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**Listen and learn from Canada's leading CRA representatives, tax lawyers, economists, accountants, and industry experts:**

- ✓ New Developments in Canada, U.S., Europe and Asia
- ✓ New OECD Guidelines and business restructurings
- ✓ Customs valuation versus transfer pricing
- ✓ Hands-on Workshop & Case study— How to do a transfer pricing study/functional analysis
- ✓ Best practices in Transfer Pricing
- ✓ And there is more! Please take a few minutes to review the brochure.

**Plus Keynote Luncheon Speakers:**

**Global Economic Outlook**

*Warren Jestin, Senior Vice-President and Chief Economist, Bank of Nova Scotia*

**Future Direction at Canada Revenue Agency Impacting Transfer Pricing Compliance**

*Jennifer Ryan, Director, International Tax Division, Canada Revenue Agency*

# Transfer Pricing Forum 2010

May 19 & 20, 2010 — Toronto Airport Marriott Hotel, 901 Dixon Road, Toronto Airport

**Bronze Sponsor:**

**gowlings**

Tax and

**Who Should Attend?**

This two-day in-depth event is ideal for CFOs, VPs of Finance/Tax & Administration, Corporate Controllers and Accountants, Tax Managers, Treasurers, Customs/Traffic/Purchasing Managers and International Trade/Tax Lawyers and Accountants.

# Transfer Pricing Forum 2010

## Message from I.E.Canada's President



Joy Nott  
President, I.E.Canada

Dear Tax and Finance Executives:

Facing serious economic challenges and increasing globalization, governments all around the world have begun to enact tighter trading rules and other forms of protectionism and are aggressively pursuing tax revenues wherever they can. As a result, multinational corporations must be well informed and prepared in order to minimize their tax liability and audit exposure.

I.E. Canada's Transfer Pricing Forum 2010 is a unique opportunity for tax executives to be updated on what's new in the world of transfer pricing, and gather in-depth information and "hands on" advice from a variety of experts and senior CRA officials on what companies can do to minimize taxes and avoid penalties.

This highly practical two-day event features group instruction using case studies, panel discussions, and plenary sessions. Our faculty consists of leading international tax experts in government, accounting, law, economics and industry. I.E.Canada is delighted to have Mr. Warren Jestin, Chief Economist of the Bank of Nova Scotia, and Jennifer Ryan, Director of Canada Revenue Agency, as keynote luncheon speakers.

Effective transfer pricing requires team effort. Group discount— every company that registers two employees receives a complimentary pass for the third employee (at equal or lesser value). Please see the registration form for details.

I look forward to meeting you in Toronto on May 19 & 20, 2010.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joy Nott".

### Look Who Attended Some of Our Past I.E.Canada Transfer Pricing Conferences

Abercrombie and Fitch • Action Front Data Recovery • Adidas-Salomon Canada • Alcatel-Lucent Canada • Allanson International • Anachemia Science • Arcelor International • Arcelor-Mittal Dofasco • ATI Technologies • Avery Dennison Canada • Axyz Automation Inc. • Benjamin Moore & Company • Cadbury North America • Casco Inc. • Chamberlain Group • Chevron Canada Ltd. • Christie Digital Systems • Collins & Aikman Plastics • Conagra Malt • Corn Products International • Coveright Surfaces Canada Inc. • Daemar Inc. • Degussa Canada Ltd. • Denso Manufacturing Canada • Eagle Airfield Ltd. • EnCana Corporation • Energizer Canada • Ethyl Canada Inc. • Federal-Mogul Corporation • Federal White Cement • Finica Food Specialties • Formica Canada • Fuji Photo Film Canada • GE Security Canada • Grohe Canada • Gullco International Inc. • Hallmark Canada • Hercules Tire International • Hewlett-Packard (Canada) • Hitachi Canadian Industries • Hobart Food Equipment • Honda Trading • Hydrotestors 2000 Ltd. • Hygiene-Technik Inc. • Hyundai Auto Canada • IBM Canada • Imperial Manufacturing Group • Imation Canada • Ipex Inc. • Kia Canada • Lanxess Inc. • Larson-Juhl Limited • Leitch Technology • Levi-Strauss • Litostroj Hydro Inc. • Mitsubishi Motor Sales • Nexans Canada Inc. • Nokia Products Ltd. • Omya Canada • Orion Bus Industries • Pensafe Inc. • Petro Sep Membrane Technology • Philom Bios Inc. • Plains Midstream Canada • Precision Drilling Corp. • Procor Limited • Psion Teklogix • Risdon Ams (Canada) • Rocan Forestry Services • Romet Limited • Sealed Air (Canada) Inc. • Spielo Manufacturing • Subaru Canada • Symantec Corporation • Synnex Canada • Taylor Steel Inc. • The Clark Companies, N.A. • The Narmco Group • Tilley Endurables Inc. • Toromont Industries • Toyota Motor Manufacturing • Tower Automotive Canada • TransCanada Turbines • Trench Limited • Tyco Electronics Canada • U.S. Filter Process Water • Victaulic Company of Canada • Wrigley Canada • Woco Automotive • Wyeth Pharmaceuticals

# Transfer Pricing Forum 2010

Wednesday May 19, 2010

8:30 am	Registration—Continental Breakfast	
9:00 am	Welcome Remarks from I.E.Canada's President	<i>Joy Nott, President I.E.Canada</i>
9:05 am	Chair of Conference for Day One	<i>Wayne Harding, Chief Financial Officer McCloskey International Limited</i>
9:10 am	<b>New Developments in Transfer Pricing – Canada</b> <ul style="list-style-type: none"><li>• Important case law developments (<i>GE Canada, GlaxoSmithKline</i>): leading Canadian cases illustrate how the courts have applied the arms length principle</li><li>• Transfer pricing implications of Fifth Protocol to the <i>Canada-U.S. Income Tax Convention</i>, including the importance of binding arbitration</li><li>• Important CRA administrative developments you should know about</li><li>• Recent developments in transfer pricing audits: Important differences from domestic audits that companies should be aware of</li></ul>	<i>Andrew Kingissepp, Partner Osler, Hoskin &amp; Harcourt LLP</i>
10:10 am	<b>Recent Developments in the U.S. and Other Countries</b> <ul style="list-style-type: none"><li>• Latest developments in U.S. transfer pricing and impact on Canadian companies<ul style="list-style-type: none"><li>⇒ Regulations</li><li>⇒ Enforcement</li><li>⇒ Documentation</li><li>⇒ Competent authority</li></ul></li><li>• Developments in the rest of the world with an emphasis on Asia and Europe</li><li>• Recent treaty issues</li></ul>	<i>Brian Gleicher, Partner White &amp; Case LLP (Washington, D.C.)</i>
11:15 am	Refreshment Break & Trade Show	
11:30 am	<b>New OECD Guidelines and Business Restructurings</b> <ul style="list-style-type: none"><li>• OECD transfer pricing guidelines and highlights of recent proposed revision</li><li>• How is the 'most appropriate transfer pricing method' selected based on the circumstances of the case?</li><li>• What is considered a good comparability analysis practice?</li><li>• What are the proposed critical transfer pricing aspects of business restructurings?</li><li>• How did the OECD Working Party 6 get there and where are they going?</li><li>• What are business' perspectives on the new transfer pricing guidelines developments?</li><li>• What are the perceived transfer pricing implications from these new developments?</li></ul>	<i>Norma Kraay, Partner, Transfer Pricing Group Deloitte &amp; Touche LLP</i>  <i>Michelle Levac, Transfer Pricing Specialist &amp; Chair, OECD Working Party 6, Canada Revenue Agency (Ottawa)</i>
12:30 pm	<b>Keynote Luncheon Address: Global Economic Outlook</b>	<i>Warren Jestin, Senior Vice President and Chief Economist Bank of Nova Scotia</i>

# Transfer Pricing Forum 2010

Wednesday May 19, 2010

2:00 pm **Interface Between Customs Valuation and Transfer Pricing**

While similarities do exist between customs valuation and transfer pricing, there are also significant divergences. A customs lawyer and a tax lawyer explore how to balance competing objectives and navigate differences between transfer pricing and customs valuation rules. Using an interactive approach and a *case study* they will discuss:

- Convergence and non-convergence of transfer pricing principles: developing a unified approach to customs and tax transfer pricing
- Key issues in tangible, service and intangible transfers
- Contemporaneous documentation for tax/customs purposes
- Tackling voluntary disclosures for tax/customs purposes
- Transfer pricing adjustments and their coordination
- Trends and priorities in enforcement in tax/customs transfer pricing

*Darrel Pearson, Partner  
Bennett Jones LLP*

*Claire Kennedy, Partner  
Bennett Jones LLP*

3:15 am Refreshment Break & Trade Show

3:30 pm **Practical Approach to the Treatment of Intangibles**

- Intangibles in selling affiliates
- Intangibles in manufacturing entities
- Issues and concerns when setting royalty rates
- Issues and concerns when intangibles are bundled
- Treatment of intangibles by the CRA

*Merv Edwards, Managing Director  
Ceteris Canada Inc.*

4:10 pm **The CFO's Perspective: It's More than a Tax Issue—Moving Transfer Pricing Beyond Tax Compliance to Enhance Operating Profits**

- How a Canadian company used transfer pricing compliance to enhance shareholder value
- The recession and its effects on transfer pricing approaches
- Comparables and competitors: using transfer pricing to reshape business
- Integrating transfer pricing and management accounting

*David Hogan, Principal  
International Transfer Pricing and  
Economics Group*

4:55 pm End of Business Sessions

5:00 pm Cocktail Reception and Networking Opportunity

## Thursday May 20, 2010

8:30 am Registration—Continental Breakfast

9:00 am Welcome & Opening Remarks

*Ted Mahood, Executive VP, CFO &  
Treasurer, Linamar Corporation*

9:10 am **An Interactive Workshop and Case Study — How to Prepare a Transfer Pricing Study/Functional Analysis**

During this “hands-on” working session, delegates will be led through the steps necessary to prepare transfer pricing documentation that will satisfy both Canada and U.S. tax authorities. Working through an actual case study, the focus will be on functional analysis, industry analysis, and selection of comparable transactions.

**Workshop Leader and U.S. Perspective:**

*Harry Keates, Vice-President  
Wright Economics Group (Denver)*

**Canadian Perspective:**

*Richard Tremblay, Partner, Taxation  
Osler, Hoskin & Harcourt LLP*

A representative from the CRA, an international tax lawyer representing the Canadian viewpoint, and a transfer pricing economist representing the U.S. viewpoint, will review the proper way to put a transfer pricing policy in place and document it in order to avoid re-assessments.

**CRA Perspective:**

*Paul Stesco, Manager, International  
Advisory Services Section, Central  
Region, International Tax Division  
Canada Revenue Agency (Ottawa)*

# Transfer Pricing Forum 2010

Thursday, May 20, 2010

continued ...

## **An Interactive Workshop and Case Study — How to Prepare a Transfer Pricing Study/Functional Analysis** (15 minute refreshment break during this session)

- Understanding the basics of transfer pricing and its different methodologies
  - ⇒ What is it?
  - ⇒ Why is it important?
  - ⇒ Placement of Profits
  - ⇒ OECD and U.S. Guidelines
  - ⇒ Risk Analysis
- The role and importance of functional and industry analysis
  - ⇒ Understanding the facts and conditions surrounding cross border transactions
  - ⇒ Scope of business activities
  - ⇒ Risks involved and where borne
  - ⇒ Capital employed and Intangibles
  - ⇒ Understanding the key characteristics of the business operations
  - ⇒ Understanding the profit drivers in the business
  - ⇒ Review legal agreements and job descriptions for conformity
- Characterize the business entities
  - ⇒ Contract versus full-fledged manufacturer
  - ⇒ Commission Agent versus Distributor
  - ⇒ Service providers and intangible owners
  - ⇒ Determination of returns based on these characterizations
- Review of transfer pricing methodologies
  - ⇒ CUP method
  - ⇒ Resale Price and Cost Plus methods
  - ⇒ Profit Split methods
  - ⇒ Transactional Net Margin Method (TNMM)
  - ⇒ Legislative provisions including treaties
- The search for arm's length comparables
  - ⇒ Internal comparables
  - ⇒ External comparables
  - ⇒ Database searches
  - ⇒ Comparability adjustments
- Comparables analysis and documentation
  - ⇒ Consider APA

### **Workshop Leader and U.S. Perspective:**

*Harry Keates, Vice-President  
Wright Economics Group (Denver,  
USA)*

### **Canadian Perspective:**

*Richard Tremblay, Partner,  
Taxation  
Osler, Hoskin & Harcourt LLP*

### **CRA Perspective:**

*Paul Stesco, Manager,  
International Advisory Services  
Section, Central Region,  
International Tax Division  
Canada Revenue Agency  
(Ottawa)*

11:30 am

## **Using APA's Strategically in a Globalized Economy**

- The Advanced Pricing Agreement process
- The history of methodologies used in negotiating APA's
- When are APA's required? Pros and Cons? Are APA's always the answer?
- The unforeseen complications of an APA
- APA's as a tax strategy: Strategic positioning of your business to maximize after tax profits and cash flow
- The issues related to tax and customs when negotiating APA's
- Experiences encountered in negotiated APA's with various tax authorities globally

*Dale Hill, National Leader,  
Transfer Pricing and Competent  
Authority Team*

*Gowling Lafleur Henderson LLP  
(Ottawa)*

# Transfer Pricing Forum 2010

Thursday, May 20, 2010

12:15 pm	<b>Luncheon Keynote Address: Current Trends and Future Direction at Canada Revenue Agency Impacting Transfer Pricing Compliance</b>	<i>Jennifer Ryan, Director International Tax Division Canada Revenue Agency (Ottawa)</i>
1:45 pm	<b>Transfer Pricing Audit: Practical Guidance and Best Practices</b> Tax executives wanting specific help on how to prepare, manage, negotiate and resolve a transfer pricing audit with the Canada Revenue Agency will find valuable information and tax saving tips in this session.  This interactive panel of experts will cover the audit process from “cradle to grave” through sharing best practices and invaluable insights from several different perspectives. Delegates will have an opportunity to participate through questions and sharing their own experiences. This session will cover: <ul style="list-style-type: none"> <li>• Preparing for the unexpected - Who's in charge of the audit?</li> <li>• Communication - Did the auditor clearly understand your business from reading the transfer pricing report? Learn how to identify and manage the misunderstandings before they lead to surprise proposals.</li> <li>• Your options—Are you familiar with the processes to be followed and confident the auditor understands the "rules" of transfer pricing?</li> <li>• Timing - Some audits seem to go on forever. Is this normal? Is this desirable? Can you impact or manage this?</li> <li>• Are your policies similar for inbound and outbound transactions? How do you manage a one-sided audit focus?</li> <li>• Beyond the audit - when to challenge a transaction and how do you determine which approach the audit will pursue?</li> </ul>	<i>Workshop Panel Leader: Brenda Humphreys, Partner, Transfer Pricing Services PricewaterhouseCoopers LLP</i>  <i>Paul Stesco, Manager, International Advisory Services Section, International Tax Division Canada Revenue Agency (Ottawa)</i>  <i>Martin Skretkowicz, Associate Partner PricewaterhouseCoopers LLP</i>  <i>Sandy Kokkinis, Controller Nobel Biocare Canada Inc.</i>
3:00 pm	Refreshment Break & Trade Show	
3:10 pm	<b>Dispute Resolution</b> <ul style="list-style-type: none"> <li>• Assessing options for dispute resolution</li> <li>• Developing an integrated strategy for defending your TP position</li> <li>• Latest developments in Appeals and Competent Authority</li> <li>• Key steps to the Appeals and Competent Authority Process</li> <li>• How Advance Pricing Agreements (APAs) can be used to assist in resolving audits and managing tax risk</li> <li>• Role of Arbitration</li> </ul>	<i>Gary Zed, Partner Ernst &amp; Young LLP (Calgary)</i>  <i>Phil Fortier, Partner Ernst &amp; Young LLP (Montreal)</i>  <i>Patricia Spice, Director, Competent Authority, International and Large Business Directorate, Compliance Branch, Canada Revenue Agency (Ottawa)</i>
4:00 pm	<b>How to Prioritize Transfer Pricing Risks, Requirements and Strategy</b> Having received two days of intensive learning from transfer pricing experts, information overload is one of the challenges a tax executive can face. During this session, the speaker will sift through the mountain of information and options available and help companies sort out, from a practical perspective, which areas are of greatest priority in their particular situation.	<i>Jim Gatley, Partner KPMG LLP</i>
4:30 pm	Transfer Pricing Forum 2010 Concludes	

Please mark these dates down in your calendar:

I.E.Canada 79th Annual Conference & Trade Show  
October 18-20, 2010—Delta Meadowvale Conference Centre, 6750 Mississauga Road, Toronto Airport

# Transfer Pricing Forum 2010

## Registration Form

Online [www.iecanada.com](http://www.iecanada.com) or [www.iecanadaregistration.com](http://www.iecanadaregistration.com)  
 Telephone: 416-595-5333 ext. 37 *To register by phone, please have credit card ready.*  
 Fax: 416-595-8226  
 Mail: I.E.Canada, 160 Eglinton Avenue East, Suite 300, Toronto, ON M4P 3B5, Attention: Conference Department

Company Name

Name

Title

E-mail

Mailing Address

City

Province/State

Postal Code

Telephone ( )

Fax ( )

### Choose from the following registration options

**Two Day  
Package**

One Day  
Package

Corporate Table  
At Luncheon

Reception

**Best Value!**

May 19  
 May 20

May 19  
 May 20

May 19

**Important! Each company that registers two employees receives a complimentary pass of equal or lesser value for the third employee.**

Registration Fees <i>plus GST</i>	Two-Day	One-Day	Lunch Only	Table of 8	Reception
Regular Fee	*\$1,195	*\$645	\$100	\$600	\$85
I.E.Canada Member	\$ 995	\$545	\$ 75	\$500	\$75

Registration fees for conference includes continental breakfasts, business sessions, breaks, luncheons, and documentation.  
 \*Non-members who pay the regular fee will receive a five-month free trial membership with I.E.Canada starting June 1, 2010.

### Payment Methods

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#### Accommodations:

The Toronto Airport Marriott Hotel is located at 901 Dixon Road near Toronto's international airport. Conference participants receive a discounted hotel rate of \$159 single/double until April 16th. After April 16th, rates will be based on availability. To receive the discount, delegates are to call the hotel at 416-674-9400 or toll-free at 1-800-905-2811 and book under "I.E.Canada."

#### Cancellation/Substitution Policy:

Cancellations must be received in writing by fax to **416-595-8226** or by e-mail to **conference@iecanada.com**. For cancellations on, or before May 1st, a \$100 charge for administration will apply. After May 1st, cancellations will not be accepted; however, substitutions are always welcomed.