

**RESCHEDULED**

# MANDATORY DISCLOSURE RULES (MDR) ON CRS AVOIDANCE ARRANGEMENTS

**TUESDAY JANUARY 22, 2019 | 1.30 PM - 5.30 PM**  
**SOFITEL BEIRUT LE GABRIEL**

## OUTLINE & OBJECTIVES

102 jurisdictions have committed to CRS implementation to commence exchanges in 2017 or 2018. With exchanges under the CRS having now commenced amongst almost 50 jurisdictions there has been a major shift in international tax transparency and the ability of jurisdictions to tackle offshore tax evasion. At the same time, information from academic studies and media leaks, combined with more recent information collected through compliance activities of a number of tax administrations, as well as the results from the OECD's disclosure initiative, demonstrate that professional advisers and other intermediaries continue to design, market or assist in the implementation of offshore structures and arrangements that can be used by non-compliant taxpayers to circumvent the correct reporting of relevant information to the tax administration of their jurisdiction of residence, including under the CRS. The Model Mandatory Disclosure Rules for CRS Avoidance Arrangements and Opaque Offshore Structures contained in this report were approved by the Committee of Fiscal Affairs (CFA) on 8 March 2018. This workshop is designed to assess, analyze and understand the key elements of the MDR, recognize MDR's limitations and technicalities, as well as demonstrate how abuse of residence by investment schemes can be challenged.

## WORKSHOP SUMMARY

### Description of key elements in the design of a mandatory disclosure regime:

- Which Arrangements and Opaque Offshore Structures are required to be disclosed (i.e. the hallmarks of a disclosable scheme);
- Which persons are required to disclose such Arrangements (i.e. the Intermediaries that are subject to reporting obligations under the rules);
- What information is required to be reported
- Which penalties or other mechanisms to address non-compliance

### New specific hallmarks that specifically identify known features of CRS Avoidance Arrangements

- Hallmark for Opaque Offshore Structures specifically targets  
What are the supplementing disclosure rules for CRS Avoidance Arrangements set to capture Structures that would not ordinarily be subject to CRS reporting?
- What are exactly the CRS Avoidance Arrangement & opaque structures addressed in the 2018 OECD MDR?

### New definition of Intermediary and Timing of Disclosure Obligations

- Who is an Intermediary? The MDR is looking for a wider interpretation
- What are the rules governing the Intermediary's requirement to make a disclosure?

- What are the proposed requirement to file a disclosure in respect of a CRS Avoidance Arrangement or Opaque Offshore Structure

### New Information required to be disclosed

- Details of the Arrangement or Structure, as well as the Clients and actual users of that Arrangement or Structure, and any other Intermediaries involved in the supply of that Arrangement or Structure
- What about information that is subject to obligatory professional secrecy rules?
- Avoiding duplicate disclosures in respect of the same Arrangement or Structure
- How to Disclose Arrangements entered into after 29 October 2014 and before the effective date of these rule

### Penalties and other mechanisms for dealing with non-compliance

- Penalties to be applied for non-disclosure will be determined by each jurisdiction in light of its particular circumstances - what does that mean in practice? Will foreign laws apply penalties on cross-border arrangements or structures?
- How much time before the OECD MDR framework starts biting?

## THE SPEAKERS



### Anita S. Vartanian

Anita S. Vartanian is a certified Public Accountant licensed by the California Board of Accountancy and Enrolled Agent licensed by the Internal Revenue Service, with offices in Los Angeles and Beirut, specializes in international tax compliance matters for U.S. persons and foreign financial institutions, primarily in the areas of FATCA compliance, FBAR compliance, dual citizenships, tax treaty planning and corporate restructuring. Prior to her certifications, Anita attained a Certificate in Accounting from the University of California Los Angeles (UCLA), Extension Program. Anita also has a Bachelor of Science in Business Administration from the American University of Beirut (AUB). Anita serves as a board member in the Lebanese Association for Taxpayers' Rights (ALDIC).



### Adib Y. Tohme

Adib Y. Tohme is an international business lawyer and a Lebanese economist. He is president of the association Citizen L. Graduate of Harvard Law School, Université Paris 2 Assas, USJ and ESA Business School, he has taught in several international universities, and notably Harvard Law School where he obtained a Residence program and collaborated with the Harvard Human Rights Journal. Adib Tohme acts as a consultant for different multinational firms and institutions, such as UNCTAD. He practices law and is an economic consultant in Beirut, New York, Dubai and the GCC.

## WHO SHOULD ATTEND

- Heads of Compliance Unit and Sub-Units (incl. AML / CFT)
- Legal Advisors & Law Firms
- Compliance Officers | Risk Officers | Finance Officers
- Internal & External Auditors

## SCHEDULE

- 1:30 pm: Registration & Welcome Coffee / Snack
- 2:00 pm: Start of the workshop
- 3:30 pm: Coffee Break
- 5:30 pm: End of the workshop

## MANDATORY DISCLOSURE RULES (MDR) ON CRS AVOIDANCE ARRANGEMENTS

### HOW TO REGISTER

www.symposiapro.com  
registrations@symposiapro.com  
+961 81 21 41 50

### VENUE

Date : **TUESDAY**  
**JANUARY 22, 2019**  
Time : **1.30 pm - 5.30 pm**  
Place : **SOFITEL BEIRUT**  
**LE GABRIEL**  
**Avenue de l'Indépendance 1100**  
**Achrafieh - Beirut, Lebanon**

### TERMS & CONDITIONS

Payments are due upon receipt of the invoice which will be sent by email. An original invoice will be delivered on the day of the workshop. If payment is not received prior to the workshop date, the participant (s) will be asked to pay in cash at the welcome desk. Banking costs and Transactions costs generated by a bank transfer must be supported by the client. The organizers reserve the right to change the program if, despite their best efforts, circumstances oblige them to do so.

### SUBSTITUTION & CANCELATION POLICY

Cancellations requests must be received in writing by email up to the following dates end of business at:

[registrations@symposiapro.com](mailto:registrations@symposiapro.com)

**Before January 9, 2019**

*Refund of 50%*

**After January 9, 2019**

*No refund will be made for cancellation*

### PRICE

**USD : 280.- / LBP : 420'000.- (VAT N/A)**

*Additional Registrations from the same company will receive a 30% supplementary discount.*

**First Registration USD : 280.- / LBP : 420'000.-**

**Second Registration and Above USD : 196.- / LBP : 294'000.-**

*Register before January 1st, 2019 and benefit from a 10% additional discount starting first registration*

**ONLINE : USE PROMO CODE MDR2019 | -10% APPLICABLE TO ALL ALDIC MEMBERS** (via email only - without time limitation)

### PAYMENT

- **Credit Card** (Visa & Mastercard) online at [www.symposiapro.com](http://www.symposiapro.com)
- **Bank Transfer** to SYMPOSIA Professional Conferences SARL (*Account details to be given on the Invoice*)
- **Cheque** to the order of SYMPOSIA Professional Conferences SARL
- **Cash**

### REGISTRATION & PAYMENT

#### I / WE, WISH TO REGISTER FOR THE WORKSHOP:

#### MANDATORY DISCLOSURE RULES (MDR) ON CRS AVOIDANCE ARRANGEMENTS - IN BEIRUT ON JANUARY 22, 2019

##### 1<sup>st</sup> PARTICIPANT

Full Name .....  
Position .....  
E-mail .....

Company: .....

Address : .....

Postcode / PO Box : .....

City / Country : .....

Phone : ..... E-mail : .....

ALDIC MEMBER

##### 2<sup>nd</sup> PARTICIPANT (-30%)

Full Name .....  
Position .....  
E-mail .....

##### 3<sup>rd</sup> PARTICIPANT (-30%)

Full Name .....  
Position .....  
E-mail .....

##### 4<sup>th</sup> PARTICIPANT (-30%)

Full Name .....  
Position .....  
E-mail .....

#### PAYMENT BY

**Credit Card** online at [www.symposiapro.com](http://www.symposiapro.com)

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Bank Transfer

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Date : ..... Signature : .....

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