



Third Latin American Day
International Tax Program Seminar at NYU
October 2, 2014

The **3rd Latin American Day** is an all-day event scheduled to run from 8:15 am through 5:00 pm, to be held at NYU Greenberg Lounge (Vanderbilt Hall) on October 2, 2014, hosted by the New York University School of Law International Tax Program with the support of the ITP Practice Council.

The Seminar will focus on three main topics, namely, recent significant developments in relevant jurisdictions, tax treaty developments and the approach to FATCA and BEPS throughout Latin America, addressing specific topics of interest for academics, students, and practitioners in a variety of Latin American jurisdictions.

Leading tax practitioners will have the opportunity to exchange and express their ideas in the Seminar. Among the jurisdictions participating are Argentina, Brazil, Chile, Colombia, Ecuador, Mexico, Paraguay, Peru and Uruguay.

The Seminar will consist of six different Panels which will focus in: (i) Recent developments in taxation in the largest investments and trade markets in Latin America; (ii) FATCA and how the same has and will affect different Latinamerican jurisdictions, spanning from those able to achieve an IGA with the U.S. Treasury to those unable or unwilling to do so; and (iii) BEPS and how the same may affect different LatinAmerican jurisdictions. The panels are aimed at providing a dynamic and current view of the policies and most interesting cases and issues in each jurisdiction.

PROGRAM

8:00 am Breakfast and Registration

8:15 am Opening Remarks – Prof. H. David Rosenbloom (5 min).

8:20 am Panel 1: Brazil. Main Issues and Treaty Developments (70 min).

The Panel will focus on recent changes in statutory law, case-law and administrative authority concerning treaty application and interpretation (including but not limited to characterization as business income and the treatment of royalties, technical assistance and other remittances), and dealing with the application of treaty shopping and anti-deferral rules.

9:30 am Panel 2: Southern Cone. Competent Authority Practices and Tax Treaty Override (60 min).

The panel will focus on recent practices by the Argentinian Competent Authority regarding double tax treaty interpretation, treaty override and the termination of tax treaties, exchange of information and the use of TIEAs, black-listing and other issues; and how the same is viewed and dealt with in other jurisdictions, such as Uruguay and Spain.

10:30 am Coffee Break (20 min)

10:50 am Panel 3: A Level Playing Field? Advantages & Potential Pitfalls for Investments (80 min).

The panel will address common issues in structuring investments in selected Latin American jurisdictions in order to identify attractive tax and company regimes and potential issues associated with the same, focusing on corporate tax regimes and benefits to investing, as well as regimes for transfer of technology (royalties and technical assistance), and financing.

12:10 pm Lunch (80 min)

1:30 pm Panel 4: Tax Treaty Interpretation & Application in Latin-America (60 min).

The panel will address recent tax treaty developments in selected jurisdictions. Approaches to treaty shopping in negotiating tax treaties, including characterization as business income and royalties, among other relevant features. Treaty interpretation and domestic tax authority and regulations on tax treaty application.

2:30 pm Panel 5: Mexico's Sweeping and Tax reform (60 min).

The panel will focus on the current status of the Sweeping Tax Reform proposed by the Mexican government. The current status, the views of the Mexican tax authorities and the protection of taxpayers' rights. What to expect next.

3:30 pm Coffee Break (15 min)

3:45 pm Panel 6: FATCA & BEPS in Latin America (75 min).

How does FATCA and BEPS affect Latin America? The panel will focus on how Latin American jurisdictions are dealing with the burdens resulting from the implementation of FATCA. IGAs in place and to come, and alternative approaches. Approaches to BEPs. Have the OECD BEPs project found its way into Latin American jurisdictions in a reasonable way or is it an excuse for additional discretionary measures ?

Closing Remarks – Prof. *H. David Rosenbloom*.