malaysia. He is also a member of the Chartered Tax Institute of Malaysia, INSOL International, and Chartered Institute of Taxation (CIOT). Yong Yong holds an Advanced Diploma in International Taxation from CIOT, United Kingdom.



LILIA EDLINA

Lilia has been with the transfer pricing team of PwC Malaysia for over 15 years. She has experience in dealing with the Malaysian tax authorities, Ministry of Finance, and works closely with other tax and transfer pricing specialists within the PwC network for assignments that involve clients with overseas and Malaysian operations across all industries. Lilia has assisted companies in the preparation of transfer pricing documentation and various compliance, advisory and consultancy work in relation to price setting exercise, development of cost allocation framework, development of inter-company charging mechanism, comparability studies, transfer pricing advice and transfer pricing audit. Lilia is also a regular trainer for PwC’s internal transfer pricing training sessions. Lilia holds a Bachelor’s in Accountancy from Universiti Teknologi MARA Shah Alam. She is a member of the Malaysian Institute of Accountants.



SM THANNERMALAI

SM Thanneermalai is the Managing Director of Thannees Tax Consulting Services Sdn Bhd, and has 43 years of experience in dealing with complex tax issues. He specialises in international tax planning, tax audits, corporate tax, transfer pricing, intra group transactions, developing pricing policies, and representation before IRB of Malaysia. He also works closely with regulatory authorities on government policies and legislation. He was previously the Senior Tax Partner of PricewaterhouseCoopers, the Managing Director of Crowe Horwath, former Chairman of the Board of Trustees of The Malaysian Tax Research Foundation, and also a former President of the Chartered Taxation Institute of Malaysia. Thanneermalai is a member of the Chartered Accountants of England and Wales, and the Malaysian Institute of Accountants.



THERESA GOH

Theresa is a Senior Transfer Pricing Partner in Deloitte Malaysia (national TP Leader 2003-2020). She has an elaborate career spanning over 35 years in TP and corporate tax matters. Her experience in TP controversy management includes audit defence strategy, appeals, dispute resolution and Mutual Agreement Procedures (MAP). She has also successfully assisted her clients in preventive measures such as Advanced Pricing Arrangements (APA) and Voluntary Disclosures. Under Theresa’s leadership, Deloitte Malaysia won multiple Transfer Pricing Firm of the Year awards bestowed by International Tax Review (ITR), a prominent global tax publication. On a personal level, Theresa has been recognised as the Asia TP Practice Leader of the year by ITR. She has also been consistently recognised as Leading Tax Advisor and Tax Controversy Leader. Theresa is a frequent speaker at conferences, nationally and abroad, focussing on emerging transfer pricing and tax issues. She also regularly participates in dialogues with the IRB. Theresa is a Certified Public Accountant (MICPA), a Chartered Accountant (MIA), and a fellow member of Chartered Tax Institute of Malaysia (CTIM). She is a council member of MICPA and is a member of its Tax Committee. She was a council member of CTIM and is currently a member of CTIM’s TP Technical Committee. She is also an approved tax agent under the Malaysian Income Tax Act, 1967.



VIJAY R. MOHANA KRISHNAN

Vijey has about 25 years of experience in tax matters. He joined Raja, Darryl & Loh in 1999 and heads the revenue law practice group there. He regularly appears before the Special Commissioners of Income Tax, the Customs Appeal Tribunal, the High Court and the Court of Appeal on major points of tax law. Vijey 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. In 2019-2021, the Asia Business Law Journal lists Vijey as one of the top 100 lawyers practising in Malaysia. Vijey is an Associate of the Chartered Tax Institute of Malaysia and 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 and the Chartered Tax Institute of Malaysia Technical Committee – Indirect Taxation and Stamp Duty.



YEE WING PENG

Wing Peng is the Chief Executive Officer of Deloitte Malaysia and a member of Deloitte SEA executive committee. He was elected as an MIA Council member on 28 September 2019 and is currently the Chair of MIA’s Taxation Practice Committee. He has over 28 years of experience in audit, tax and business advisory with extensive experience in advising local and multinational companies on a comprehensive range of business solutions. Wing Peng is a Chartered Accountant, member of the Malaysian Institute of Accountants (MIA), a member of the executive committee and a council member of Malaysia Institute of Chartered Accountants (MICPA), a member of the Chartered Tax Institute of Malaysia (CTIM), and a fellow member of the Association of Chartered Certified Accountants (ACCA).

Transfer Pricing Conference 2022

Ensure Greater Compliance with Transfer Pricing Regulations

With immediate effect, enrolment for all CPE programmes will be

STRICTLY VIA ONLINE REGISTRATION ONLY

REGISTRATION PROCESS



- To view more events and download the full brochure, please visit: pd.mia.org.my
- Search and select the event
- Click 'Register' to experience the new system by continuing with the respective steps below:

EXISTING USER



NEW USER



For any assistance, please call (8.45am-5.30pm, Monday-Friday)

MIA Help Desk @ 603-2722 9000

TERMS & CONDITIONS FOR WEBINARS

WEBINAR FEE

- Fee is payable to MALAYSIAN INSTITUTE OF ACCOUNTANTS
- For selected webinars, the fee includes e-materials.
 - Individual Registration:** Full payment shall be made at the point of online registration.
 - Corporate Registration:** Full payment shall be made within thirty (30) days from the date of the Invoice or 1 day before the webinar, whichever earlier.
- Access to join the webinar shall be granted only upon full payment as per the above requirement.

WEBINAR ACCESS LINK

- The Access Link will be emailed at least 24-hours before the commencement of the webinar.
- The Access Link is unique and should not be forwarded/shared with others.

PAYMENT MODE

- Payment must be made through the **electronic channels i.e. online payment via the MIA member service portal and electronic fund transfer (EFT)**.
- Payment by **cash and cheque is NOT ACCEPTABLE** effective from 1 January 2022.

CANCELLATION

Should the participant decide to cancel his/her enrolment, a cancellation policy shall be applied as follows:

- For written cancellation received with minimum seven (7) days' notice from the date of the webinar, no penalties will be imposed and full refund will be made to participants who have paid.
- For written cancellation received less than seven (7) days from the date of the webinar, an administrative charge of 20% of the registration fee will be imposed. Unpaid registrations will also be liable for a 20% administrative charge.
- No refunds will be made for written cancellations received on the day of the webinar or for participants who failed to join the webinar. Unpaid registrations will also be liable for full payment of the registration fee.
- Replacing registered participants is not allowed.
- Paid registration that is cancelled can opt to transfer the paid amount to future event(s) after deducting any applicable administrative charges.
- The transfer request to future event(s) should be confirmed by Corporate/Individual within three (3) days after cancellation otherwise the cancellation will be confirmed with refund action. Transfer request will not be entertained after the refund is processed.
- Corporate/Individual is required to top-up the balance amount if the amount to be transferred to the future event is insufficient.
- Any excess amount after transfer will be refunded to the Corporate/Individual's bank account as provided in the EFT form.
- Corporate/Individual is required to provide the EFT form each time when a refund is requested.

PARTICIPANT'S CLASSIFICATION AND INFORMATION

Category: Corporate/Individual

- Please select the participant classification carefully as it determines the fee payable. No alteration will be allowed upon registration.
- The information on Corporate/Individual provided shall be deemed true and correct. No alteration will be allowed upon registration.

METHODOLOGY, CERTIFICATE OF ATTENDANCE AND CPE CREDIT HOURS

- Live Q&As, quick polls/surveys will be carried out throughout the

webinar.

- For selected webinars, pre and/or post course materials will be shared with participants.
- Self-assessment quizzes at the beginning as well as at end of the webinar will be given to enable participants to self-evaluate themselves on their learning performance and level of understanding of the programme content.
- Participants will be issued with an e-certificate of attendance and awarded CPE credit hours upon strict compliance of the following terms:**
 - Remain logged in at least 80% of the time allocated for the webinar,**
 - Submit the post-course evaluation on learning outcome within 3 days after the completion of the webinar (late submission of the post-course evaluation will not be entertained).**
- CPE credit hours will be credited into the MIA Member Services Portal within 14 days of the webinar for participants who have complied with all terms and conditions stipulated herein.
- Listening to pre-recorded webinar and/or reading from past webinar e-material shall not qualify as structured CPE credit hours.

COPYRIGHT

The materials of the webinar shall not be disclosed or used in any manner, either wholly or partially against any other parties and/or used in any manner, either wholly or partially as a defence by you and/or any other parties under any circumstances. The participants are therefore prohibited from reproducing any materials of this programme. All copyright and/or intellectual property rights in any relevant materials produced in this Programme will remain with the party who produced such materials.

MIA disclaims responsibility for the materials of this programme. Neither the MIA, its Council or any of its Boards or Committees nor its staff shall be responsible or liable for any claims, losses, damages, costs or expenses arising in any way out of or in connection with any persons relying upon the materials provided during the webinar.

DATA PROTECTION

Information given by the participants to MIA is true, accurate and to the best of their knowledge. The participants have read and agreed with the Privacy Notice as stated on MIA's official website and therefore, allow MIA to collect, process, store and use the participants' data other than what is provided under the Personal Data Protection Act 2010.

EXCLUSION OF LIABILITY

This webinar shall not constitute an endorsement of the speaker(s) by MIA and MIA shall not be liable for whatsoever circumstances arising from any engagement between the speaker(s) and the webinar's participants.

DISCLAIMER

Malaysian Institute of Accountants (MIA) reserves the right to change the speaker(s), date(s), time(s) and to cancel the webinar should circumstances beyond its control arise. MIA shall not be responsible for any costs, damages or losses incurred by the participant due to the changes and/or cancellation. MIA also reserves the right to make alternative arrangements without prior notice should it be necessary to do so. Upon registering, you are deemed to have read and accepted the terms and conditions herein.

CONFERENCE FEES

Member** (ACCA, AFA, CAANZ, CIMA, ICAEW, MICPA) / Member Firm	RM 750
Non-member	RM 975

Preferred Payment: Pay with MIA-CIMB Affinity Credit Card

****Members of ACCA, AFA, CAANZ, CIMA, ICAEW and MICPA are required to contact MIA to register for this conference**

CONFERENCE DETAILS & REGISTRATION

26 May 2022 (Thursday)
9.00 am to 5.30 pm

Contact : Maken
Tel : 03 2722 9260
Fax : 03 2722 9009
Email : sp@mia.org.my
Address : Malaysian Institute of Accountants
Dewan Akauntan
Unit 33-01, Level 33, Tower A
The Vertical, Avenue 3
Bangsar South City
No. 8, Jalan Kerinchi
59200 Kuala Lumpur

Enjoy 5% Discount

on total course fee for registration of 3 pax and above from the same organisation