



Poland Tax Conference 2019

October 24, 2019 – Warsaw

In today's tax transparent and globalized world, companies, wealth owners and their advisors face a set of new and demanding regulatory and tax compliance challenges. Recent developments in the area of tax transparency and exchange of information for tax purposes have created a competitive landscape in which efficient compliance with tax laws is a key to success.

The Poland Tax Conference 2019 will discuss the most recent developments in Polish tax law, both from a domestic and international tax law perspectives. Outstanding tax practitioners and scholars will explore the key issues to succeed in a tax transparent world.

The conference will begin with an overview of the recent developments in the Polish domestic tax law. In that sense, Personal and Corporate Income Tax laws will be thoroughly discussed, along with the recent changes of withholding taxation, CFC and anti-tax avoidance legislation. The topics will be deeply analysed, including the approach adopted by the tax authorities and courts, and speakers will present recommendations and commentaries on the latest rulings.

Later in the afternoon, the focus will shift to Poland's international tax law. In particular, the current status of implementation of BEPS in Poland will be discussed, with emphasis on the latest changes in transparency and substance for Poland, beneficial ownership concept, etc. We will also give an overview of the possible changes of practice with respect to digital economy taxation, including the potential alternatives for the taxation of permanent establishments.

Further ahead, different planning structures such as investment funds and foundations will be addressed and analyzed from a wealth protection perspective. Additionally, aspects such as succession planning, CFC taxation, applicability of Double Tax Conventions (DTC) and taxation of such structures will also be covered. Before moving onto the practical discussions, the conference will deal with the current Mandatory Disclosure Regulations and the particularities of their implementation in Poland.

Finally, the speakers will engage in two practical discussion panels. The first panel will be aimed at discussing wealth protection and succession planning in Poland in the post-BEPS era for individuals. Furthermore, the impact of the exit taxation will be thoroughly analyzed through the case studies. The second panel will cover inbound and outbound investment alternatives for Polish individuals and corporations with selected jurisdictions through the use of holding, IP, operating/trading and financing companies.

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PROGRAM

13:30 **Welcome and Registration**

14:00 **Overview of the latest developments in the Polish domestic tax law and practice**

- Anti-tax avoidance legislation – current experiences, approach of the tax authorities and courts, recommendations and latest rulings
- CFC legislation – practice, loopholes, impact on the existing structures such as foundations and investment funds (collective, closed-ended and alternative) and other holding structures
- Prolongation of exit tax liability – overview of the ECJ relating cases, formal aspects of settling tax liability
- New withholding tax regime in the view of the tax structuring

Chair: Joanna Wierzejska, Speakers: Grzegorz Sprawka, Aldona Leszczyńska-Mikulska, Artur Nowak

14:45 **Overview of the relevant recent and expected developments in the Polish international tax law**

- Overview of the relevant recent developments in the Polish international tax law. Status of the implementation of BEPS in Poland, such as:
 - Beneficial ownership concept and impact on flow of dividends and interest
 - Ratification of MLI Convention (status)
 - Hybrid instruments – new regulation in the Polish law
- Status of implementation and features of registries of beneficial ownership

Chair: Joanna Wierzejska, Speakers: Karolina Stawowska, Aldona Leszczyńska-Mikulska

15:15 **Investment Funds as vehicles for holding assets, wealth protection and succession planning**

- Comparative study with selected jurisdictions: Liechtenstein, Poland, Luxembourg
- Regulated funds, closed-end investment funds, alternative investment funds
- CFC taxation, application of double tax treaties, impact of the new withholding tax rules

Chair: Joanna Wierzejska, Speakers: Grzegorz Sprawka (Poland), Yacine Diallo (Luxembourg), to be confirmed (Liechtenstein)

15:45 **Practical experience with Liechtenstein Foundations**

- Various instruments used for wealth preservation. Circumstances under which Foundations represent an efficient planning tool
- Practical example addressing the setting up of a Liechtenstein Foundation by a Polish individual
- Aspects regarding the use of Foundations for wealth preservation purposes
- Main tax aspects (benefits – risks) surrounding Foundations

Speaker: HSH Prince Michael of Liechtenstein

16:15 **Mandatory disclosure regulations – first year of functioning of the new regulation**

- Official position of the Ministry of Finance
- Sharing first experiences
- Best practices
- Amendments of the regulations

Speaker: Grzegorz Sprawka

16:30 **Coffee break**



PROGRAM

17:00

Panel I: Wealth protection and succession planning in Poland in the post-BEPS era for individuals

- Tax-compliant planning strategies for Polish individuals meeting the requirements of transparency and substance
- Adaptation of the old structures to the new tax environment – substance, justification, risk of tax avoidance, limitations and best practices for justifying a change
- Case studies on exit taxation

Chair: Karolina Stawowska, Panelists: Aldona Leszczyńska-Mikulska, Joanna Wierzejska, to be confirmed

17:30

Panel II: Tax planning for Polish individuals and corporate entities through the use of holding, IP, operating/trading and financing companies in a comparative view with Switzerland, Luxembourg and Liechtenstein

- Case studies on the tax planning from a Polish perspective for individuals and corporations involving Switzerland, Luxemburg and Liechtenstein through the use of holding, IP, operating/trading and financing companies. Inbound scenarios (Swiss and foreign investors investing in Poland)
- Case studies on tax planning from a Polish perspective for individuals and corporations involving Switzerland, Luxemburg and Liechtenstein through the use of holding, IP, operating/trading and financing companies. Outbound scenarios (Polish investors investing in Switzerland, EU and other non-EU countries)

Chair: Roland A. Pfister, Panelists: Joanna Wierzejska, Aldona Leszczyńska-Mikulska, Yacine Diallo

18:00

Aperitif

**Aldona Leszczyńska-Mikulska | GWW, Poland**

Aldona has been working with taxes since 1999. Started her professional career at the International Tax Planning Department of the Warsaw office of Ernst&Young. She specializes in international tax and inheritance planning. Aldona advises clients in cases and disputes relating to private property, family and spousal cases. She takes part in processes connected with generation changes in family-owned businesses. She is a member of the International Fiscal Association (IFA), Member of Society of Trust and Estate Practitioners, London branch and with GWW since 2016.

**Artur Nowak | Domański Zakrzewski Palinka, Poland**

Artur is a renowned expert in tax audits, tax disputes, and the preparation and effective implementation of tax litigation strategies. He advises and represents clients in criminal tax cases and has long experience in providing tax advice in tax audits and on day-to-day tax matters gained in leading international and domestic advisory firms. Artur represents clients before the tax authorities, fiscal control authorities, enforcement authorities, the European Commission, the Voivodship Administrative Court, the Supreme Administrative Court and the Constitutional Tribunal. Artur is an expert in tax litigation and was distinguished by Gazeta Prawna in its Tax Adviser Rankings in 2008, 2009 and 2010. He is also recommended by Chambers and Legal 500 EMEA. He has authored numerous publications on tax law and tax procedure. He is the co-head of DZP's Tax Practice.

**Grzegorz Sprawka | Domański Zakrzewski Palinka, Poland**

Grzegorz has many years' experience in providing full-range tax advice to clients on mergers and acquisitions, structuring international acquisitions and reorganising capital groups for investment funds and sector investors. He has carried out numerous tax due diligences in various business sectors and has been involved in developing and implementing a number of restructuring projects related to both the acquisition and operating activity of companies. Grzegorz gained his experience in the M&A team at PricewaterhouseCoopers, where he advised on numerous transactions, representing both sellers and buyers. He provides comprehensive tax advice to private businesses and international corporations in the FMCG, energy, financial, real estate and pharmaceutical sectors.

**Joanna Wierzejska | Domański Zakrzewski Palinka, Poland**

Joanna is a tax adviser with a great deal of experience in providing comprehensive tax advice to clients in various sectors in Poland in matters relating to mergers and acquisitions and the selection of effective tax structures for their operations, investments and transactions. She has also advised in many restructuring, privatisation and merger processes. She has extensive experience in advising private equity entities and sector investors. Joanna advises many private investors, entrepreneurs and their families on reorganising and developing their businesses, succession processes, private property protection, reporting on foreign assets, establishing foundations and changing tax residence. Joanna is a licensed tax adviser with 20 years' experience gained at PricewaterhouseCoopers and DZP. She is the co-head of DZP's Tax Practice.



Karolina Stawowska | Wolf Theiss Warsaw, Poland

Karolina Stawowska heads the local Tax team in Warsaw. She is a tax and business adviser with over 20 years of professional experience acting for corporate clients, private individuals, and private equity and venture capital funds. Karolina has worked on the restructuring of capital groups, development of tax strategies for acquisitions and sales of companies, and investment financing. She also has extensive experience in tax proceedings and conducting tax litigation in administrative courts. Prior to joining Wolf Theiss, Karolina worked at other prominent international law firms and at a Big Four accounting and consulting firm in Warsaw. She is a member of the National Bar of Tax Advisors.



HSH Prince Michael of Liechtenstein | INDUSTRIE- UND FINANZKONTOR ETS., WEALTH PRESERVATION EXPERTS, Liechtenstein

Prince Michael of Liechtenstein is Executive Chairman of Industrie- und Finanzkontor Ets., a leading trust company with a tradition and expertise in the long-term and trans-generational preservation of wealth, especially family wealth. Furthermore, he is also the founder and chairman of Geopolitical Intelligence Services AG, a geopolitical consultancy company, and information platform. In addition, Prince Michael of Liechtenstein is a member of various professional organizations such as STEP, a board member of the Liechtenstein Institute of Professional Trustees and Fiduciaries, as well as chairman of the Liechtenstein-based liberal think tank European Center of Austrian Economics Foundation.



Dr. Roland A. Pfister | Badertscher Attorneys at Law | Lucerne University of Applied Sciences and Arts, Switzerland

Roland studied law at the Universities of Neuchâtel and Granada. After graduating from law school, he worked for an international law firm in Belgium and a leading investment bank in Zurich. Later, he joined the tax department of one of the “Big Four” firms in Zurich/Geneva. From 2011 to 2014, he worked at a law firm in Geneva. Since 2015, he works at an international corporate and tax law firm in Zurich/Zug. In addition, Roland holds an Executive MBA in Wealth Management, and a PhD in international tax law from the University of Neuchâtel. Roland was also a Visiting Researcher at Harvard Law School. He is a regular contributor to tax journals and since 2012 lectures at the University of Applied Sciences and Arts of Lucerne. His main areas of expertise include both domestic Swiss and Liechtenstein as well as international tax law with a particular emphasis on tax-compliant wealth planning for high net-worth individuals and corporate entities (including funds, trusts and partnerships). His practice also focuses on the taxation of international investment structures for private and institutional investors.



Yacine Diallo | Charles Russell Speechlys, Luxembourg

Yacine is a Luxembourg tax adviser having a significant experience in assisting clients active in various sectors in the structuring of Luxembourg investment vehicles and holding platforms. He has also been involved in many cross-border restructurings and (de)merger processes. Yacine has a wealth of experience in advising private equity/real estate investment houses as well as multinational groups. He is also intensively involved in assisting family offices and UHNWIs (entrepreneurs, sportsmen, etc.) in the structuring of their estate as well as addressing topics such as transfer to the next generation, asset protection, family governance, pre-exit structuring, etc. Yacine is member of the Luxembourg Bar and of the IFA. He is the co-head of Charles Russell Speechlys' Luxembourg Tax Practice.



INFORMATION

Exchange Ideas is an international learning, training and networking platform on tax, wealth management and compliance focusing on practical matters and connecting financial advisors, family offices, lawyers, trustees, fund managers, and investors (“solution seekers”) with leading practitioners and academics in the field (“solution providers”). Exchange Ideas’ philosophy is to provide a platform that serves both ends of the relationship, by connecting members and allowing them to benefit from a leading advisory community, and to share the latest trends, knowledge and expertise in an efficient and cost-effective manner.



Participants

Entrepreneurs, tax specialists, lawyers, fiduciaries, private equity and hedge fund managers, representatives of trust companies and family offices, relationship managers and anyone with an interest in the areas of tax, wealth management and compliance.



Exchange Ideas

All participants may participate during the conference by asking questions directly or submitting written questions in advance to: info@exchange-ideas.com.



Date & Time

Thursday, 24th October 2019. From 1:30 pm to 6:00 pm.



Language

Due to the international content and multinational speakers and attendants, the conference will be in English and Polish. Simultaneous translation will be provided.



Venue

The event will be held at the Westin Warsaw located on Jana Pawła II 21 Avenue, 00-854 Warsaw. For detailed information on how to get to the venue please visit the venue website [here](#).



Registration

Online registration is available via the following [link](#).
Registration fee (excl. VAT): EUR 140.



Accommodation

Preferential accommodation rates have been negotiated with the Westin Warsaw. Standard classic guestrooms from PLN 600 + tax. You can book your accommodation rooms directly by using the reservation [LINK](#).



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