



UK as a

Holding Company Regime

Remain in the UK or Redomiciliate?

30 September 2009, Warwick Hotel, Rue de Lausanne 14, Geneva, Switzerland



Conference Chairman
Mrs. Liesl Fischardt
 Partner
Berwin Leighton Paisner LLP

Speakers

Mrs. Liesl Fischardt (United Kingdom)
 Partner; **Berwin Leighton Paisner LLP**

Mr. Jonathan Leigh Pemberton (United Kingdom)
 Deputy Director Business International; **HM Revenue & Customs**

Mr. Martin Bardsley (United Kingdom)
 Head of Treasury & Financing Tax;
Alvarez & Marsal Taxand UK LLP

Mr. Jonathan Schwarz (United Kingdom)
 Barrister, **Temple Tax Chambers**

Mr. Paul Smith (United Kingdom)
 Head of International Tax; **Grant Thornton UK LLP**

Mr. Anton Hume (United Kingdom)
 International Tax Partner; **BDO Stoy Hayward**

Mr. Robert Hickling (Jersey Channel Islands)
 Partner; **Mourant du Feu & Jeune**

Mr. Arjaan Schaapman (Cyprus)
 Managing Director; **Vistra (Cyprus) Limited**

Mr. Louis Thomas (Luxembourg)
 Partner; **KPMG**
 Chairman - Tax committee; **Amchan**

Dr. Ramona Piscopo (Malta)
 International Tax Lawyer; **Loyens & Loeff**

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Programme

09:00 Welcome speech and introduction

Mrs. Liesl Fischardt
 Partner
Berwin Leighton Paisner LLP

09:10 The changes made by Finance Act 2009, including:

- The new and wide ranging exemption from Corporation Tax for dividends
- An explanation of the "debt cap" rules
- Replacement of the UK's Treasury consent regime
- What next for CFC reform?



Mr. Jonathan Leigh Pemberton
 Deputy Director Business International
HM Revenue & Customs

09:55 The UK as holding companies regime and new proposals

- So why should I set up in the UK?
- But can it be that good?
- And moving forward?



Mr. Martin Bardsley
 Head of Treasury and Financing Tax
Alvarez & Marsal Taxand UK LLP

10:40 Coffee break

11:00 Key features: Corporate residency treaty and OECD developments

- Central management and control vs place of effective management
- 2008 OECD commentary and corporate residence
- Residence of the Societas Europaea
- Current trends in treaty tie-breaker provisions
- Smallwood and other key judicial decisions
- Strategies for changing residence



Mr. Jonathan Schwarz
 Barrister
Temple Tax Chambers

11:30 The key features of new UK regime, exemption debt cap and impact on transfer pricing

- .Key features of the new "improved" regime
- .Comparison with key features in other regimes
- .Winners and losers
- .The future
- .CFC reform?
- .Impact on exits
- .Further anti-avoidance legislation?



Mr. Paul Smith
Head of International Tax
Grant Thornton UK LLP

12:00 Treasury and transfer pricing issues



Mr. Anton Hume
International Tax Partner
BDO Stoy Hayward

12:30 Lunch

14:00 Recent ECJ case law developments and impact

- .The controlled foreign company regime:
what is the text following recent litigation?
- Cadbury Schweppes
- Vodafone 2
- .Taxation of dividends
- move from credit to exemption
- .Key issues from a contentious viewpoint -
what may the tax authorities challenge?
- residence
- migration and exit tax



Mrs. Liesl Fischardt
Partner
Berwin Leighton Paisner LLP

14:45 Exit from the UK: migrations inversions and structuring

- .Reasons for migration
- .Schemes of arrangement
- .Why choose Jersey
- .Constitutional documents
- .Dividends
- .Share buy-backs



Mr. Robert Hickling
Partner
Mourant du Feu & Jeune

15:30 Coffee Break

15:45 Comparison with other jurisdictions: Luxembourg, Malta and Cyprus (panel discussion)

Chaired by:



Mrs. Liesl Fischardt
Partner
Berwin Leighton Paisner LLP

Accompanied by:



Mr. Arjaan Schaapman
Managing Director
Vistra (Cyprus) Limited



Mr. Louis Thomas
Partner
KPMG



Dr. Ramona Piscopo
International Tax Lawyer
Loyens & Loeff

16:30 Closing Remarks

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