Annual IBA
The New Era of
Taxation Conference

21–22 September 2023, Fairmont Copacabana Hotel
Rio de Janeiro, Brazil

Working programme
Thursday 21 September

All working sessions will take place in the Rio de Janeiro II room (4th Floor)
Coffee/tea break will take place in the foyer of the Rio de Janeiro II room (4th Floor)
Lunch will take place in the Copacabana room (4th Floor)

0800 – 1600  Registration
   Fairmont Copacabana Hotel - foyer of the Rio de Janeiro II room (4th Floor)

0830 – 0845  Welcome address

MOBILE TELEPHONES
   Delegates are requested to ensure that mobile telephones and any other portable devices are switched to silent in working sessions.

Conference dinner sponsor

MATTOS FILHO
**Adhesion of Brazil to the OECD: critical analysis of the new Brazilian transfer pricing rules by the major trading and investment partners**

In recent years, Brazil has taken significant steps towards becoming a member of the Organization for Economic Co-operation and Development (OECD). As part of this process, the country has implemented new transfer pricing rules that aim to align its tax practices with international standards. However, this move has not been without its challenges and implications for Brazil’s major trading and investment partners.

The panel will examine the effects of these rules on multinational corporations and investors, with experts offering a diverse range of insights. Join us for this enlightening exploration of Brazil’s OECD journey and its broader global economic impact.

**Session Co-Chairs**
Thais de Barros Meira  
BMA Advogados, São Paulo

Lars Gläser  
Glaeser Law Tax Boutique, Vienna

**Speakers**
Alex Cordova  
Rodrigo Elias & Medrano Abogados, Lima

Ivan García Ferreira  
Siemens, São Paulo

Claudia Pimentel  
Receita Federal do Brasil, Brasília

Víctor Polizzelli  
KLA, São Paulo

Pallav Raghuvanshi  
Greenberg Traurig, New York City, NY

**Rapporteur**
Teresa Novais Correa Meyer  
BMA Advogados, São Paulo

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**Coffee/tea break**

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**Global M&A transactions and indirect sale for capital gains taxation - how to deal with the attribution of price and lack of regulation**

Developing countries have been concerned that offshore indirect transfers can be used to avoid capital gains taxation in the country where the underlying assets are located. Famous tax controversies include the Vodafone case in India, acquisition of Petrotech in Peru, acquisition of Minera Disputada Las Condes by Anglo American in Chile and the Zain case in Uganda. Several countries, including Argentina, Brazil, Chile, India and Peru, have implemented rules for taxation of indirect transfers or challenging transactions reputed as abusive tax planning.

This panel will discuss the impact of taxation of indirect transfers on global M&A transactions, including issues around thresholds for triggering tax in the source country, valuation of underlying assets, rules on real estate thresholds, attribution of capital gains, interface of indirect transfer rules with tax treaties and enforcement rules to collect tax liability.

**Session Co-Chairs**
Delcia Capocasale Puga  
Cuatrecasas, Barcelona

Gouri Puri  
Shardul Amarchand Mangaldas, New Delhi

**Speakers**
Rodrigo Brunelli Machado  
Ulhoa Canto, São Paulo

Manuel Jose Garces  
Carey, Santiago

Kirstin Hoenderken  
Loyens & Loeff, Amsterdam

Daniela Rey  
Bruchou & Funes de Rioja, Buenos Aires

Carolina Rozo  
Philippi Prietocarrizosa Ferrer DU & Uria, Bogota; Young Lawyers Programme Officer, IBA Taxes Committee

**Rapporteur**
Teresa Novais Correa Meyer  
BMA Advogados, São Paulo

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**Lunch**

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Sports and taxes – taxation of SAF/capital gains on international transfer of athletes and compensation structures (star companies)

Football is Brazil’s national passion. A recent legislation has passed regulating the incorporation of football corporations (‘SAFs’), opening room for a significant number of new investment opportunities. Since last year, foreign investors have been acquiring stakes of traditional football clubs and negotiating the acquisition of rights to explore the Brazilian national league. Given that substantial amounts of money are part of the game – player transfers, image rights, TV quotas, licensed products, bets and so on – this has sparked the interest of tax administration to increase the collection of taxes internally and on cross-border transactions.

The panel will discuss with internationally experienced professionals tax issues arising from investment structures in Brazil and other countries, the remuneration of players and the international transfers and loan of players among other topics.

Session Co-Chairs
Roberto Duque-Estrada  Brigagão Duque-Estrada Advogados, Rio de Janeiro
Carsten Schlotter  Flick Gocke Schaumburg, Bonn

Speakers
Bruno Arez Martins  Eversheds Sutherland, Lisbon
Devon Bodoh  Weil Gotshal & Manges, Washington, DC
Andrea Gallizoli  Gatti Pavesi Bianchi Ludovici, Milan; Session Reporters Liaison Officer, IBA Taxes Committee
Luis Fernando Pamplona Novaes  Nemetz Kuhnen Dalmarco & Pamplona Novaes, Blumenau

Rapporteur
Rogerio Abdala Bittencourt  Mattos Filho, Rio de Janeiro

1530 − 1600  Coffee/tea break

1600 − 1730  The analysis of the tax burden of the affiliate of MNEs from OECD member countries – definition of corporate taxes and tax benefits

The tax burden shouldered by affiliates of multinational enterprises (MNEs) operating within OECD member countries is a complex issue of considerable significance in today’s globalised economy.

By focusing on the nuances of corporate taxes and tax benefits, we will elucidate these topics and their role in shaping fiscal policy and business strategies.

Our panel of experts will provide their insights on the definition of corporate taxes, the taxonomy of tax benefits, and how these elements collectively shape the overall tax obligation of MNE affiliates. The discussion will also explore potential avenues for tax optimisation, the dynamics of international tax competition, and the regulatory challenges in harmonising tax rules among OECD member countries.

Session Co-Chairs
Antonietta Alfano  Maisto e Associati, Rome
Ana Carolina Monguilod  CSMV Advogados, São Paulo

Speakers
Carolina Fuensalida  Fuensalida & Del Valle Abogados, Santiago
Juan Manuel Iglesias  Mitrani Caballero & Ruiz Moreno, Buenos Aires
Ryan Rabinovitch  Fasken Martineau DuMoulin, Montreal, QC; Membership Officer - North America, IBA Taxes Committee
Ana Paula Saunders  Eletrobras, Rio de Janeiro

Rapporteur
Carolina Amorim Ribeiro  Machado Meyer Advogados, Rio de Janeiro

1930 − 2200  Conference dinner

Rubaiyat Rio
address: Rua Jardim Botânico 971 - Jardim Botânico

All registered delegates and registered guests are entitled to purchase a ticket to attend
Ticket price: US$99
Friday 22 September

All working sessions will take place in the Rio de Janeiro II room (4th Floor)
Coffee/tea break will take place in the foyer of the Rio de Janeiro II room (4th Floor)
Lunch will take place in the Copacabana room (4th Floor)

0800 – 1600 Registration

0830 – 1000 Crypto currency, digital platforms and metaverse – taxation on digital services and trades

As we navigate an era of unprecedented digital transformation, understanding the tax dynamics associated with it becomes crucial. Our panel will take a deep dive into the taxation challenges and complexities associated with transactions within cryptocurrencies, digital platforms, and the emerging metaverse.

This exploration underscores the need for comprehensive, equitable tax laws that keep pace with rapid technological advancements. Our panel of experts will offer insights into existing tax legislation, highlight potential gaps, discuss the need for consistency across jurisdictions, and explore the economic implications of these digital phenomena, all while providing strategies to navigate the contemporary tax landscape.

Session Co-Chairs
Clemens Philipp Schindler Schindler Rechtsanwälte GmbH, Vienna
Michael Angelo Silva McDermott Will & Emery, Miami, FL

Speakers
Ramona Azzopardi WH Partners, Ta’ Xbiex
Eduardo Michan Galicia Abogados, Mexico City
Daniel Paiva Gomes Vieira Drigo Vasconcellos Paiva Gomes, São Paulo
Alessandra Sanelli Banca d’Italia, Rome

Rapporteur
Tsedey Girma Mengistu BonelliErede, Addis Ababa

1000 – 1030 Coffee/tea break

1030 – 1100 Keynote address
Daniel Loria Director, Secretariat for Tax Reform, Brazilian Ministry of Finance, Brasilia

1100 – 1230 Challenges of structuring pre-migration planning for HNI and families

There could be many reasons why high-net-worth individuals would want to relocate; among others, business, education or tax may drive them to new jurisdictions. There are many jurisdictions which appear to be in a race to attract talent and wealth. These jurisdictions are prepared to offer incentives such as golden visas and tax incentives. There could be consequences due to change in domicility or tax residence, and implications on existing trust structures relating to the governing law. There are also non-tax issues that would impact on those migrating, including succession law, pre-nuptial agreements and lasting power of attorney. Ultimately, safety, security and certainty may be the key determinants motivating migratory plans. The panel will explore these migratory issues and the consequential impact that they will give rise to for the wealthy.

Session Co-Chairs
Jennifer Migliori Duane Morris, Miami, FL
Gurbachan Singh GSM Law, Singapore; Treasurer, IBA Taxes Committee

Speakers
Tiago Cassiano Neves Kore Partners, Lisbon
Chloé Delion CMS-Bureau Francis Lefebvre Avocats, Neuilly-sur-Seine
Carlos Orsolon Demarest Advogados, São Paulo
Gabriele Tancioni AndPartners Tax and Law Firm, Rome

Rapporteur
Lis Aguileira Brigagão Duque-Estrada Advogados, Rio de Janeiro

1230 – 1400 Lunch

MOBILE TELEPHONES

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From traditional sources to renewables: the role of green taxes

The climate crisis is a topic of extensive international discussion, emphasised by the signing of the Paris Agreement in December 2015. The Agreement, signed by 196 countries, aims to reduce carbon emissions primarily through the transition from traditional energy sources to renewable ones. These aims are further reflected in policies adopted by governments around the world, such as the European Green Deal, approved in 2020, which seeks to make the European Union climate-neutral by 2050. Governments worldwide are progressively leveraging tax mechanisms to meet their environmental goals. Several nations have introduced tax benefits to encourage eco-friendly behavior, increase clean energy investments and foster sustainable growth in green energy, and some have also implemented particular charges, tariffs, or energy and environment-related taxes to discourage harmful practices.

In this context, our expert panel will debate how governments from various jurisdictions are striving to foster and stimulate investment in clean, renewable energy through tax policies and incentives, the practical impact that these measures could have on an enterprise’s return on investment and the opportunities these incentives and programmes present to impact investors.

Session Co-Chairs
Francesco Gucciardo  Aird & Berlis, Toronto; Vice-Chair, IBA Taxes Committee
Leonardo Homsy  Mattos Filho, Rio de Janeiro

Speakers
Laura Castello Branco  Hydro, Rio de Janeiro
Bruna Marrara  Machado Meyer, São Paulo
Meyyappan Nagappan  Trilegal, Mumbai
Joe Sullivan  Covington & Burling, Washington, DC

Rapporteur
Rogerio Abdala Bittencourt  Mattos Filho, Rio de Janeiro

1530 – 1600 Coffee/tea break

New developments in structuring investments in and expansion of start-ups

In an environment where start-ups are becoming increasingly integral to the economy, understanding the fiscal dynamics of investment structures and their expansion is essential. In this context, our panel will delve into the cutting-edge developments in fiscal planning related to start-up investments and their growth. We will shed light on the tax implications that stem from different investment architectures, address the challenges therein, and explore the innovative solutions that have emerged. Our exploration will include an in-depth analysis of the complex interplay between taxation policy, investment growth, and start-up expansion, with the aim of providing valuable insights for investors, entrepreneurs, and those practicing tax law.

Session Co-Chairs
Mariana Eguiarte Morett  Sanchez Devanny, Mexico City
Heather Ripley  Alston & Bird, New York City, NY; Scholarship Officer, IBA Taxes Committee

Speakers
Rodolfo Araujo  iFood, São Paulo
Ana Carolina Carpinetti  Pinheiro Neto Advogados, São Paulo
Maria Mercedes Hoyos  DiDi, Bogota
Barry McGettrick  Matheson, Dublin
Luis Suarez de Centi  Unia Menendez, Madrid

Rapporteur
Lis Aguileira  Brigagão Duque-Estrada Advogados, Rio de Janeiro

1730 – 1745 Closing remarks

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