

Summer Tax Programme 2013

Spanish and Portuguese Taxation Conference

Tuesday, 18 June 2013,

At Queen Mary University of London, Centre for Commercial Law Studies,

67-69 Lincoln's Inn Fields, London WC2A 3JB

PROGRAMME

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|---------------|--|
| 9:10-9:30am | Registration and Coffee |
| 9:30-9:45am | Dr Tom O'Shea, Queen Mary University of London and Dr Francisco Magraner-Moreno, Professor, University de València, Spain: <i>'Welcome and Opening Remarks of the Spanish Section'</i> |
| 9:45-11:05am | Dr Mercedes Fuster-Gómez, Senior Lecturer, University de València, Spain: <i>'Participation Exemption Regime to Avoid Double Taxation: Spanish Holding Structures (ETVE)'</i> |
| 11:05-11:20am | Coffee Break |
| 11:20-12:00pm | Jorge J. Milla-Ibañez, PhD candidate, University de València, and International Tax Advisor, Spain: <i>'The Canary Islands Special Zone (ZEC)'</i> |
| 12:00-12:30pm | Florentino Carreño, Tax Partner, Cuatrecasas, Gonçalves Pereira in Madrid, Spain: Part 1 - <i>'The Exchange of Tax Information in Spain and within the European Union; Bilateral Tax Treaties, US Foreign Account Tax Compliance Act (FATCA) and European FACTA'</i> |
| 12:30-13:20pm | Lunch Break |
| 13:20-14:10pm | Florentino Carreño, Tax Partner, Cuatrecasas, Gonçalves Pereira in Madrid, Spain: Part 2 - <i>'The Exchange of Tax Information in Spain and within the</i> |

European Union; Bilateral Tax Treaties, US Foreign Account Tax Compliance Act (FATCA) and European FACTA'

- 14:10-14:25pm Prof. Dr Gloria Teixeira, Professora Associada da Faculdade de Direito da Universidade do Porto, Portugal: *'Opening Remarks of Portuguese Section'*
- 14:25-15:05pm Prof. Dr Gloria Teixeira, Professora Associada da Faculdade de Direito da Universidade do Porto, Portugal: *'The Increasing Relevance of Exchange of Information in the EU'*
- 15:05-15:45pm António Pedro Braga, Morais Leitão, Galvão Teles, Soares da Silva, Portugal: *'The Government Proposal for the IRC (Portuguese Corporate Tax) Reform: Rationale and Main Changes to be expected.'*
- 15:45-16:25pm Tiago Rodrigues, International Tax Manager at Galp Energia, Portugal: *'FII Group Litigation and the Portuguese Rule for the Avoidance of Double Taxation on Dividend Payments'*
- 16:25-16:40pm Coffee Break
- 16:40-17:20pm Alexandre Andrade, Head of Tax Department at PLEN, Sociedade de Advogados, Portugal: *"The Main Tax Changes during the International Financial Assistance in Portugal"*
- 17:20-18:20pm Dr Harm van den Broek, Radboud University Nijmegen, Deloitte, The Netherlands and Renata Ardous, International Tax, Haines Watts London LLP: *'ECJ Current Decisions: Spanish and Portuguese Exit Taxation'*
- 18:20pm Prof. Dr Gloria Teixeira: *'Closing Remarks'*

The Summer Tax Programme is a five day event including:

Day 1	Latin-America Conference	17 June 2013
Day 2	Spanish and Portuguese Taxation Conference	18 June 2013
Day 3	Tax Treaties around the Globe Conference	19 June 2013
Day 4	BRICS Conference	20 June 2013
Day 5	International Tax Planning –A Practical Course	21 June 2013

A Certificate of Attendance is granted to persons who attend all five days of the Summer Tax Programme. 8 CPD points are also available for attending each day of the Programme.

Conference Fees:

Spanish and Portuguese Taxation Conference (1 day)	£200 per delegate
Summer Tax Programme (5 days)	£650 per delegate

How to Book - Contact

For registration please go to: www.ccls.qmul.ac.uk/events

For enquiries, please contact Ms Katherine Zaim Email: k.zaim@qmul.ac.uk

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Exchange of Information

FDUP / CIJE

Gloria Teixeira
(Tax Law Professor)
Director of CIJE
(www.cije.up.pt)

(gteixeira@direito.up.pt)



Main Instruments: Too many and still not enough?

- Multilateral treaties
- Double taxation Treaties
- TIEAS
- Intergovernmental agreements (US FATCA)
- EU savings tax Directive



The impact of the principle of transparency

- . The OECD report 'Harmful Tax Competition, An Emerging Global Issue, 1998
- . The concept of 'good tax governance' (Commission Communication of 28 April 2009)



The impact of the principle of reciprocity

- Article 26 of the OECD Model Tax Convention
- Articles 14, 18 e 19 of the Mutual Assistance Directive (2011/16/EU)



The impact of the principle of proportionality

- . the concepts of 'relevant' (OECD concept) or 'helpful' information (UN concept)
- . the relevance of the European Convention of Human Rights:
 1. protection of property;
 2. right of privacy;
 3. fair trial.



Ways to exchange information: is there a best option?

- Information at request: the OECD preferred option
- Automatic exchange of information: the EU elected form
- Spontaneous exchange of information: tax administrations preferred option



The use of alternative methods to prevent fraud or abuse

- Disclosure duties
- Transfer pricing extensive documentation
- Targeted tax inspections ('risk profile')
- Granting of tax benefits conditional to an effective exchange of information



Sources

- Restoring Fairness to the Tax System, OECD, April 2013
- Tax Notes International, 'Highlights'
- I Congresso Direito Fiscal, Vida Económica, 2011
- Tax News Service, IBFD