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# TRANSFER PRICING CONFERENCE 2022

**Ensure Greater Compliance with Transfer Pricing Regulations**

**26 May 2022, Thursday | 9.00am – 5.30pm**



**OPENING REMARK BY**  
**YEE WING PENG**  
Chairman, Taxation Practice Committee  
Malaysian Institute of Accountants

Transfer pricing (TP) regulations are becoming ever more complex, compounded by constantly changing tax legislations locally and globally. Therefore, it can be arduous to ensure that proper measures are taken to ensure compliance with the TP rules at all times. As the Inland Revenue Board of Malaysia (IRBM) is increasingly vigilant in examining taxation matters, you are advised to be responsible in complying with the latest TP laws and regulations. In addition to adhering strictly to the rules and regulations, you must ensure that any changes in the TP mechanism during these uncertain times are supported with proper documentation and evidence.

The 1-Day virtual “Transfer Pricing Conference 2022” will update you on the latest developments in TP regulations, specifically Section 113B and Section 140A(3C) of the Income Tax Act 1967 (ITA 1967) which have introduced criminal liability for failure to maintain contemporaneous TP documentation and the imposition of a surcharge on all TP adjustments arising from preparing an incorrect return, irrespective of whether there is tax payable on the adjustments. Join our expert speakers ranging from tax authorities to recognised tax practitioners who will share their critical insights, guidance and best practices for complying with the stricter transfer pricing regulations.

## KEY CONFERENCE TAKEAWAYS

- **GET TIPS** on how to comply with TP rules and guidelines
- **GAIN** an in-depth understanding of what happens during TP audits and investigations
- **MAINTAIN** contemporaneous transfer pricing documentation
- **EXPLORE** the transfer pricing methods – approaches, benefits, and risks
- **UNDERSTAND** the impact of the OECD Two Pillars on the local TP regime

## WHO SHOULD ATTEND

- CFOs
- Accountants
- Finance Professionals
- Tax Directors
- Tax Practitioners
- Heads of Finance or Tax
- Partners of Accountancy & Consulting Firms and Legal Firms

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## CONFERENCE OUTLINE

8.30 am PARTICIPANTS LOGIN TO JOIN THE CONFERENCE

### 9.00 am OPENING REMARK

**YEE WING PENG** *Chairman, Taxation Practice Committee, Malaysian Institute of Accountants*

### 9.05 am THE ARM'S LENGTH PRINCIPLE IN TRANSFER PRICING (TP)

This session discusses the application issues in determining the arm's length price i.e. the appropriate methods to be applied in a particular set of circumstances and the potential issues arising which may be challenged by the IRBM.

#### SPEAKER

**LILIA EDLINA** *Director, Transfer Pricing, PricewaterhouseCoopers Taxation Services Sdn Bhd*

### 9.45 am IS THE PROFIT SPLIT METHODOLOGY THE WAY FORWARD?

There are many technicalities to manage when it comes to transfer pricing. Learn more about the transactional profit split method and its approaches, benefits, and risks.

#### SPEAKER

**SM THANNEERMALAI** *Managing Director, Thannees Tax Consulting Services Sdn Bhd*

10.45 am BREAK

### 11.00 am TP DOCUMENTATION AND HOW TO COMPLY WITH TP GUIDELINES

This session focusses on tightened TP compliance requirements introduced under Section 113B of the ITA 1967, with effect from 1 January 2021. The TP documentation should be made available within 14 days upon request by the IRBM and applies to TP audit cases which have commenced on or after 1 January 2021.

#### SPEAKERS

**DOUGLAS FONE** *Managing Director, Transfer Pricing, Kroll*

**BECKY NGUYEN** *Director, Transfer Pricing, Kroll*

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12.00 pm BREAK

1.00 pm [PANEL SESSION]

### IRBM'S STRATEGIES, ACTIONS AND EXPERIENCES IN TP AUDIT OR INVESTIGATION

IRBM conducts TP audits to ensure that taxpayers have complied with TP Rules and Guidelines. Get an in-depth understanding of why taxpayers are subject to TP audits, the preparations to be made, and how to mitigate the risk of being selected for TP audit or investigation.

#### MODERATOR

**BOB KEE** *Executive Director, Tax, KPMG Malaysia*

#### PANELLISTS

**AHMAD IMRAN ZAMZAM** *Section Director, Multinational Tax Branch, Inland Revenue Board of Malaysia*

**HISHAMUDIN MUSA** *Head, Group Tax, Dialog Group Berhad*

**THERESA GOH** *Senior Partner, Transfer Pricing, Deloitte Malaysia*

### 2.30 pm TP OF INTRA-GROUP FINANCIAL TRANSACTIONS

Intragroup financing is a service between associated persons which falls under Section 140A(2) of the ITA 1967, in the form of financial assistance that include loans, interest bearing trade credits, advance or debt, and the provision of any security or guarantee. This session focusses on intra-group financing and documenting of financial assistance pricing policy.

#### SPEAKER

**TAN CHIN TECK** *Executive Director, Transfer Pricing, BDO Malaysia*

3.15 pm BREAK

3.30 pm [PANEL SESSION]

### EFFECTIVE MANAGEMENT OF TP – TP DISPUTE AGAINST THE IRBM

Provides guidance on management of TP disputes even before a dispute is raised and adoption of best practices for effective management of TP.

#### MODERATOR

**KHOR YONG YONG** *Member, Tax Practice Committee, MIA*

#### PANELLISTS

**KALSUMAWATI MOHD ARIS** *Head, Tax, Shell Malaysia*

**SYLVIA SONG** *Executive Director, Tax (Transfer Pricing), Crowe KL Tax Sdn Bhd*

**VIJEY R. MOHANA KRISHNAN** *Partner, Tax Practice Group, Raja Darryl & Loh*

### 4.30 pm IMPACT OF THE OECD TWO PILLARS ON THE LOCAL TP REGIME

Discusses the introduction of BEPS 2.0 (Pillar One and Pillar Two), in particular Pillar Two which is commonly known as the Global Minimum Tax proposal. In a way, Pillar Two provides an opportunity for Malaysia to re-assess its non-tax factors and strive harder to ensure that it remains a favoured destination for investments.

#### SPEAKERS

**ANDREW LOH** *Director, International Tax & Transaction Services, Ernst & Young Tax Consultants Sdn Bhd*

**GARY LING** *Partner, International Tax and Transaction Services-Transfer Pricing, Ernst & Young Tax Consultants Sdn Bhd*

5.30 pm END OF CONFERENCE



# TRANSFER PRICING CONFERENCE 2022

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## CONFERENCE SPEAKERS



### AHMAD IMRAN ZAMZAM

Ahmad Imran is Section Director of Field Audit Department (Manufacturing Sector), Multinational Tax Branch at the Inland Revenue Board of Malaysia (IRBM). He joined the Board in 1999 and has over 20 years of experience in tax administration, including stints in audits, corporate tax, and transfer pricing. His current role involves responsibilities that cover transfer pricing auditing of MNEs since 2013. A Chartered Accountant of MIA, Ahmad Imran holds a master's degree in Business Administration from University Teknologi MARA and an Accountancy degree from University Utara Malaysia.



### ANDREW LOH

Andrew is Director of International Tax & Transaction Services at Ernst & Young Tax Consultants Sdn Bhd. He recently returned to the Kuala Lumpur practice having spent over 2 years in New York as a member of EY's Global Tax Desk Network. Prior to joining EY Malaysia's International Tax Services team in 2013, he was based in the UK where he accumulated over 6 years of experience in tax compliance and advisory engagements involving UK corporate tax, capital gains tax and personal income tax for large UK corporations as well as small and medium sized firms. He is a regular speaker at EY seminars and regularly conducts training events for clients and colleagues. Andrew has more than 14 years of experience handling tax advisory and tax compliance projects in the US, UK, and Malaysia for multinational enterprises. He is seasoned in engagements involving Malaysian and Labuan tax planning for inbound and outbound investments, structuring of new operations, cross-border transactions, group restructuring and reorganisations. Andrew's clients include multinational enterprises across a wide range of sectors including oil and gas, technology, private equity and venture capital, real estate, services and sovereign wealth and pension funds.



### BECKY NGUYEN

Becky is a Director in Kroll's Transfer Pricing practice in Malaysia, with over 12 years of transfer pricing experience across Southeast Asia. Prior to this, she was a director in Crowe's transfer pricing group in Malaysia, and was in the management team at Big Four firms in Malaysia, Singapore and Vietnam, dealing with the international tax and transfer pricing issues for multinational clients in the Asia Pacific region. She is Chief Legal Officer of the Vietnam–Malaysia Business Association and is a leading business mentor for international start-ups under a global accelerator programme organised by MaGIC. Becky holds a Master of Professional Accounting from Australia and a Bachelor of Economics from Vietnam. She is a chartered accountant of CPA Australia and Malaysian Institute of Accountants, and a member of Chartered Tax Institute of Malaysia (CTIM).



### BOB KEE

Bob is Executive Director–Tax at KPMG Malaysia, and co-leads KPMG's transfer pricing practice in Malaysia. He helps clients solve complex transfer pricing problems, including formulating defense strategies for tax audits and planning to mitigate/minimise transfer pricing risks. He advises on BEPS related issues and in providing transfer pricing documentation and advisory services to companies in a variety of industries. He is also experienced in indirect taxes, specifically on SST, GST, and WTO rules of valuation. He has a strong working relationship with the Inland Revenue Board, the Customs Department and the Ministry of International Trade and Industry and is a frequent speaker at external transfer pricing events and KPMG organised workshops for clients. Bob holds a Bachelor of Commerce from the University of Melbourne and is an Approved Tax Agent of the Malaysian Ministry of Finance. He is a Fellow of the Chartered Accountants Australia and New Zealand, a Chartered Tax Practitioner of CTIM, a Member of MIA and a Member of CTIM's Transfer Pricing sub-committee.



### DOUGLAS FONE

Douglas is Managing Director in Kroll's Transfer Pricing practice in Singapore, with extensive transfer pricing experience advising multinational clients throughout South-East Asia and Australia. Prior to this, he was Managing Director and co-founder of Quantero Global; was a director in the transfer pricing group of PricewaterhouseCoopers (PwC) in Australia, and had worked in the Singapore and Hong Kong offices of PwC dealing with international tax, M&A and transfer pricing issues. He has provided transfer pricing advice to many multinational clients throughout the region, covering design of transfer pricing systems; preparation of Masterfile/local file documentation; negotiation and conclusion of unilateral/bilateral APAs; and successful management of complex transfer pricing audits. Douglas is a UK-qualified Chartered Accountant (ICAEW) and has a Bachelor of Laws (LL.B) from King's College London.



### GARY LING

Gary is a Financial Services, International Tax and Transaction Services–Transfer Pricing Partner of EY Malaysia. He has 18 years of experience in corporate tax and transfer pricing consultancy. He specialises in Financial Services Transfer Pricing, has extensive experience in leading global/regional transfer pricing projects for local financial and multinational financial institutions. He leads, manages and coordinates Global three-tiered Transfer Pricing Documentation (Country-by-country reporting, Masterfile and Local File Transfer Pricing Documentation) covering multiple jurisdictions for a wide range of transactions including banking and capital markets transactions, sales and purchases of tangible goods, intangible transactions, inter-company financing arrangements, inter-company reinsurance transactions, cost sharing arrangements and provision of intra-group services. He has advised clients in dealing with transfer pricing audit defense/controversy cases with the Malaysian Inland Revenue Board (IRB) and various tax authorities in the Asia Pacific region. This includes pre-audit planning and preparation, managing field audit, formulating audit defense strategies, submissions of detailed technical appeals to substantiate clients' transfer pricing and tax positions, post-audit discussions and negotiations with the IRB on behalf of clients. He is a regular speaker on transfer pricing in conferences and forums organised by EY and external bodies. Gary holds a Master of Commerce (First Class Honours) in Accounting, Finance, and Information Systems from the University of Canterbury, New Zealand.



### HISHAMUDIN MUSA

Hishamudin is the Head of Group Tax at Dialog Group Berhad. He is an experienced tax professional with a demonstrated history of working in the oil & gas industry, and is skilled in providing advice, strategy and solution to complex tax issues, tax resolution during dispute and negotiation of tax incentives, tax planning and risk assessment. He was previously with KPMG and PwC as auditor and tax consultant specialising in taxation. He started his commercial tax experience with the national oil and gas company where he was involved in the international tax review for Middle East and Central Asia upstream operations and Petroleum Income Tax for Sabah and Sarawak PSC. Hishamudin holds a Bachelor of Accountancy from Universiti Putra Malaysia and is a member of the Malaysian Institute of Accountants.



### KALSUMAWATI MOHD ARIS

Kalsum leads the Tax function of Shell Malaysia with 25 years of experience in direct (both Petroleum Income Tax and Corporate Income Tax), indirect and employment taxes, with expertise ranging from tax policy, advisory, compliance, corporate structuring, mergers and acquisitions, tax audits and investigations, transfer pricing audits and cross border exposures management. She ensures that the Shell Malaysia Group of Companies comply with the letter and the spirit of the tax laws. She also holds the role as the Convenor of the Fiscal and Economics sub-committee of the Petroleum Production Sharing Contractors Committee (PPSC), a committee of the Malaysian International Chamber of Commerce & Industry (MICCI). She works closely with government authorities, actively advocates for new improved tax policies and has been invited to participate in and provide input to various task forces on tax policy matters. Prior to joining Shell, she was a Tax Manager in the tax practice of Ernst and Young specialising in the Financial Services sector. She holds a Bachelor of Accounting from University of Malaya.

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## CONFERENCE SPEAKERS



### KHOR YONG YONG

Yong Yong has over 20 years of experience in auditing and other special works including experience obtained in one of the Big 4. He has over 20 years of experience in advising and assisting companies particularly in the areas of audit and taxation (including transfer pricing and international tax). He also led multiple M&A Due Diligence and Review engagements across various industries such as property development, construction, and manufacturing. Prior to Mazars, he was a partner of a medium size international accounting firm. Yong Yong is a member of the Malaysian Institute of Accountants, Chartered Accountants of Australia and New Zealand, International Fiscal Association, and Insolvency Practitioners Association of Malaysia. He is also a member of the Chartered Tax Institute of Malaysia, INSOL International, and Chartered Institute of Taxation (CIOT). Yong Yong holds an Advanced Diploma in International Taxation from CIOT, United Kingdom.



### LILIA EDLINA

Lilia has been with the transfer pricing team of PwC Malaysia for over 15 years. She has experience in dealing with the Malaysian tax authorities, Ministry of Finance, and works closely with other tax and transfer pricing specialists within the PwC network for assignments that involve clients with overseas and Malaysian operations across all industries. Lilia has assisted companies in the preparation of transfer pricing documentation and various compliance, advisory and consultancy work in relation to price setting exercise, development of cost allocation framework, development of inter-company charging mechanism, comparability studies, transfer pricing advice and transfer pricing audit. Lilia is also a regular trainer for PwC's internal transfer pricing training sessions. Lilia holds a Bachelor's in Accountancy from Universiti Teknologi MARA Shah Alam. She is a member of the Malaysian Institute of Accountants.



### SM THANNEERMALAI

SM Thanneermalai is the Managing Director of Thannees Tax Consulting Services Sdn Bhd, and has 43 years of experience in dealing with complex tax issues. He specialises in international tax planning, tax audits, corporate tax, transfer pricing, intra group transactions, developing pricing policies, and representation before IRB of Malaysia. He also works closely with regulatory authorities on government policies and legislation. He was previously the Senior Tax Partner of PricewaterhouseCoopers, the Managing Director of Crowe Horwath, former Chairman of the Board of Trustees of The Malaysian Tax Research Foundation, and also a former President of the Chartered Taxation Institute of Malaysia. Thanneermalai is a member of the Chartered Accountants of England and Wales, and the Malaysian Institute of Accountants.



### SYLVIA SONG

Sylvia is an Executive Director of Crowe KL Tax Sdn Bhd and leads a Transfer Pricing (TP) team at Crowe Kuala Lumpur. She specialises in TP and has been involved in various TP assignments such as TP documentation, TP planning, price setting, TP audits & investigation, regional TP work. She has over 13 years of experience in tax compliance, tax advisory including individual/corporate tax matters, tax incentives, TP, tax planning, and GST servicing domestic and multinational clients. She manages a portfolio from a broad range of industries including manufacturing, trading, services, property development, construction, digital business. She focusses on Country-by-Country Reporting (CbCR) and Masterfile, advanced pricing arrangement/Mutual Agreement procedures, and TP training. Sylvia is a fellow member of ACCA, a member of MIA and CTIM, and is a licensed tax agent and certified HRD Corp trainer.



### TAN CHIN TECK

Chin Teck is an Executive Director in the Transfer Pricing Group of BDO in Malaysia. He joined BDO Malaysia in 2018, advising clients on transfer pricing compliance and advisory issues. Prior to joining BDO, he is also experienced in audit, financial and tax due diligence, GST, and accounting advisory. His diverse work experience enables him to help clients review, document, manage and defend their transfer pricing policies and processes. He works with clients to develop sustainable transfer pricing strategies that involve supply chain management, business restructuring, system implications and most importantly, accounting and tax impact. Chin Teck is a member of the Institute of Chartered Accountants in England and Wales, the Malaysian Institute of Accountants, the ASEAN Chartered Professional Accountants, and an associate of the Chartered Tax Institute of Malaysia.



### THERESA GOH

Theresa is a Senior Transfer Pricing Partner in Deloitte Malaysia (national TP Leader 2003-2020). She has an elaborate career spanning over 35 years in TP and corporate tax matters. Her experience in TP controversy management includes audit defence strategy, appeals, dispute resolution and Mutual Agreement Procedures (MAP). She has also successfully assisted her clients in preventive measures such as Advanced Pricing Arrangements (APA) and Voluntary Disclosures. Under Theresa's leadership, Deloitte Malaysia won multiple Transfer Pricing Firm of the Year awards bestowed by International Tax Review (ITR), a prominent global tax publication. On a personal level, Theresa has been recognised as the Asia TP Practice Leader of the year by ITR. She has also been consistently recognised as Leading Tax Advisor and Tax Controversy Leader. Theresa is a frequent speaker at conferences, nationally and abroad, focussing on emerging transfer pricing and tax issues. She also regularly participates in dialogues with the IRB. Theresa is a Certified Public Accountant (MICPA), a Chartered Accountant (MIA), and a fellow member of Chartered Tax Institute of Malaysia (CTIM). She is a council member of MICPA and is a member of its Tax Committee. She was a council member of CTIM and is currently a member of CTIM's TP Technical Committee. She is also an approved tax agent under the Malaysian Income Tax Act, 1967.



### VIJAY R. MOHANA KRISHNAN

Vijey has about 25 years of experience in tax matters. He joined Raja, Darryl & Loh in 1999 and heads the revenue law practice group there. He regularly appears before the Special Commissioners of Income Tax, the Customs Appeal Tribunal, the High Court and the Court of Appeal on major points of tax law. Vijey has consistently been recommended in the area of Tax in publications such as The Asia Pacific Legal 500, the Tax Directors Handbook and Chambers Asia Pacific. He is listed as a Leading Individual in the area of Tax in Chambers Asia Pacific and as a Leading Lawyer in Asialaw Profiles. In 2019-2021, the Asia Business Law Journal lists Vijey as one of the top 100 lawyers practising in Malaysia. Vijey is an Associate of the Chartered Tax Institute of Malaysia and has been involved in various committees including the GST and Tax Sub-Committee of the Malaysian Bar, the Tax Committee of the American Malaysia Chamber of Commerce and the Chartered Tax Institute of Malaysia Technical Committee – Indirect Taxation and Stamp Duty.

## Transfer Pricing Conference 2022

Ensure Greater Compliance with Transfer Pricing Regulations

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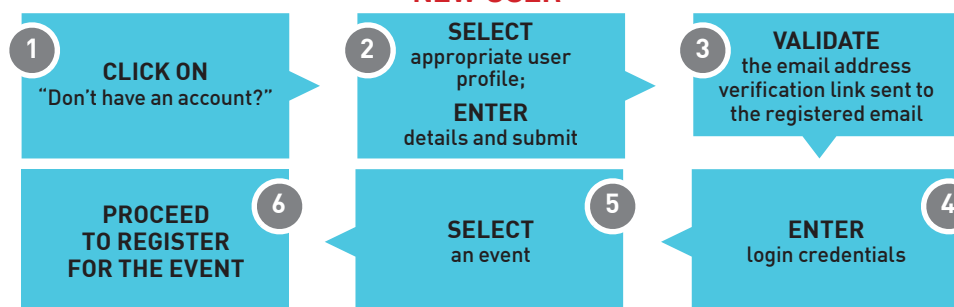


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## CONFERENCE DETAILS &amp; REGISTRATION

26 May 2022 (Thursday)  
9.00 am to 5.30 pm

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