

## WITHHOLDING TAX AND TAX IMPLICATIONS OF CROSS-BORDER TRANSACTIONS



**December 14, 2023**

(Thursday)

**09:00 a.m. – 05:00 p.m.**



**Venue:**

**Webinar**



**Total CPD Hours:**

**8 hours**



**REGISTRATION FEE:**

MICPA & CAANZ Members /  
Approved Training Employer  
(ATE)

**RM360.00**

Non-Members

**RM480.00**

## INTRODUCTION

The tax issues connected to cross border transactions can be complicated. These include withholding taxes, tax treatment of “foreign source income” and the related expenses and the consequences of sales of assets between controlled parties, to name a few. This workshop will take the participants through a detailed discussion on the important areas to be considered from and Malaysian taxation standpoint to ensure that the tax affairs of parties engaged in cross border transactions are adequately addressed.

Cross border transactions encompass transfer of goods, services, capital, and technology. It is possible that more than one country has a taxation claim on income from such transactions. As a consequence, the same income may be taxed twice i.e. Economic Double Taxation Occurs. As such, Double Taxation Agreements play an important role in providing relief.

## WEBINAR OBJECTIVE

Participants will be able to learn from the speaker’s vast experience and knowledge on factors need to be considered in ascertaining the Malaysian taxation implications that arises as a result of engaging any cross border transactions.

## PROGRAMME OUTLINE

**09:00 a.m. – 05:00 p.m.**

- Pre-Quiz
- Overview of taxation issues for outbound and inbound investments
- Withholding tax and permanent establishment considerations
- Royalties, interest, technical fees and withholding tax implications
- Special Classes of Income under Section 4A of the Income Tax Act, 1967
- Section 109B vs Section 107A of Income Tax Act, 1967 – how it is applied in practice
- Tax treatment of foreign source income
- Rules to consider in determining if income is Malaysian derived income
- Determination of Permanent Establishments and the income tax implications
- Tax treatment of cross border sales / purchase of assets
- Double Taxation agreements
- Avoidance of double taxation
- Tax havens and overseas holding company structures
- Anti-avoidance issues
- Case studies
- Q&A
- Post-Quiz

## SPEAKER’S PROFILE

**Mr Harvinder 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). Harvinder 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. Harvinder has more than 29 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. Mr. Harvinder is a Council Member of CTIM.