

9 September 2016 (Friday)

18.45 Registration
19.00 Seminar begins
20.00 Q & A session
20.30 End

Fee (HK\$)
ACCA Member (online enrolment).....100
ACCA Member/ Affiliate..... 110
(NO refreshments would be provided)

Think Ahead **ACCA**

Venue: ACCA Hong Kong Office
Room 1901, 19/F, World Wide House,
19 Des Voeux Road, Central, Hong Kong

Language: Cantonese
(supplemented with
handouts in English)

Organised by: Professional Development Sub-
committee, ACCA HK

Enrolment Deadline: 31 August 2016

technical seminar

TAX TREATMENT OF ROYALTY INCOME RECEIVED BY A HONG KONG RESIDENT AND A NON-RESIDENT

1.5 CPD units
TS20160909

On 28 May 2015, The Court of Appeal handed down the judgment of Turner Entertainment Networks Asia, Inc. for Muse Communications Co. Ltd. v CIR. The decision of this case made a radical change in the tax treatment on royalty income received by a non-resident for the use of a video outside Hong Kong under section 15(1)(ba). With the issue of Inland Revenue Departmental Interpretation and Practice Note 49 (DIPN 49) in July 2012, the Commissioner of Inland Revenue set out his view in Part B of that DIPN on the tax treatment of royalty income derived from licensing of intellectual property rights. The DIPN demonstrates a new tax treatment on royalty income. When Turner case, Part B of DIPN 49 and section 15(1)(ba) come together, they are able to consolidate the relevant law applicable to different types of royalty income, and assist the participants to have a better understanding of those issues.

Areas to be covered in this seminar:

1. The three different source rules on the charge of royalty income received by a Hong Kong company,
2. The charge of royalty income received by a non-resident from a Hong Kong company under section 15(1)(a), (b) and (ba).
3. Analysis of the decision of Turner Entertainment Networks Asia, Inc. for Muse Communications Co. Ltd. v CIR (2015)
4. PRC tax liability for a Hong Kong company received royalty income from a Mainland company
5. Treatment of PRC tax paid for royalty income received from a non-resident by a Hong Kong company under profits tax

SPEAKER

Mr Patrick Ho, FCCA, Principal Lecturer, FTMS Training Systems (HK)

Patrick was formerly an Associate Professor and Visiting Professor of Department of Accountancy and Law of Hong Kong Baptist University and Adjunct Professor of Department of Accountancy of City University of Hong Kong. He has accumulated about 35 years of accounting, auditing, taxation and

teaching experience from international accounting firms, Inland Revenue Department and universities. He was the examiner and assessor for various professional bodies (including ACCA, HKICPA, ICSA and Taxation Institute of Hong Kong).

Patrick was awarded a Bachelor degree in Law from University of London, a Master degree in Law and a MBA both

from The University of Hong Kong and the Postgraduate Certificate in Laws from City University of Hong Kong.

Patrick is the sole author of "Hong Kong Taxation and Tax Planning" which has been widely used by various universities and tertiary institutions in Hong Kong since 1995. The 15th edition was published in June 2016.



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Shanghai National Accounting Institute (SNAI)

Directly affiliated to and constructed by the Ministry of Finance. The Distance Education Network of SNAI, a key finance and economic

website, established an ACCA online learning platform.

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