

MEMO# 28508

November 4, 2014

Conference Call to Discuss OECD BEPS Discussion Drafts -- Nov. 13 at 1:00 p.m. EST

[28508]

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TO: ADVISER DISTRIBUTOR TAX ISSUES TASK FORCE No. 13-14 RE: CONFERENCE CALL TO DISCUSS OECD BEPS DISCUSSION DRAFTS -- NOV. 13 AT 1:00 P.M. EST

We will have a conference call on Wednesday, November 13, at 1:00 p.m. EST, to discuss discussion drafts recently released by the Organisation for Economic Coordination and Development ("OECD") on its Base Erosion and Profit Shifting ("BEPS") Action Plan. [\[1\]](#) Specifically, we will discuss:

- [BEPS Action 7](#): Preventing the Artificial Avoidance of PE Status;
- [BEPS Action 10](#): Proposed Modifications to Chapter VII of the Transfer Pricing Guidelines Relating to Low Value-Adding Intra-Group Services; and
- BEPS Action 14: Making Dispute Resolution Mechanisms More Effective. [\[2\]](#)

The OECD has asked interested parties to submit written comments on Actions 7 and 10 by January 9, 2015, and January 14, 2015, respectively.

We also will discuss the report on [BEPS Action 2](#): Neutralising the Effects of Hybrid Mismatch Arrangements, which was released in September 2014. The OECD has asked the Business and Industry Advisory Committee ("BIAC") for its assistance as the OECD develops a Commentary to explain the application of the recommendations in the report. The OECD specifically has asked BIAC to provide examples of situations in which the hybrid mismatch rules may be difficult to apply or where their application is not clear. The OECD also has asked for assistance as it undertakes further work on the application of the hybrid financial instrument rule to on-market trading activities and the impact of the imported mismatch rule on controlled groups.

Finally, we will discuss follow-up work on [BEPS Action 6](#): Preventing the Granting of Treaty Benefits in Inappropriate Circumstances, which was released in September 2014. A revised discussion draft of this report is expected to be released in mid-November.

Our assistant, Ezella Wynn, will send an Outlook Calendar invitation for the call. If you

would like to participate in the call, please simply accept the invitation. You also may contact Ms. Wynn directly by e-mail (ewynn@ici.org) if you do not receive the Outlook invitation. The dial-in number for the call is 888-469-1281 and the passcode is 11030.

Karen Lau Gibian
Senior Associate Counsel

endnotes

[1] The BEPS public discussion drafts can be found on the OECD BEPS website [here](#).

[2] A discussion draft on Action 14 is expected in mid-December 2014.

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