

Tax planning in Indonesia in 2019: how to comply with the new regulations

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NEW ANTI-TREATY ABUSE RULES

9.00 The Updated Tests for Prevention of Tax Treaty Abuse, Certificate of Domicile, and Administrative Procedures for foreign tax residents under the Director General of Tax (DGT) Regulation No. PER-25/PJ./2018 (21 November 2018) which is effective from 1 January 2019

- The updated prevention of tax treaty abuse tests: more stringent substance and purpose requirement:
 - Must confirm "the transaction is not directly or indirectly to obtain a tax treaty benefit that is contrary to the object and purpose of the tax treaty," available definition, guidance, examples, and practical disputes on "main purpose of a transaction", "eligible for tax treaty benefit", "no contradiction with purpose/intention of a tax treaty", "economic substance", "legal form similar to economic substance", and "active business".
 - Current interpretation and application of the new substance requirement by the Indonesian tax authority in practice.
 - Changes in administrative procedures for Indonesian tax withholding agents, custodial banks, and non-tax resident income recipients;
 - The "enhanced" BO test: what is changed (comparison with previous BO test); interpretation and application of the new BO test by the Indonesian tax authority in practice
 - Implementation of the Principal Purpose Test rules set out in the Multilateral Convention to Implement Tax Treaty Related Measures to Prevent Base Erosion and Profit Shifting.
 - Which structures are vulnerable?

Muslimin Damanhuri

INVESTMENT STRUCTURES FOR INDONESIA: EVALUATING THE OPTIONS

10.00 How to compare the tax treaties between Indonesia and Singapore / Hong Kong / the Netherlands in the new context of strengthened anti treaty abuse rules and MLI?

- Investing in Indonesia through Singapore or through Hong Kong?
- Comparison of tax treaties after Indonesia removes the condition "subject to tax"
- Why keep a holding company in Singapore if the HK-Indonesia treaty is so interesting?

Pieter de Ridder

11.00 Coffee break

11.20 Restructuring investment structures for Indonesia

- What are the new trends?
- Current Indonesian tax authority's strategy and endeavour to follow up database obtained from the Tax Amnesty program and the domestic automatic exchange of information
- International tax planning in Indonesia in the era of transparency

Muslimin Damanhuri

12.20 Lunch

TRANSPARENCY OF UBOS

13.40 What do the new UBO reporting rules in Indonesia (President Regulation n°13 of 2018) imply? What practical impact of the Singapore registers of Significant Controllers (Companies [Amendment] Act 2017) for Indonesian UBOS? How do clients react to the transparency of UBOS?

- Is there an implementation regulation of Regulation 13?
- Domestic and foreign investment companies are impacted.
- To which authorised institutions must the beneficial owner information must be provided?
- How broadly is a "corporation" defined?
- How the beneficial owner reporting will be implemented in practice

Freddy Karyadi

14.40 Coffee break

CFC RULES IN INDONESIA: CLARIFICATIONS & GREY AREAS

15.00 The evolution of CFC rules in Indonesia: how are the new CFC rules interpreted? What are the remaining grey areas?

- New regulation PMK-107 (July 2017) clarifies CFC indirect ownership criteria: is it now perfectly clear?
- Implication of CFC rule on PPLI structure

Dionisius Damijanto

16.00 End of the seminar

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PRACTICAL INFORMATION

Venue

5 star hotel in CBD

How to register

by e-mail: rchan@academyfinance.com.hk
 T: +852 3757 5535 (HK Office)
 AF Conferences (Singapore) Pte Ltd
 HK Office: Unit 1104A, Kai Tak Comm. Bldg.
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Fees

SGD 1450.
 If there are two or more attendees from the same institution, a 30% reduction of the fees may be claimed for the second and the third registration.

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- 27 January 2019 refund of 50%
- No refund will be applicable in case of cancellation after 27 January 2019.

REGISTRATION FORM

I register for the seminar «Tax planning in Indonesia in 2019: how to comply with the new regulations» in Singapore on tuesday 26 February 2019.

FIRST PARTICIPANT

Full name.....
 Position.....
 E-mail.....
 Company.....
 Address.....
 Postcode..... City.....
 Tel Fax.....

SECOND PARTICIPANT (-30%)

Full name.....
 Position.....
 E-mail.....

Bank transfer Mastercard VISA AMEX

Credit card No : ____/____/____/____ Expiry date : ____/____

Cardholder.....
 Address of AMEX cardholder
 Date Signature.....

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