

Transfer Pricing in Emerging Countries

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Coordinated by
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Chairman:

- **Uday Ved**, KPMG, India

Moderator:

- **Caroline Silberztein**, Global Chair of Transfer Pricing, Baker & McKenzie

Panellists:

- **Promila Bhardwaj**, Chief Commissioner of Income Tax, Ministry of Finance, India
- **Catherine Damelincourt**, Vice-President Corporate Tax, France
- **Michelle Levac**, Canada Revenue Authority, Chair of OECD Working Party No. 6
- **Vinod Mangotra**, Senior Transfer Pricing Advisor, KPMG, India
- **T.P. Ostwal**, Senior Partner, T.P. Ostwal & Associates, India
- **Monique van Hersksen**, Global Head of Transfer Pricing Controversy, Ernst & Young

1. Location savings and local market advantages

What are they ?

Do they always translate into greater profits ?

How should they be split ?

Are they shrinking ?

2. Management fees

Are they “base eroding payments” ?

Do they lead to double taxation?

**Are they high risk or low risk
transactions ?**

**Can they be deductible in emerging
economies ?**

3. The evolving taxation of services

What is changing ?

Service Permanent Establishments ?

More withholding taxes ?

Transfer pricing ?

4. Contract R&D activities

Cost plus or Profit Split ?

What mark-up rates ?

Eligible to safe harbours ?

5. Advertising, Marketing and Promotion expenses

When do they lead (or not) to the creation of a marketing intangible?

What are the consequences for transfer pricing ?

6. Intercompany financing arrangements and guarantees

What is the latest thinking ?

How are emerging economies affected ?

What is the approach of emerging economies ?

How to deal with synergies and passive association benefits ?

7. Dispute resolution

What is the view of the Indian Competent Authority ?

**Arbitration for emerging economies:
what does the future hold ?**

Q & A

Thank you !