

# Update on Transfer Pricing Documentation Requirements



**Date: September 28, 2022 (Wednesday)**  
**Time: 09:00 a.m. – 05:00 p.m.**



**Fee: MICPA & CA ANZ Member / Approved Training Organisation (ATO):- RM360.00**  
**Non-Member:- RM480.00**

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## Introduction

Transfer pricing generally refers to inter-company pricing arrangements for the transfer of goods, services and intangibles between 'associated persons'. It's laws and guidelines ensure fairness of the transactions by enforcing the arm's length rule. Transfer pricing is an area that is a major concern for Multinational Enterprises (MNEs) due to the different approaches, ambiguity and practical difficulties in applying the transfer pricing methodologies. A significant volume of global trade consists of international transfer of goods and services e.g. capital (such as money) and intangible (such as intellectual property) within an MNE Group. Transactions involving intangibles and multitiered services constitute a rapidly growing proportion of an MNE's commercial transactions and have greatly increased the complexities in analyzing and understanding such transactions.

Previously, there are no specific penalty imposed for the failure to submit the contemporaneous TP documentation. Effective from January 1st, 2021, taxpayers who fail to submit the contemporaneous TP documentation within 30 days upon request by the MIRB can be fined between RM20,000 and RM100,000 and / or to imprisonment for a term not exceeding 6 months. All tax payers with related party transactions need to take heed of this new penalty. Also, effective from January 1st, 2021 the MIRB will impose a surcharge of 5% on companies that are loss making or enjoying tax incentives. This means that even if the transfer pricing adjustment does not result in additional tax payable, the surcharge of up to 5% may still be imposed on the amount of increase of any income or reduction of any deduction or loss arising from the TP adjustment.

## Webinar Objective

The speaker will discuss on the practical issues and details on the TP Documentation requirements.

## Who should attend?

- Chief finance officers & finance managers
- Tax managers
- Tax consultants
- Accountants
- Auditors
- Business advisers
- Others who are interested to know more about transfer pricing

## Programme Outline

- Pre-Quiz
- Highlight the Malaysian TP Rules and Guidelines
- The Concept of Arm's Length
- The Transfer Pricing Methodologies
- Malaysian TP Documentation Requirements
- A Detailed Discussion of the Functional Analysis
- Comparability Analysis, Factors Affecting Comparability and the Elimination Matrix
- Managing the TP Function in a MNE
- Transfer Pricing Audits and Practical Issues to Consider
- Base Erosion and Profit Shifting Developments
- Case Studies
- Question and Answer
- Post-Quiz

## Speaker's Profile - Mr Harvindar Singh

Mr Harvindar Singh is a Fellow of Chartered Association of Certified Accountants and is a member of the Malaysian Institute of Accountants (MIA) as well as the Chartered Tax Institute of Malaysia (CTIM). Harvindar was attached to the firms of PWC and E&Y as a tax consultant and is currently the Managing Partner of Harvey & Associates, a boutique firm that specialises in taxation consulting services as well as the Tax Partner in SCS Global Consulting (M) Sdn Bhd. Harvindar has more than 25 years of extensive experience in taxation advisory, transfer pricing documentation preparation, tax planning as well as tax audits and investigations and he serves as a Tax Specialist to numerous corporate entities such as SK International (M) Sdn Bhd and other MNEs and organisations. He is currently serving as the Chairman of the Editorial Board of the Budget Commentary and Tax Information Booklet which is produced jointly by MIA, CTIM and MICPA.