

Best Practices in Audit Management and Transfer Pricing Issues

14th Annual

TRANSFER PRICING

Update

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PROFESSIONALS**

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PLUS! In-depth workshops!

✓ *Transfer Pricing Strategies for
In-House Practitioners*

✓ *Best Practices in Audit
Management*

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Profit from Knowledge

Conference: January 26 and 27, 2010

Optional Half-Day Workshops: January 28, 2010

TORONTO, ONTARIO

***Up-to-date information on key transfer pricing issues and
strategies for developing a successful audit defence***

- ✓ **Learn about the recent developments in transfer pricing in Canada, the United States, Europe, and Asia**
- ✓ **Discover the impact that recession has had on Canadian and international transfer pricing within the last year**
- ✓ **Examine practical approaches and lessons learned from transfer pricing legal cases, including *GlaxoSmithKline* and *GE Capital***
- ✓ **Learn about OECD guidelines on business restructuring, including transfer pricing, valuation, and audit concerns**
- ✓ **Discover best practices in audit management and CRA auditing trends**
- ✓ **Enhance your understanding of the potential impact of IFRS on Canadian transfer pricing**
- ✓ **Get tips and best practices for preparing your transfer pricing documentation**
- ✓ **Hear case studies on cross-border transactions between customs and transfer pricing**
- ✓ **Gain insight from practical discussions of fundamental economical analysis and the economics of transfer pricing**
- ✓ **Understand specific industry challenges in transfer pricing**
- ✓ **Learn how to identify, define, and assess intangibles**

Register Today!

Call 1.800.474.4829

Fax 1.800.558.6520

WWW.INFONEX.CA

14th Annual Event! **TRANSFER PRICING UPDATE 2010**

JANUARY 26 AND 27, 2010 • OPTIONAL WORKSHOPS: JANUARY 28, 2010 • TORONTO, ON

Day 1

PROGRAM AGENDA: TUESDAY, JANUARY 26, 2010

8:00 – 8:30 Registration and Continental Breakfast

8:30 – 8:40

Welcome and Opening Remarks from the Chair
Matthew Wall, CA-CBV, Transfer Pricing, MDW Consulting Inc.

8:40 – 9:20

Recent Updates in Canadian Transfer Pricing

Dale Hill, Partner, Gowling Lafleur Henderson LLP

- Overview of new developments
- Contemporaneous documentation requirements
- Penalties and recharacterization
- Implications for branch operations
- Recent case-law developments and treaty changes

9:20 – 10:10

Impact of the Recession on Canadian and International Transfer Pricing

Merv Edwards, Managing Director, Ceteris, Inc.

- Declining sales and profit-based methods
- Market pricing pressures
- Cost cutting vs. market capture strategy
- Change in scope and responsibility of subsidiaries
- Declining importance of brand and trademark IP

10:10 – 10:30

Networking Break



10:30 – 11:20

Best Practices in Preparing Your Documentation

Dale Hill, Partner, Gowling Lafleur Henderson LLP

- New services cost method, including a sample benchmark of a “low margin” service not identified by the IRS in the annual revenue procedures
- How to tackle a service combined with an intangible transfer, while being mindful of the “commensurate with income” standard, as well as intangible legal ownership issues
- Identification of new information to be retained in your documentation
- Dealing with the limitations associated with the shared services arrangements
- Tips and tactics to deal with other anticipated contentious issues between the United States and Canada
- How to incorporate stock-based compensation in total services costs

11:20 – 12:10

Practical Approaches and Lessons Learned from Transfer Pricing Legal Cases

Salvador Borraccia, Partner, Tax, Baker & McKenzie LLP

- In-depth analysis of *GlaxoSmithKline*: why the court reached its decision and what lessons you can learn from its approach
- Comparison to the approaches taken by courts in other jurisdictions in recent transfer pricing cases
- The courts have extended the CRA's reach for foreign-based information: what you need to know about providing information to the CRA pursuant to a requirement
- Strategic considerations in deciding when to litigate or pursue alternative remedies

12:10 – 1:10

Luncheon

1:10 – 1:55

Dispute Resolution in Transfer Pricing: Overview

David Kemp, Partner, Global Transfer Pricing & Dispute Resolution Services, BDO Dunwoody LLP

- Field audits, information requests, and what to expect
- Appeals, competent authority and advanced pricing arrangements
- Adjustments, penalties and referrals to the Transfer Pricing Review Committee
- Voluntary disclosures

1:55 – 2:40

Latest Transfer Pricing Developments in Asia, Europe, and the United States

Rob Davis, Partner, Global Transfer Pricing Services, KPMG LLP

Erin Sproule, Manager, Global Transfer Pricing Services, KPMG LLP

- U.S. update: final U.S. services regulations, the *Xilinx* case, and temporary cost-sharing regulations
- China's new documentation and compliance requirements and new cost-sharing rules
- Recent developments in India, including proposals in the *Direct Tax Code Bill, 2009*
- European developments: German business restructuring rules, proposed French documentation requirements, U.K. thin capitalization, and the *Dixons* case

2:40 – 3:00

Networking Break



3:00 – 3:40

Implications of the GE Capital Case: Intercompany Financial Transactions

Jeff Rogers, Senior Manager, Transfer Pricing Tax Services,

PricewaterhouseCoopers LLP

- Overview of financial markets
- The transfer pricing context: tax authority activity
- Application to intercompany financial transactions

3:40 – 4:25

CASE STUDY

Cross-Border Transactions: Customs and Transfer Pricing

James Gately, Partner, Transfer Pricing, KPMG LLP

Joseph Brick, National Practice Leader, Trade & Customs Practice, KPMG LLP

- Comparing the principles and rules applied to transfer pricing and customs
- How and when transfer pricing and customs will be in conflict
- How taxpayers can resolve transfer pricing and customs conflicts

4:25 – 5:00

FAPI and Interplay with Canadian Transfer Pricing Regime

Phil Halvorson, Partner, International Tax Services, Ernst & Young LLP

- Overview of the foreign affiliate regime and how FAPI is taxed in Canada
- Types of inter-affiliate transactions with Canada that may result in FAPI
- Rules deeming that inter-affiliate transactions do not result in FAPI
- Recent legislative changes having an impact on the foreign affiliate regime

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Day 2

PROGRAM AGENDA: WEDNESDAY, JANUARY 27, 2010

8:00 – 8:30

Continental Breakfast

8:30 – 8:40

Opening Remarks from the Chair

Matthew Wall, CA-CBV, Transfer Pricing, MDW Consulting Inc.

8:40 – 9:40

KEYNOTE SESSION

Audit Management: CRA Auditing Trends

Phil Fortier, Partner, Transfer Pricing, Deloitte & Touche LLP; former Director of International Tax, CRA

- Contemporaneous documentation as a target
- Government's use of outside experts
- Access to government's information
- Negotiating with examiners
- Using APAs to resolve audits

9:40 – 10:30

Understanding and Dealing with Intangibles

David Kemp, Partner, Global Transfer Pricing & Dispute Resolution Services, BDO Dunwoody LLP

- Identifying, defining, and assessing intangibles
- Developing intangibles and the use of cost-sharing arrangements
- Practical approaches to transferring intangibles
- Determination of applicable royalty rates

10:30 – 10:50

Networking Break



10:50 – 11:35

OECD Guidelines on Business Restructuring: Transfer Pricing, Valuation, and Audit Concerns

Matthew Wall, CA-CBV, Transfer Pricing, MDW Consulting Inc.

- Examples of how this affects all companies
- Why this is the newest issue under audit, and what to do
- Transfer pricing, valuation, and audit concerns
- What companies miss in planning, due diligence, and completion

11:35 – 12:20

Transfer Pricing and Tax Accounting

Ken Kyriacou, Partner, Transfer Pricing Services, Ernst & Young LLP

- Hot issues in transfer pricing
- Accounting for uncertain tax positions relating to transfer pricing
- Impact of IFRS on transfer pricing

12:20 – 1:20

Luncheon

1:20 – 2:10

Transfer Pricing Policies That Require Change

Dean Morris, Managing Director, Ceteris, Inc.

- What are the symptoms of ineffective transfer pricing policies?
- Transfer pricing policies that are now out of step with today's transfer pricing environment
- What you need to know when making change
- Tactics that minimize future disruption and maintenance of your transfer pricing policy

2:10 – 2:30

Networking Break



2:30 – 3:30

Understanding the Economics of Transfer Pricing

Brad Rolph, Partner, Chief Economist, National Transfer Pricing Group, Deloitte & Touche

- Learn how economists apply the standard transfer pricing methods, using case studies
- Find out where economists look for comparables
- Understand what adjustments they make and how they are calculated
- Techniques to defend against the CRA's mark-up on the "own costs" approach

3:30 – 5:00

PANEL DISCUSSION

Specific Industry Challenges in Transfer Pricing

MODERATOR: Michael Peggs, Senior Manager, Transfer Pricing, Grant Thornton LLP

Paul Albanesi, Senior Tax Manager, Algorithmics Inc.

Sandra Scott, Director of Finance, Messier-Dowty Inc.

Clair Kellow, Manager, Corporate Tax, Teva Novopharm

Jacque Carr, Controller, Cintas Canada Limited

Industry experts discuss specific transfer pricing challenges at their companies:

- Approaches to transfer pricing
- Predictions for the future of transfer pricing
- Transfer pricing functions at the panelists' companies

5:00

End of Plenary Sessions

PLUS! Take advantage of our  optional post-conference workshops

SPONSORSHIP AND EXHIBITION OPPORTUNITIES

If you would like to increase your visibility with senior managers and executives in taxation and finance, you need to be at the 14th annual event: *Transfer Pricing Update 2010*. A limited number of sponsorship options are available, including:

Exhibit Space • Cocktail Reception • Luncheon • Breakfast • Conference Documentation

For more information, contact our sponsorship department at 416.971.4177, ext. 244, or email sponsorship@infonex.ca. Choose to participate at this event and ensure your brand is front and centre at this great marketing opportunity.

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OPTIONAL WORKSHOPS: THURSDAY, JANUARY 28, 2010

WORKSHOP ONE: 9:00 – 12:00

Transfer Pricing Strategies for In-House Practitioners

Brad Rolph, Partner, Chief Economist, National Transfer Pricing Group, Deloitte & Touche

This interactive workshop is designed to provide in-house transfer pricing practitioners or those interested in building in-house capabilities with a forum to discuss and share best practices. The workshop will address topical issues:

- Technical
 - Establishing transfer pricing policies in new markets
 - How to deal with losses
 - Marketing intangibles and intellectual property
 - Transfer pricing modelling tools and access to databases
 - The link between value for duty and transfer pricing
 - Completing the new T-106 form
- Administrative
 - Monitoring transfer prices and managing the paper flow
 - When (and when not) to use outside advisors
 - Coordinating and managing global documentation efforts
 - The virtues of intercompany agreements
 - Implementing policies using existing accounting systems
 - Reconciling financial data for management reporting purposes, as opposed to book purposes
- Financial Reporting and Due Diligence
 - Approaches to FIN 48 requirements: how much is enough?
 - Approaches to due diligence: what to look for

WORKSHOP TWO: 1:00 – 4:00

Best Practices in Audit Management

Michael Peggs, Senior Manager, Transfer Pricing, Grant Thornton LLP

This session offers an experienced viewpoint on best practices for transfer pricing audits in Canada. Designed for those with responsibility for the corporate tax function, as well as accounting and tax professionals, the session will prepare clients and practitioners for the Canada Revenue Agency's audit process and present a general methodology for establishing and managing policies and practices that promote effective audit management.

- Overview of the CRA organization: whom you will encounter and how to navigate the CRA effectively
- Overview of the CRA transfer pricing audit process; connections with international audit
- How to plan for a successful audit and execute your plan
- Presentation of controversy management strategies and best practices for resolving transfer pricing disputes

NETWORKING OPPORTUNITIES

Attend *Transfer Pricing Update 2010* and take advantage of our networking breaks and luncheons to meet other senior tax and finance executives from across the country.

Delegates at previous Transfer Pricing conferences rave about their experiences. Here's just a few examples of what they say:

“ I received information on the CRA approach and hot topics in transfer pricing. ”
— **Manager of Finance, BUNGE CANADA**

“ The seminar was very useful to get an update on recent trends in the field. ”
— **Economist, Transfer Pricing, SIEMENS CANADA**

“ The topics were well covered. I learned a lot from experienced and competent speakers and participants. ”
— **Economist, RSM RICHTER**

WHO SHOULD ATTEND

- **Vice-Presidents and Directors of**
 - **Transfer Pricing**
 - **Corporate Tax**
 - **International Tax**
 - **Tax Planning**
 - **Taxation and Finance**
 - **Global Tax**
 - **Accounting**
- **Corporate Tax Counsel**
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14th Annual TRANSFER PRICING Update

January 26 – 27, 2010 • Workshops: January 28, 2010
TORONTO, ONTARIO

THREE KEY BENEFITS OF ATTENDING THIS EVENT

- 1) Hear case studies of successful transfer pricing practices in various Canadian companies
- 2) Compare your current challenges with those faced by other firms
- 3) Develop effective and strategic audit management practices

LOCATION: *Transfer Pricing Update 2010* will be held at **One King West**, 1 King Street West, Toronto, Ontario. Telephone: 416-548-8100. Website: www.onekingwest.com

YOUR REGISTRATION INCLUDES: Registration fees include all course materials, continental breakfast, lunch, and refreshments. **Parking and accommodation are not included.**

SPONSORSHIP AND EXHIBITION OPPORTUNITIES
Increase your visibility with senior taxation and finance managers and executives at *Transfer Pricing Update 2010*. Contact our sponsorship department at 416.971.4177, ext. 244, or email sponsorship@infonex.ca.

MAILING LIST UPDATE/REMOVAL: To add, update or remove your information from the Infonex mailing list, please call 1-800-474-4829, and select Option 3, or complete the online form at www.infonex.ca. Please note: Infonex prepares mailings several weeks in advance; it may take such time for the updates to come into effect.

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REGISTER BY PHONE, ON-LINE, OR IN THESE 3 EASY STEPS!

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1 PRINT YOUR NAME AND CONTACT INFORMATION

Yes! Register me for *Transfer Pricing Update 2010*

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2 SELECT YOUR OPTIONS AND PREFERRED PAYMENT METHOD

All prices are subject to GST	Register by NOVEMBER 20	Register by DECEMBER 18	FULL PRICE
Conference for Groups of 3 or More	\$1,499 each	\$1,699 each	\$1,899 each
Conference for Groups of 2	\$1,599 each	\$1,799 each	\$2,099 each
Conference for One Registrant	\$1,799	\$1,999	\$2,299
Optional Workshops	\$450 each	\$500 each	\$550 each

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CANCELLATION POLICY:

Substitutions may be made at any time. If you are unable to attend, please make cancellations in writing and fax to 1-800-558-6520 **no later than January 12, 2010**. A credit voucher will be issued to you for the full amount, redeemable against any other INFONEX course and which is valid for twelve months (one year) from the date of issue. If you prefer, you may request a refund of fees paid, less a 15% administration fee.

Registrants who cancel after **January 12, 2010**, will not be eligible to receive any credits or refunds and are liable for the entire registration fee.

Confirmed registrants who do not cancel **by January 12, 2010**, and fail to attend will be liable for the entire registration fee.