

2020 National Infrastructure Online Conference

13 October – 12 November | 6 CPD hours

The only conference focused entirely on tax issues affecting Infrastructure.

For the past 5 years, this conference has brought together tax practitioners, government speakers and industry subject matter experts. However, due to the current climate things will look a little different this year with a robust **virtual program** delivered as a 6-part online webinar series.

This webinar series features an outstanding array of speakers and topics, including presentations from the ATO, infrastructure tax advisers and investors. With special guest speaker Romilly Madew AO, CEO of Infrastructure Australia, this is a series not to be missed.

Topics

- Distressed asset scenarios – making money from the folly of others
- Issues in a post-staple reform world
- Thin capitalisation rules – how arm's length is arm's length?
- Recent ATO Taxpayer alerts and other considerations
- Issues with the treatment of sovereign wealth funds and pension funds
- Keynote address – update on the Infrastructure sector

Presenters

Luke Bugden	PwC
Edward Consett, ATI	EY
Matt Ervin	KPMG
Jason Heng	Australian Taxation Office
Shirley Lam	KPMG
Romilly Madew AO	Infrastructure Australia
Shahzeb Panhwar	Australian Taxation Office
Cindy Perryman	Deloitte
Christina Sahyoun	PwC
Shashi Sivayoganathan	Transurban
David Stevenson	Australian Taxation Office

Choose a format that suits?

- Attend the live webinars to interact with our expert presenters; or
- Replay the webinars (post-event) at a time that suits you.

Delegate materials

- Please note delegates will be provided with PowerPoint slides only
- All materials will be supplied electronically to delegates approximately 1-2 days prior to the webinar.

Webinar Schedule

Tuesday, 13 October 2020
 Tuesday, 20 October 2020
 Tuesday, 27 October 2020
 Wednesday, 4 November 2020
 Tuesday, 10 November 2020
 Thursday, 12 November 2020


Time

1.00-2.00pm AEDT

Location

Online

CPD proficiency level:

Proficient/
advanced 

Register now:

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For event queries please contact:

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☎ +61 03 9603 2006

Technical Program

Time	Topic	Presenter
<i>Tuesday, 13 October</i>	<p>Part 1: Distressed asset scenarios – making money from the folly of others</p> <p>Whether it be the vagaries of poor revenue forecasts, insolvent contractors and completion risks, or more fundamental changes to how we live our lives, Australian infrastructure assets are not immune to economic shocks. This prescient session seeks to cover critical tax issues for distressed infrastructure assets and debt take-out options, including:</p> <ul style="list-style-type: none"> – Resetting and preserving asset bases in key infrastructure asset classes – Quirks and limitations of commercial debt forgiveness rules – Hidden dangers of limited recourse debt – Debt deductions pre and post-transaction – The benefits of losses 	<p>Edward Consett, ATI EY</p> <p>Shashi Sivayoganathan Transurban</p>
<i>Tuesday, 20 October</i>	<p>Part 2: Issues in a post-staple reform world</p> <p>The recent Treasury review of stapled entities culminated in the Treasury Laws Amendment (Making Sure Foreign Investors Pay Their Fair Share of Tax in Australia and Other Measures) Act 2019. The new measures resolved some of the uncertainty created by TA 2017/1 by establishing a transitional framework for existing staples, introducing additional integrity measures and creating a pathway for new economic infrastructure assets to access the managed investment trust (MIT) regime.</p> <p>This session will discuss the practical implications of the Treasury Laws Amendment (Making Sure Foreign Investors Pay Their Fair Share of Tax in Australia and Other Measures) Act 2019 and other issues in a post-staple reform world, including:</p> <ul style="list-style-type: none"> – Transitional measures – the issues raised by LCR 2019/D2 – Economic infrastructure staples – potential issues for new projects (and the Draft Guidance Notes) – Part IVA, anti-avoidance and stapled entities – The continued role of the non-arm's length income rule (NALIR) and cross-staple rent 	<p>Matt Ervin KPMG</p> <p>Jason Heng Australian Taxation Office</p> <p>Shirley Lam KPMG</p>
<i>Tuesday, 27 October</i>	<p>Part 3: Thin capitalisation rules – how arm's length is arm's length?</p> <p>With the ATO's increasing scrutiny on debt deductions and the interaction with the thin capitalisation provisions, this session will cover:</p> <ul style="list-style-type: none"> – The ATO's compliance approach to the arm's length debt test outlined in PCG 2020/7 – The ATO's new risk assessment framework – The role of credit ratings – Interaction with the transfer pricing regime – Practical experience in managing the ATO's risk assessment framework 	<p>Shahzeb Panhwar Australian Taxation Office</p> <p>Cindy Perryman Deloitte</p>

Time	Topic	Presenter
<i>Wednesday, 04 November</i>	Part 4: Recent ATO Taxpayer alerts and other considerations The ATO has recently issued a number of taxpayer alerts relating to arrangements of concern. This session will talk through the alerts and consider their impact on the industry.	Shahzeb Panhwar Australian Taxation Office
<i>Tuesday, 10 November</i>	Part 5: Issues with the treatment of sovereign wealth funds and pension funds The ATO released draft ruling LCR 2019/D4 providing key guidance on the new law relating to both sovereign immunity and withholding taxes applying to superannuation funds for non-residents. Key issues covered in this session will include: <ul style="list-style-type: none"> – Influence/control test – Covered sovereign entities – Transitional issues for existing investments – Administration, private rulings – Practical examples / what we are seeing 	Luke Bugden PwC Christina Sahyoun PwC David Stevenson Australian Taxation Office
<i>Thursday, 12 November</i>	Part 6: Keynote address – update on the Infrastructure sector This session will provide an update from Romilly Madew AO on the Australian Infrastructure sector.	Romilly Madew AO Infrastructure Australia

"Infrastructure will be a huge beneficiary of COVID recovery stimulus and any acceleration in capital recycling. What a great time to reconnect with our exciting new virtual format."

Steve Ford, CTA, PwC, Chair, Conference Organising Committee

"The National Infrastructure Online Conference is a highlight event for many in our industry. I'm looking forward to the technical content and hearing from some of the leaders and emerging stars in our profession."

Minh Dao, CTA, Deputy Chair, Conference Organising Committee



Presenter profiles

Led by tax practitioners for tax professionals

Luke Bugden is a Tax Partner at PwC with significant experience in providing Australian income tax consulting advice to a wide range of public and private companies in the infrastructure, utilities and energy industries, alternative assets and both Commonwealth and state government agencies on various projects. Luke brings significant commercial experience with respect to infrastructure projects, including M&A and the development of greenfield projects. Luke also co-leads at PwC the Sovereign Wealth Fund and Foreign Pension Fund practice and has been actively engaged in consultation with the ATO on law design and administration as it relates to the stapled structure changes as well as the foreign pension fund and sovereign wealth fund changes.

Edward Consett, ATI, is a tax partner specialising in transaction preparation and execution at EY. Edward has extensive experience advising on greenfield and brownfield infrastructure projects, including public and private market M&A, project financing and privatisations across energy (including renewables), utilities, transport, social infrastructure and natural resource asset classes. Edward is a Member of Chartered Accountants Australia & New Zealand and a practising solicitor.

Matt Ervin is a Director in KPMG's Deal Advisory Tax group with extensive experience advising on transactions in the infrastructure and property sectors. Matt acts for financial and strategic investors on a wide range of social and economic infrastructure transactions, including privatisations, renewable energy developments, public private partnerships, social housing and secondary transactions.

Jason Heng is an Assistant Commissioner in the Tax Counsel Network at the ATO, where he provides technical guidance on a broad range of corporate and investment industry tax matters. Jason previously spent several years leading the ATO's resolution of disputes in the Private Groups and High Wealth Individuals market. Prior to joining the

ATO, Jason worked in private practice with a focus on taxation in the financial services industry.

Shirley Lam is a Director in KPMG's Deal Advisory Tax practice, with over a decade of experience. Shirley advises both Australian and international investors on their tax affairs, projects and transactions, focusing on infrastructure and energy and resources.

Romilly Madew AO was appointed Chief Executive Officer, Infrastructure Australia, in early 2019 and is responsible for overseeing Infrastructure Australia's critical role in helping governments prioritise projects and reforms that best serve our communities. Before joining Infrastructure Australia, Ms Madew was CEO of Green Building Council of Australia (GBCA) for 13 years. In acknowledgment of her contribution to Australia's sustainable building movement, Ms Madew was awarded an Order of Australia in 2019. She is currently a Commissioner for the Northern Territory Economic Reconstruction Commission, Member of Placemaking NSW Advisory Committee and Independent Chair of the Currawong State Park Advisory Board (NSW). Romilly was recently on the Expert Advisory Panel for the CSIRO Report on Climate and Disaster Resilience and held Board positions with the Australian Sustainable Built Environment Council (ASBEC) and Sydney Olympic Park Authority.

Shahzeb Panhwar is an Assistant Commissioner in Public Groups and International and heads up the International Programs and Engagement area at the ATO. Shahzeb has previously had roles including International Tax Structuring, overseeing Operations teams in Docklands and managing the Dispute Resolution program within Public Groups & Internationals.

Cindy Perryman is a corporate tax partner at Deloitte in Melbourne and specialises in advising on financing issues related to inbound and outbound investments. Cindy has a focus on thin capitalisation and in particular the arm's length debt test, having been involved in drafting the public guidance on the test when formerly at the ATO.

Christina Sahyoun is a Tax Director at PwC with significant experience in advising a number of domestic and international investors and Government entities in relation to transactions in the economic and social infrastructure, energy, utilities and transport sectors.

Shashi Sivayoganathan is the Principal Tax Advisor at Transurban and a consultant at Deloitte. He was a former partner at Deloitte Lawyers. He has over 20 years of tax experience, specialising in infrastructure, merger and acquisitions, privatisations, tax-based financing and consolidations. Shashi has significant experience in public/private investment in infrastructure and greenfield infrastructure projects. In addition to his experience in infrastructure, Shashi also has extensive experience in tax audits and tax litigation. Public/private investment in infrastructure and greenfield infrastructure projects. In addition to his experience in infrastructure, Shashi also has extensive experience in tax audits and tax litigation.

David Stevenson is a Senior Director in the Public Groups & Internationals business line. David commenced his career in a large Newcastle based accounting firm before joining the ATO in 2007. In recent years, he has specialised in providing complex tax advice to large clients, with a particular focus on international taxation. David has extensive experience in sovereign immunity and superannuation fund for foreign residents' matters. David holds a Bachelor of Commerce, Master of Taxation and is a CPA.



THE TAX INSTITUTE

2020 National Infrastructure Online Conference

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1 Registration

Please select your registration type:

	Member	Non-member
Full Registration (Includes all 6 webinars)	<input type="checkbox"/> \$360	<input type="checkbox"/> \$480
Individual Webinar	<input type="checkbox"/> \$75 per webinar	<input type="checkbox"/> \$95 per webinar
Select your choice from the below (refer to program for topics):		
<input type="checkbox"/> Part 1 (13 October) 41215	<input type="checkbox"/> Part 2 (20 October) 41216	<input type="checkbox"/> Part 3 (27 October) 41217
<input type="checkbox"/> Part 4 (4 November) 41218	<input type="checkbox"/> Part 5 (10 November) 41219	<input type="checkbox"/> Part 6 (12 November) 41247
*All prices are subject to change		

For event enquiries, please contact Angela Thangavelu on 03 9603 2006 or angelathangavelu@taxinstitute.com.au

6 CPD hours allocated for full attendance. In case of a registration transfer, CPD hours will be allocated to the designated attendee.

2 Delegate contact details

If your member details are up-to-date, you can skip this section

Member no.: _____

Title: ☐ Mr ☐ Mrs ☐ Miss ☐ Ms

First name: Last name:

Position: Company:

Address:

Suburb: State: Postcode:

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➤ Online taxinstitute.com.au

@ Email customeradmin@taxinstitute.com.au

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