

DRAFT AGENDA

TASK FORCE ON TAX AND DEVELOPMENT MEETING ON BEPS OECD CONFERENCE CENTRE, PARIS

1 MARCH 2016

TASK FORCE MEETING ON BEPS	
TUESDAY, 1 MARCH 2016	
09.00 – 09.30	<p>PLENARY SESSION 1: <i>OPENING & UPDATE</i></p> <p>This session will commence with an opening introduction by the Co-Chairs (the Netherlands and South Africa), followed by a key note address by Pascal Saint-Amans (TBC) and an introduction of the agenda.</p>
9.30 – 10.15	<p>PLENARY SESSION 2: <i>THE NEW INCLUSIVE FRAMEWORK</i></p> <p>This session will cover the introduction of a new inclusive framework for the implementation of the BEPS reports. Business, civil society, governments and RTOs can provide feedback on their expectations of the framework.</p>
10.15 – 11.00	<p>PLENARY SESSION 3: <i>CAPACITY SUPPORT: CURRENT DEVELOPMENTS</i></p> <p>For developing countries, support for implementation of BEPS outcomes is key. This session will provide an overview of initiatives that are currently available, and will set out how international organisations will cooperate in providing capacity support. The latter includes initiatives that are already underway, such as joint technical assistance, the development of toolkits to assist with implementation of BEPS Action Items and the Tax Inspectors Without Borders (TIWB) programme.</p>
11.00 – 11.30	<i>Coffee Break</i>
11.30 – 12.15	<p>PLENARY SESSION 4: <i>TOOLKIT ON TRANSFER PRICING COMPARABLES</i></p> <p>This session will start with a presentation of the work to date on the comparability analysis toolkit, including a short analysis of feedback on the questionnaires on comparability issues sent out in 2015. Participants will be invited to make brief interventions to explain the difficulties they face in getting comparables data and the alternative approaches they use or are considering using.</p>
12.15 – 13:00	<p>PLENARY SESSION 5: <i>TOOLKIT ON TRANSFER PRICING DOCUMENTATION</i></p> <p>This session will start with a presentation of the work to date on the TP documentation toolkit, including a short analysis of feedback on the questionnaire on transfer pricing documentation sent out in 2015. This session will include a short presentation of the outcomes of the BEPS Action 13, as an introduction to a discussion in which participations can share their experiences and expectations on the implementation of Country by Country (CbC) reporting.</p>
13:00 – 14:00	<p><i>Lunch Break</i></p> <p>Optional lunch seminar</p>

DRAFT AGENDA

5TH ANNUAL MEETING OF THE GLOBAL FORUM ON TRANSFER PRICING

"Give us the tools and we will finish the job"

OECD CONFERENCE CENTRE, PARIS

2 - 3 MARCH 2016

ORGANISED BACK-TO-BACK WITH A MEETING OF
THE TASK FORCE ON TAX AND DEVELOPMENT ON BEPS

1 MARCH 2016

The agenda below lists the topics that will be discussed at the fifth Annual Meeting of the Global Forum on Transfer Pricing, which will take place in Paris on 2 and 3 March 2016, and which will be preceded by a BEPS meeting of the Task Force on Tax and Development on 1 March.

At the Global Forum on Transfer Pricing, the practical impact of the revisions to the Transfer Pricing Guidelines and the experience of officials in meeting the challenges of implementing transfer pricing measures will take centre stage. To facilitate interactive discussions, the meeting will be conducted as a combination of plenary, break out and parallel sessions. A voting system will give delegates the opportunity to give direct feedback during the plenary sessions. The parallel sessions allow the participating tax officials to discuss the practical impact of the work of Working Party No. 6 and to provide feedback for the ongoing work on transfer pricing.

The discussion on transfer pricing will be introduced in the BEPS meeting of the Task Force on Tax and Development organised on 1 March 2016. In that meeting, representatives from civil society, business, governments and international organisations will discuss the development of toolkits to support lower-capacity developing countries.

WEDNESDAY, 2 MARCH 2016	
Chair: Michael McDonald, Co-chair of Working Party No. 6, United States	
08.30 – 09.30	<i>Registration</i>
9.30 – 10.00	<p>WELCOME AND OPENING STATEMENT</p> <p>Chair: Michael McDonald, Co-chair of Working Party No. 6, United States</p> <p>Speaker: Pascal Saint-Amans, Director, OECD Centre for Tax Policy and Administration</p>
10.00 – 11.15	<p>PLENARY SESSION 1: TRANSFER PRICING OUTCOMES IN LINE WITH VALUE CREATION</p> <ol style="list-style-type: none"> 1. What were the key issues discussed at the 2015 Annual Meeting of the Global Forum on Transfer Pricing? 2. What new instruments for transfer pricing are available following delivery of the 2015 TP BEPS Reports? 3. What are the next steps in the area of transfer pricing? <p>Chair: Michael McDonald, Co-chair of Working Party No. 6, United States</p> <p>Introduction: Marlies de Ruiters, OECD</p> <p>Discussants: Ashima Neb, India Sandra Knaepen, Belgium Stig Sollund, Coordinator of the UN Subcommittee on Transfer Pricing, Norway</p>
11.15 – 11.45	<i>Coffee Break</i>

11.45 – 13:00	<p>PLENARY SESSION 2: CHAPTER 1: IT'S ALL ABOUT RISK</p> <ol style="list-style-type: none"> How to analyse the relevance for transfer pricing purposes of the contractual assumption of business risks in the context of delineating the actual transaction to be priced? The new framework for assumption of risks in Chapter I of the Transfer Pricing Guidelines. What does the new framework for analysing the assumption of business risks look like? How to apply the framework for assumption of business risks? <p>Chair: Michael McDonald, Co-chair of Working Party No. 6, United States Introduction: Andrew Hickman, OECD Discussants: Luis Jones, Spain Junya Toya, Japan Wan Ramiza Wan Ghazali, Malaysia</p>	
13.00 – 14.30	<i>Lunch break</i>	
14.30 – 15.30	<p>BREAK OUT SESSION 2A: Practical Aspects of Risk</p> <p>Chair: Stig Sollund, Coordinator of the UN Subcommittee on Transfer Pricing, Norway Introduction: Andrew Hickman, OECD Discussants: Wai Yee Chow, Singapore Carlos Serrano, Mexico</p>	<p>BREAK OUT SESSION 2B: Practical Aspects of Risk</p> <p>Chair: William Nkitseng, ATAF Introduction: Mayra Lucas, OECD Discussants: Hans van Egdome, The Netherlands Ashima Neb, India</p>
15.30 – 16.00	<i>Coffee Break</i>	
16.00 – 16.30	<p>PLENARY SESSION 3: FEEDBACK SESSION</p> <p>Chair: Michael McDonald, Co-chair of Working Party No. 6, United Discussants: Stig Sollund, Coordinator of the UN Subcommittee on Transfer Pricing, Norway William Nkitseng, ATAF</p>	
16.30 – 17.30	<p>PLENARY SESSION 4: TAX ADMINISTRATION: IT'S ALL ABOUT RISK</p> <ol style="list-style-type: none"> A risk based approach to transfer pricing administration by governments Status of the handbook on transfer pricing risk assessment Key solutions and gaps in the handbook; feedback on the tools needed by governments for transfer pricing risk assessment Relevance of toolkits for the purpose of transfer pricing risk assessment and administration <p>Chair: Franz Tomasek, Co-chair of Working Party No. 6, South Africa Introduction: Valerio Barbantini, OECD Discussants: Roberto Schatan, International Monetary Fund Richard Stern, World Bank Group</p>	
17.30-18.00	<p>PLENARY SESSION 5: INTRODUCTION TO CASE STUDY: ILLUSTRATION OF A RISK BASED APPROACH TO TRANSFER PRICING ADMINISTRATION BY GOVERNMENTS</p> <p>Chair: Michael McDonald, Co-chair of Working Party No. 6, United Speaker: Melinda Brown, OECD</p>	
18.00 – 20.00	<p>COCKTAIL</p> <p>Speech: Marlies de Ruiter, OECD</p>	

THURSDAY, 3 MARCH 2016		
Chair: Franz Tomasek, Co-chair of Working Party No. 6, South Africa		
09:30 – 11:00	<p>PLENARY SESSION 6: STEP I OF THE CASE STUDY: WHAT WE KNOW</p> <p>Chair: Franz Tomasek, Co-chair of Working Party No. 6, South Africa Introduction: Melinda Brown, OECD Discussants: William Nkitseng, ATAF Sami Koskinen, Finland John Hughes, United States</p>	
11.00 – 11.30	<i>Coffee Break</i>	
11:30 – 13:00	<p>PLENARY SESSION 7: STEP II OF THE CASE STUDY: FURTHER FACTS</p> <p>1. Disposal of local brand: hard-to-value intangibles and burden of proof 2. Management services: low value-adding intra-group services and disclosure of information</p> <p>Chair: Franz Tomasek, Co-chair of Working Party No. 6, South Africa Introduction: Melinda Brown, OECD Discussants: Edgars Hercenbergs, Latvia Sun Yimin, China Maura Parsons, United Kingdom</p>	
13.00 – 14.30	<i>Lunch break</i>	
14.30 – 15.30	<p>PLENARY SESSION 8: STEP III OF THE CASE STUDY: TRANSFER PRICING RISK ASSESSMENT</p> <p>1. The need to test pricing 2. Preliminary discussion of benchmarking issues 3. Preliminary discussion of available alternatives to benchmarking</p> <p>Chair: Franz Tomasek, Co-chair of Working Party No. 6, South Africa Introduction: Andrew Hickman, OECD Discussants: Oscar Good, World Bank Group Achmad Amin, Indonesia</p>	
15.30 – 16.15	<p>PARALLEL SESSION 8A: How to do benchmarking</p> <p>***</p> <p>Local comparables vs. functional comparables?</p> <p>Chair: Roberto Schatan, IMF Introduction: Andrew Hickman, OECD Discussants: Robyn Rakete, New Zealand George Obell, Kenya</p>	<p>PARALLEL SESSION 8B: Alternatives to benchmarking</p> <p>***</p> <p>What are the appropriate alternatives to comparability studies for pricing transactions?</p> <p>Chair: Jan Loeprick, World Bank Group Introduction: Valerio Barbantini, OECD Discussants: Achmad Amin, Indonesia John Hughes, United States</p>
16.15 – 16.45	<i>Coffee Break</i>	

16.45 – 17.15	<p>PLENARY SESSION 9: <i>FEEDBACK SESSION</i></p> <p>Chair: Franz Tomasek, Co-chair of Working Party No. 6, South Africa</p> <p>Discussants: Roberto Schatan, International Monetary Fund Jan Loeprick, World Bank Group</p>
17.15 – 17.45	<p>PLENARY SESSION 10: <i>GLOBAL FORUM WRAP-UP</i></p> <ol style="list-style-type: none"> 1. Summary of discussions 2. What's next? 3. Final vote <p>Co-Chairs: Michael McDonald, Co-chair of Working Party No. 6, United States Franz Tomasek, Co-chair of Working Party No. 6, South Africa</p> <p>Closing remarks: Marlies de Ruiter, OECD</p>

	<p align="center">BREAK OUT SESSION 6A: TRANSFER PRICING TOOLKITS *** GOVERNMENTAL WORKSHOP</p>	<p align="center">BREAK OUT SESSION 6B: TRANSFER PRICING TOOLKITS *** NON-GOVERNMENTAL WORKSHOP</p>
14:00 – 16:00	<p>The breakout sessions may include questions such as:</p> <ul style="list-style-type: none"> • What are the challenges you face in using foreign data for comparables? • How do you address these challenges? • How can the toolkits help? 	
16:00 – 16:30	<p>PLENARY SESSION 7: <i>FEEDBACK SESSION</i></p>	
16:30 – 17:00	<p>PLENARY SESSION 8: <i>WRAP-UP & CLOSING</i> Summary of the discussions and closing.</p>	