

Developing tax efficient property structures and minimising exposure to SDLT

# Commercial Property Tax and SDLT 2011



Thursday 9 June 2011

Central London

## Choose the sessions you want to attend and discover:

- Impact of the CGT rate rise and the changing relief structure for commercial property
- The new SDLT enquiries and penalties rules
- Recent developments in property tax mitigation and anti-avoidance
- The latest SDLT case law and the future of Stamp Tax planning

## Speakers:

**Patrick Cannon**  
Barrister, 15 Old Square Tax Chambers

**Peter Cosmetatos**  
Director of Policy (Finance), British Property Federation

**Simon Swann**  
Partner, Ashurst

**John Watson**  
Partner and Head of Tax, Ashurst

**Philip Spencer**  
Tax Partner, Real Estate & Construction Tax Services, BDO

**Jim Hillan**  
Partner, Dundas Wilson

**Ali Anderson**  
Senior Manager, Ernst & Young

**Paul Emery**  
Tax Director, PricewaterhouseCoopers

**Clive Jones**  
Partner, Eversheds

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# Commercial Property Tax and SDLT 2011

## Why attend this conference?

Efficient structuring of property assets can save a business millions of pounds, and with indirect taxation quickly becoming the austerity measure of choice, minimising your company's exposure to SDLT can enhance these savings. **Tolley's Commercial Property Tax and SDLT 2011** conference, supported by the **British Property Federation**, is a must attend event for an update on the latest legislative and technical changes that will affect the tax treatment of property acquisitions, disposals and portfolios. The event takes place in a **unique half day format**, allowing you to attend the most appropriate sessions for you, and access the information you need.

Join our top line-up of property tax and SDLT specialists to understand:

- What the adviser needs to cover in 2011
- The latest with SDLT enquiries - what is being enquired into, how and where are we now?
- How the latest VAT changes will affect commercial property management
- Assessment of property ownership vehicles and structures including REITs, PAIFs, trusts and hybrid structures
- Property tax mitigation, anti-avoidance and the latest with DOTAS

## Who will you meet?

This unique event is specifically designed to bring together the leading practitioners within commercial property tax and stamp duty taxation. Amongst the attendees at the morning and afternoon sessions there will be:

- **Property tax and SDLT transactions advisers**
- **Tax practitioners**
- **Accountants**
- **Tax and property lawyers**
- **Investment property managers**
- **In-house corporate tax and property advisors**

The conference represents a fantastic networking opportunity and will enable you to discuss the issues affecting you know with fellow professionals from companies such as **Prudential, Ernst & Young, Mazars, Lagan Homes, Bayley Miller** and **Withers**.

## Quotes from previous delegates:

*'Good variation on a wide range of subjects relating to the right up to date changes to property tax'*

Kelly Goodchild, Street Chartered Accountants

*'Very useful summary of the broad tax issues involved in offshore and onshore property structures'*

Jane Innes, Speechly Bircham

*'An inspiring and lively conference with a very helpful update on all relevant aspects of stamp duty land tax'*

Kim Jardine-Young, Shaw Gibbs

## British Property Federation



The BPF sustains and promotes the interests of all those who own and invest in property in the UK. Its members include property owners, financial institutions and professional companies. Visit [www.bpf.org.uk](http://www.bpf.org.uk) to find out how to become a member.

**Tolley's Property Taxation** is the essential reference book on property taxation in the UK - providing an answer to every query. Covering all current and proposed taxes on property, including CGT, SDLT, VAT and Income Tax, the book takes an integrated approach, looking at the interaction of taxes in certain areas, rather than just individually and provides authoritative answers to all your queries in a single volume.

Detailed chapters include all the common (and less common) situations for the practitioner and their client, covering everything from REITs and Other Fund Vehicles, to Capital Allowances and Rental Investments. Technical issues are illustrated by examples throughout and, where relevant, detailed commentary on applicable case law and precedents supports in-depth research. Also included this edition is a chapter dealing with Property Tax Planning in a Recession.



# Programme

Thursday 9 June 2011

## Commercial Property Tax

08.30 Registration

09.00 **Morning introduction**

**Patrick Cannon, Barrister, 15 Old Square Tax Chambers**

09.05 **The view from the British Property Federation**

- BPF perspective on the taxation of commercial property
- Latest legislative changes and the impact of the 2011 Budget
- Assessment of the future of government policy on property finance and tax

**Peter Cosmetatos, Director of Policy (Finance), British Property Federation**

09.35 **Commercial property taxation: What the adviser needs to cover in 2011**

- The impact of the Budget 2011 and other recent legislative changes
- Latest case law and its impact upon commercial property
- Update on offshore property funds and investment vehicles
- The current thinking on acquisition and investment structures

**Clive Jones, Partner, Eversheds**

10.15 Morning refreshments

10.35 **Commercial property ownership vehicles and structures**

- The nature of transparency
- Opaque and transparent structures
- The use of gearing
- The effect of anti-avoidance provisions

**Simon Swann, Partner & John Watson, Partner and Head of Tax, Ashurst**

11.15 **VAT on commercial property development and transactions**

- The practical impact of recent case law and legislative developments including:
  - *Joiner Cummings*
  - *British Eventing*
  - *Lower Mill Estate Ltd*
- The option to tax and partial exemption - recent changes and disapplication
- Changes since January 2011 and practical issues of the Capital Goods Scheme (CGS)
- Avoidance schemes and changes in HMRC policy - disclosure, abuse and the prospect of a GAAR

**Ali Anderson, Senior Manager, Ernst & Young**

11.55 **Property tax mitigation and anti-avoidance**

- Recent anti-avoidance developments
- On-going tax reduction opportunities
- Disclosure of tax avoidance schemes

**Philip Spencer, Tax Partner, Real Estate & Construction Tax Services, BDO**

12.35 **Q&A and close of morning session**

12.40 Lunch

## Stamp Duty Land Tax

13.40 **Afternoon introduction**

**Patrick Cannon, Barrister, 15 Old Square Tax Chambers**

13.45 **Recent developments in SDLT**

- 2011 Budget changes and miscellaneous issues
- Schedule 16 and nominees
- LLPs, Scottish Partnerships and group relief
- Scope of the 5% charge

**Jim Hillan, Partner, Dundas Wilson**

14.30 **SDLT enquiries and litigation**

- What is being enquired into, how and where are we now?
- The new enquiries and penalties rules
- HMRC's litigation and settlement strategy - in flux?
- Land registry issues and adjudications

**Patrick Cannon, Barrister, 15 Old Square Tax Chambers**

15.15 Afternoon refreshments

15.35 **Stamp duty compliance and disclosure regimes**

- Developments within DOTAS
- Voluntary and non-voluntary disclosure of tax strategies
- Discovery assessments and tactics
- When and how to write an effective *Veltema* letter
- Recent changes and future disclosure issues

**Paul Emery, Tax Director, PricewaterhouseCoopers**

16.25 **The future of SDLT planning**

- *DV3 Regent Street LP* case and sub-sales
- Spotlight 10 and the assault on planning
- *Ramsay* in SDLT
- Unpicking section 75A
- What is still 'acceptable' and works?
- SDLT planning that goes wrong
- 'Approved by Counsel': be careful out there!

**Patrick Cannon, Barrister, 15 Old Square Tax Chambers**

17.05 **Q&A and chairman's closing remarks**

17.15 **Close of conference**

### Enhance your brand and meet new clients

Sponsorship and exhibition opportunities are available at this event. For more information, please contact

**Janella Merritt** on 020 7400 2501 or email [janella.merritt@lexisnexis.co.uk](mailto:janella.merritt@lexisnexis.co.uk)

# Registration

## Commercial Property Tax and SDLT 2011

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\*The early booking discounts are only available when you register by the dates stated below.

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Landed Estates – 20 April 2011

Tax risk, Strategy and compliance Conference – 17 May 2011

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### Administration

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