

Practical Tax Planning 2021



FEES

£1,750 per delegate plus VAT (£350.00) = £2,100.00

SPECIAL EARLY BOOKING DISCOUNT

For bookings made and paid for before July 24th 2021

£1,600 per delegate + VAT (£320) = £1,920.

(to include course notes, accommodation, meals and wines.)

REGISTRATION DETAILS

To register please contact:

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Tel: 01865 352121, Fax: 01865 351081, E-mail: aw.khplc@khplc.co.uk

CANCELLATIONS:

Those confirmed in writing 30 days prior to the Seminar qualify for a full refund, subject to a £250 administration fee. Cancellations within 30 days prior to the Seminar do not qualify for a refund, although substitutions will normally be allowed at Key Haven's discretion, subject to a £100 administration fee.

ALTERNATIVE FEE IF SEMINAR IS HELD VIRTUALLY

If the seminar is held virtually, all reservations made will still hold good but will qualify for a 25% refund of the fee paid.

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KEY HAVEN PUBLICATIONS LTD presents:

39th Annual Oxford Four-Silk Fourteen-Speaker Residential* Seminar

Practical Tax Planning 2021

Tuesday September 28th - Thursday September 30th
Merton College, Oxford

DELEGATE FEES

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* If the Seminar cannot be held in person, it will take place by Zoom, with a reduction in the delegate fee.

SPEAKERS

Robert Venables QC (Chairman)

James Kessler Q.C.

Rory Mullan Q.C.

Philip Simpson Q.C.

Harriet Brown

Keith Gordon

Etienne Wong

Sarah Squires

Rebecca Murray

Patrick Boch

Mary Ashley

Ross Birkbeck

Rebecca Sheldon

Jean-Selous Borlace



The speakers are all practising barristers.

They are all members of Old Square Tax Chambers, 15 Old Square, Lincoln's Inn W2A 3UE except that Keith Gordon is a member of Temple Tax Chambers 3 Temple Gardens EC4Y 9AU and Rebecca Murray is a member of Devereux Chambers, Devereux Court, London WC2R 3JH

Practical Tax Planning 2021



PROVISIONAL TIMETABLE TUESDAY SEPTEMBER 28TH

- 12.00 Arrival and Registration
- 13.00 Lunch Merton College
- 14.00 Chairman's Introduction
- 14.10 Are Personal Service Companies Obsolete? - **Robert Venables Q.C.**
The "Old" IR 35 - the "New" IR 35 (ITEPA Part 2 Chapter 10 as from April 6th 2021 as amended by Finance Act 2021) - Increases in Corporation Tax and Dividend Income Tax Rates - Planning for the New Era
- 15.00 How Best to Carry on Business: Through Company, as a Sole Trader, or as a Partner? - **Jon-Selous Borlace**
- 15.35 Taxation of benefits from unapproved retirement benefit schemes - **Philip Simpson Q.C.**
Income tax - National insurance contributions - Foreign element
- 16.20 Discussion Session with Refreshments
- 16.35 UK VAT, Land Transactions & the Lingering Ghosts of EU Law **Etienne Wong**
 - VAT & land: update on the main transaction types (including sale & leasebacks post-Balhouseie)
 - HMRC weaponising EU law? - the continuing fallout from Fortyseven Park Street - Landlinx - are HMRC simply "clarifying" or seeking to redefine land transactions for VAT? • EU law & tax: an overview of the post-Brexit position
- 17.20 Case Law Update - **Sarah Squires**
Recent cases on entrepreneurs relief, main purposes and residence - entrepreneurs relief and the meaning of "ordinary share capital" (Warsaw v Revenue and Customs Commissioners) - meeting the conditions for entrepreneurs relief with trustee shareholders (Quentin Skinner 2005 Settlement L and others v Revenue and Customs Commissioners) - the "main purpose" test on share for share exchanges (Euromoney Institutional Investor PLC v HMRC) - residence of special purpose subsidiaries (Development Securities v Revenue and Customs Commissioners)
- 18.05 Close of Formal Proceedings for the Day
- 19.00 Pre-dinner drinks and dinner in the Great Hall

WEDNESDAY SEPTEMBER 29TH

- 09.30 Chairman's Introduction
- 09.35 The Remittance Basis - **James Kessler Q.C.**
Practical planning points - Lessons from Allam v HMRC
- 10.20 Transfer of Assets Abroad - Current Issues and Recent Cases - **Rebecca Murray**
Fisher v HMRC [2020] UKUT 62 - Rialas v HMRC [2020] UKUT 367 - Hoey v HMRC [2021] UKUT 82 - Protected Foreign Source Income - current planning and frequent issues
- 11.05 Discussion Session with Refreshments
- 11.20 CRS: what happens next – dealing with international information requests and offshore non-compliance - **Harriet Brown**
What information do you need to provide and why it leads to information requests - TIEA requests – challenging them, when and how to comply - Dealing with offshore penalties – RTC penalties and offshore penalty regime - What's next for offshore compliance – HMRC's report Offshore Developments for Private Clients and Trusts



Sarah Squires



Rebecca Murray



Patrick Boch



Mary Ashley



Ross Birkbeck



Rebecca Sheldon



Jean-Selous Borlace

- 12.15 Specific Issues with Capital Payments from Non-UK Resident and Immigrant Trusts - TCGA Section 87 - **Mary Ashley**
Payments to companies - Payments by way of loan - Onward gifting - Payments from immigrant trusts

- 13.00 Lunch

- 15.30 UK Residence Rules and COVID-19 - **Rebecca Sheldon**
UK residence rules - Issues which may have arisen - Exceptional circumstances test - Importance of treaty relief

- 16.15 Discussion Session with refreshments

- 16.30 Stamp Duty Land Tax - **Patrick Boch**
Lower rates of SDLT to non-residential property - the definition of "residential" - recent case law, including Hyman & Ors (Upper Tribunal) - the case of The How Development - thoughts on planning - commentary on tribunal's approach

- 17.15 FA 2021 Tightening of the POTAS Regime & Recent Developments in Follower Notices and Accelerated Payment Notices - **Ross Birkbeck**
POTAS Deemed Promoters - Promotion structures - STOP Notices - Conduct Notices and Monitoring Notices for "Transferees" - Other Changes - Follower Notice Penalties - M.Sport

- 18.00 Close of Formal Proceedings for the Day

- 19.15 Pre dinner drinks

- 19.45 Gala Dinner Merton College (Black-Tie Optional) in the Great Hall

THURSDAY SEPTEMBER 30TH

- 09.00 Chairman's introduction
- 09.35 Challenging HMRC's ability to assess - **Rory Mullan Q.C.**
The resurgence of Lord Dunedin's three stage classification of the tax system - Tooth and Tinkler in the Supreme Court - Jurisdictional issues - voluntary returns - the scope of closure notices and assessments
- 10.20 HMRC's information powers post-FA 2021 - **Keith Gordon**
HMRC's historical approach to getting information - Challenging HMRC's information demands (including recent case law): JJ Management - Perfectos Printing Inks - Levy/Henkes - The FA 2021 regime (Financial Institution Notices): The dangers of the new rules - How FINs can be challenged - Other changes made by FA 2021
- 11.05 Discussion Session with Refreshments
- 11.25 Question Session - the Panel
- 12.45 Lunch
- 14.00 Close of Seminar

PROBLEM PAPERS AND DISCUSSION SESSIONS

Given that we cannot be certain that the Seminar can be held in person, there will be no problem papers or delegate discussion sessions this year.