

# Program

7 october 2024 | Calle Alcalá 21, Madrid

## **9:30-11:30 Advances and challenges of taxation in Latin America. Taxation of the operations of European groups in the region, especially operations carried out from Spain and Portugal.**

The first roundtable will share recent experiences in the region in relation to relevant tax issues such as the application of the beneficial owner principle, the allocation of expenses from the parent company to the subsidiaries or PEs, the risks of qualifying PEs or the main aspects subject to attention by the tax administrations in relation to transfer pricing.

In addition, certain particularly hot topics in the main countries of the region will be addressed more specifically:

- In Argentina, the reclassification of debt to equity, the analysis of the beneficial owner based on intra-group expense deductions and how to structure operational transfer pricing to avoid adjustments.
- In Brazil, the new transfer pricing and indirect tax reforms, the new rules for taxation of offshore funds and investment funds, and changes in the tax treatment of investment subsidies.
- In Chile, the strengthening of tax control, a new definition of permanent establishment, new anti-avoidance rules and the treatment of intra-group services.
- In Mexico, the exponential increase in tax inspections, and in particular the requirement to prove the materiality of transactions, and the modification of various double taxation treaties as a result of the entry into force of the MLI.
- In Colombia, the new rules of significant economic presence and place of effective management, the new minimum presumed taxable base, modification of the dividend and capital gains tax rate and also of the depreciation and amortization rules.

**11:30- 12:00 Coffee break**

**12:00-12:30 Keynote by José Antonio Marco Sanjuán, President of the Central Economic-Administrative Court (TEAC).**

**12:30-14:00 From Latin America to Europe: key tax aspects of Latin American investments in Europe, particularly in Spain and Portugal.**

Spain is positioning itself as the first gateway for Latin American capital to the European market. In this round table led by our tax experts in Spain and Portugal, we will address the main tax issues that any Latin American investor should take into account in relation to:

- Application of exemptions to the distribution of dividends and transfer of shareholdings in Spain and Portugal.
- Taxation of the financing of the acquisition of shares in companies.
- Taxation in Wealth Tax/Large Wealth Tax on shares in companies with real estate assets in Spain.
- Application of the Wealth Tax/Health Tax exemption to holdings in family offices.
- Application of the Spanish special inpatriate regime (Beckham Law) to company directors.
- Draft of the special inpatriate regime of the Community of Madrid (Mbappé Law).
- The Portuguese RNH regime: A reality for LATAM investors in Portugal?
- Payments to non-resident entities in Portugal and withholding exemption under the double taxation agreement. Practical difficulties to obtain the elements (Form 21 RFI and Certificate of residence and taxation) required by the Portuguese tax authorities.

**14:00-15:00 Lunch**