

Foundation for International Taxation – Global Impact of BEPS

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Panel Discussion: How Do MNCs and Countries Address Recommendations Under BEPS in North America, Europe, Asia, Africa and Rest of the World

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Burning Questions for the Panel

- How have you been impacted in your country by CbC Reporting?
 - What processes have you put in place to do a preliminary risk analysis?
 - Has this risk analysis caused you to re-evaluate your structure and tax planning?
 - Have you taken affirmative positions regarding such issues as marketing intangibles, PEs and certain financial transactions?
 - What is the position in your country regarding exchange of information and protecting confidential information?
 - How have the OECD's anti abuse provisions as well as those enacted in certain countries impacted these disclosures?
 - Has the CbC Reporting caused you to re-evaluate the economic substance of your holding company regimes?

Burning Questions for the Panel (cont'd)

– Documentation

- How has your approach to master files and local documentation changed, if at all?
- Have you used one sided or two sided TP approaches?
- To what extent, if at all, have you chosen to present details of your supply chain analysis?
- Have you considered APAs in light of the above and the EU Commissions' State Aid approach?
- To what extent have you instituted a “Best Practices” approach toward documentation in your company?

Burning Questions for the Panel (cont'd)

- How have tax audits been impacted in your country as a result of the BEPS Proposals?
 - What have you been doing to prepare for these on coming audits?
 - Is Arbitration and/or Litigation replacing traditional administrative dispute resolution vehicles?
 - What are current audit strategies, if any?
- What provisions of BEPS (or the UN Initiatives) have been enacted in your local law?
 - Consider the UK's Diverted Profits Tax
 - The US regulatory initiative under section 385
 - Canada's intent to combat treaty shopping

Burning Questions for the Panel (cont'd)

- **How have the EU State Aid investigations impacted your tax planning?**
 - **Do you still consider APAs viable?**
 - **How will the EU look at treaty shopping?**
- **How has the extensive exchange of information impacted your tax planning and/or reporting?**
 - **How does your country view the proposed multi lateral treaty agreement proposal?**
- **Do you think our tax world has benefited from the OECD Proposals?**
 - **Final Thoughts!**



Thank You!