

PROGRAMME

Global Conference

"The Future of VAT in a Digital Global Economy"

WU (Vienna University of Economics and Business)

September 24 – 26, 2014, Vienna, Austria

Wednesday, September 24, 2014

19:00

Conference opening

At WU (Vienna University of Economics and Business)
Institute for Austrian and International Tax Law
Welthandelsplatz 1 building D3, 2nd floor
1020 Vienna

Welcome Addresses:

Michael Lang, Head of the Institute for Austrian and International
Tax Law, WU

Ine Lejeune, Attorney, Partner - Tax Policy (EU, Belgian and global)
- Dispute Resolution & Litigation, Law Square

Piet Battiau, Head Consumption Taxes Unit, Centre for Tax Policy
and Administration, OECD

Followed by a cocktail reception

08:45 – 09:00

Opening Statement

Algirdas Šemeta, Commissioner at the European Commission responsible for Taxation, Customs, Statistics, Audit and Anti-Fraud.

09:00 – 10:00

I) **Business Models in the Digital Global Economy, now and in the future and Implications for Tax Policy and Administration**

Chairs: **Peter Merrill**, Principal, Pricewaterhouse-Coopers LLP, U.S.A.
Michael Lang, Head, Institute for Austrian and International Tax Law, WU, Austria

Keynote Speaker: **Yulia Logunova**, European Tax Manager at Rakuten, Luxemburg

Panel: **Rick Minor**, University of North Carolina School of Law (visiting author)

*Key topics:**Examples of business models in the Digital Economy that cause problems.**Presentation of a 'Digital Company'.**What is the digital economy today and outlook on future trends in technology, business models and growth.*

10:00 – 10:15

Coffee Break

10:15 – 12:30

II) **The Treatment of Digital Supplies and Other E-Services Under VAT B2C vs B2B**

Chairs: **Donato Raponi**, Head of Unit, VAT and other Turnover Taxes, European Commission, DG Taxud
Alexander Rust, professor, Institute for Austrian and International Tax Law, WU, Austria

Keynote paper: **Marie Lamensch**, Post-Doctoral Researcher at the Institute for European Studies at the Vrije Universiteit Brussel, and Professor at the Catholic University of Louvain

Panel: **Stephane Buydens**, VAT Advisor, Centre for Tax Policy and Administration, OECD
Marie Pallot, Policy Manager, Inland Revenue, New Zealand
Martin J. Blanche, PwC U.K
Hilde Bervoets, Ministry of Finance, Belgium
Alan WU, PwC China

*Key topics:**Defining supplies of goods and "digital supplies/e-services"**Defining the status of the customer (use of technology; responsibility of the supplier; responsibility of solution providers (e.g. payments, distribution platforms/hubs...)); access to information on the customer-role of the government**Defining the place of taxation for B2C (proxies and interaction with place of establishment of the supplier; and interaction between the 2 concepts and taxes) – Global vs. B2C 2015 EU changes**Rates: reduced VAT/GST rates or not for digital supplies? Impact on growth?**Case study digital vs. physical books and newspapers/magazines (How is the rate defined?**Role of the customer experience; global research).*

12:30 – 14:00 Lunch Break

14:00 – 15:30 III) **Cloud computing, vouchers, virtual currencies and e-money: Implications for the Operation of VAT systems around the World**

Chairs: **Walter Hellerstein**, Distinguished Research Professor & Francis Shackelford Distinguished Professor in Taxation Law at the University of Georgia Law School, USA
Claus Staringer, professor at the Institute for Austrian and International Tax Law, WU, Austria

Keynote paper: **Oskar Henkow**, Associate Professor (docent) Department of Business Law, School of Economics and Management, Lund University, Sweden

Panel: **Sean Keenan**, Director, Sales Tax Division, Tax Policy Branch, Department of Finance, Canada
Tom Corbett, Partner - Indirect Tax - VAT and Customs & International Trade, PwC, Ireland
Carol Felepchuk, TD Bank Group, AVP Global Commodity Tax
Mike Cunningham, HM Treasury, U.K
Pratik Jain, KPMG India

Key topics:

Cloud Computing (Transaction qualification, Fixed establishment or not?,

VAT vs. direct tax, Impact on place of supply or not?)

Use of vouchers (what are they, treatment, distribution)

E-money (financial service or not, tax exemption or not, comparison of treatment with treatment of vouchers)

15:30 – 16:00 Coffee Break

16:00 – 17:15 IV) **Intermediated delivery and third party billing: Implications for the Operation of VAT systems around the World**

Chairs: **Rob Dalla Costa**, Tax Director, Goods and Services Tax, Malaysia
Josef Schuch, professor, Institute for Austrian and International Tax Law, WU, Austria

Keynote paper: **Sophie Claessens**, Senior Manager, PwC Belgium
Tom Corbett, Partner - Indirect Tax - VAT and Customs & International Trade, PwC, Ireland

Panel: **Lesley O'Connell**, Senior Manager: Indirect Tax Policy, South African Revenue Service
Nancy Perks, Director of International Tax, Microsoft Corporation
Duy Nguyen, Manager, Indirect Tax, EY Netherlands

Key topics:

Invoicing schemes with or without VAT accounting; Difficulties in terms of compliance certainty when using third party billing)

End of Conference Day 1.

Right after the conference the Institute for Austrian and International Tax Law and the WU Global Tax Policy Center at the Institute would like to invite you to the...:





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17:15 – 18:30

Tax Policy Fire Side Chat:

VAT, Digital Economy and Tax Policy

Jeffrey Owens and **Nicolas Colin**

will discuss issues in the field of Digital Economy which are currently preoccupying governments, business and civil society.

These "Tax Policy Fire Side Chats" address a wide range of people to participate in these policy debates providing input from their various fields of expertise and interest, and are part of the WU Global Tax Policy Center activities.

20:00

Dinner reception at a typical Vienna Heurigen

Heuriger Sissi Huber

Roterdstraße 5

1160 Wien

<http://sissi-huber.at/>

For all registered conference participants and their accompanying persons.

Directions are in the conference folder

09:00 – 10:30

V) **Connecting Corporate and Individual Income Taxes and VAT in a Digital Global Economy: The Unexplored Linkages or The good, the bad and the ugly?**

- Chairs: **Michael Lang**, Head of the Institute for Austrian and International Tax Law, WU
Jeffrey Owens, professor, Institute for Austrian and International Tax Law, WU, Austria
- Keynote paper: **Walter Hellerstein**, Distinguished Research Professor & Francis Shackelford Distinguished Professor in Taxation Law at the University of Georgia Law School, USA
- Panel: **David Bradbury**, Head of the Tax Policy and Statistics Division, Centre for Tax Policy and Administration, OECD
Stef van Weeghel, global tax policy leader PwC, professor at University of Amsterdam, chair PSC IFA.
Andrea Laing, Indirect Tax Lead, Asia-Pacific & Global Indirect Tax Policy Lead, Shell Australia
Natasha Avendaño García, Deputy Director of Operational Research and Statistical Analysis at National Tax and Customs Administration – DIAN, Colombia

Key topics:

BEPS (VAT fixed establishment vs. corporate tax PE).

Report on taxing the digital economy.

Transfer pricing corrections: What is the tax treatment of TP corrections?

10:30 – 11:00

Coffee Break

11:00 – 12:30

VI) **Compliance and Tax Administration Challenges: How to comply and collect VAT in the digital economy in the country of consumption effectively and efficiently?**

- Chairs: **Ine Lejeune**, Attorney, Partner - Tax Policy (EU, Belgian and global) - Dispute Resolution & Litigation, Law Square
Jeffrey Owens, professor, Institute for Austrian and International Tax Law, WU, Austria
Piet Battiau, Head Consumption Taxes Unit, Centre for Tax Policy and Administration, OECD
- Keynote paper: **Christophe Waerzeggers**, IMF
- Panel: **Gabriel Schutte**, Ministry of Finance, Netherlands
Costantino Lanza; European Commission
Jessica Dove, Senior VAT Manager, Vodafone.

Key topics:

Compliance and collection within the digital economy, use of technology to comply (registration, billing, archiving, return filing, payments); EU solution:

Mini-One-Stop Shop; other countries' solution; cost of compliance (related to the digital economy); compliance by established vs. non-established taxpayers and role of technology; payment or other solutions pros-cons; alternative VAT collection mechanisms, E-auditing and SAF-T.

12:30 – 14:00 Lunch Break

14:00 – 15:30 VII) **International administrative cooperation and exchange of information in the area of VAT and how to prevent and resolve cross-border disputes in a digital global economy (mediation, rulings,... which court to turn to as last resort?)**

Chairs: **Walter Hellerstein**, Distinguished Research Professor & Francis Shackelford Distinguished Professor in Taxation Law at the University of Georgia Law School, USA
Pasquale Pistone, Jean Monnet *ad personam* professor at the Institute for Austrian and International Tax Law, WU

Keynote papers: **Bjorn Westberg** (on EoI), professor at Jönköping University, Jönköping International Business School, Sweden
Thomas Ecker, Federal Ministry of Finance (on Disputes)

Panel: **Ine Lejeune**, Attorney, Partner - Tax Policy (EU, Belgian and global) - Dispute Resolution & Litigation, Law Square
Chris Needham, Global VAT/GST Director, General Electric

Key topics:

*How can businesses and authorities in the Digital Economy get certainty on the VAT treatment
Avoiding disputes / litigation in multiple jurisdictions? Mechanisms?
Need for a cross-border ruling practice?*

*Global cooperation, exchange of data and collection, Tax documentation vs. Data protection.
What are the most frequently used methods of VAT authorities?
Interaction with 'domestic'. Legal frameworks.*

*Data protection issues, privacy, big data.
Why should businesses keep this in mind
(E.g. information available in country A could be used in country B)*

*International enforcement, dispute resolution mechanisms.
Which court is competent in case of litigation?*

15:30 – 16:00 Coffee Break

16:00 – 17:30

VIII) **Looking ahead: potential global solutions and the framework to make them work**

Chairs: **Karl-Heinz Haydl**, BIAC VAT/GST
Michael Lang, Head of the Institute for Austrian and International Tax Law, WU, Austria

Keynote paper: **Rebecca Millar**, Professor of Law, Sydney Law School, The University of Sydney, Australia

Panel: **Piet Battiau**, Head Consumption Taxes Unit, Centre for Tax Policy and Administration, OECD
Rick Minor, University of North Carolina School of Law (visiting author).
Christophe Waerzeggers, IMF
Ine Lejeune, Attorney, Partner - Tax Policy (EU, Belgian and global) - Dispute Resolution & Litigation, Law Square

Key topics:

Are actions required to improve taxing the digital economy (i.e. to avoid double and non-taxation)?

Need for a broader (EU/global) One-Stop-Mechanism?

Who should take the initiative? Local governments? OECD? EU Commission? Businesses?

Impact of introduction of VAT and planned VAT reforms.

Impact of harmonisation of VAT in different economic groupings.

How can we use existing instruments (Multilateral Assistance Conventions).

Do we need a global VAT model convention?

17.30 – 17.45

Concluding comments

Conclusions by:

David Bradbury, Head of the Tax Policy and Statistics Division, Centre for Tax Policy and Administration, OECD

Ine Lejeune, Attorney, Partner - Tax Policy (EU, Belgian and global) - Dispute Resolution & Litigation, Law Square

Michael Lang, Head of the Institute for Austrian and International Tax Law, WU, Austria

Sessions will take place at the Ceremonial Hall of WU (Vienna University of Economics and Business), Welthandelsplatz 1, 1020 Vienna