

MOBILITY OF BUSINESS – TRENDS ON CROSS BORDER BUSINESS REORGANIZATION

Break-out Session II shall provide an overview of major cross border business reorganizations which have taken place in Europe in the last 12 months using as a point of reference several actual public reorganizations of which the members of this panel are aware and with the issues raised by following their expertise. The focus of this session will be on how the ways in which multinational enterprises conduct business are “mobile” in different ways to respond to the tax landscape as it may be changing to respond to BEPS, the two Pillars and the GloBE proposals made by the OECD Secretariat, the influence of tax regulation and judicial determinations in the European Union and other circumstances that may cause businesses to relocate or recalibrate how they conduct business structurally, organize internal group transactions and have commercial exchanges with third parties within Europe, and both inbound to and outbound from Europe. These practical cases intend to stimulate a debate on how reorganizations have changed in response to regulatory, political and commercial forces identified with BEPS, highlighting issues concerning the taxation of cross border mergers and other ways of combining or organizing business elements, the transfer of places where business is conducted or directed, and European “inversions”, as well as the possible reactions to the anticipation or actual execution of realignment of enterprise as a result of “Brexit”. Issues relating to transfer of debt within the transfer of business shall be addressed under this Break-out Session II. This session will not be limited to typical organizational ways in which multinational enterprises organize and reorganize their component legally distinct elements; in keeping with the overall theme of the conference, this session will also consider less direct transactional and other ways in which multinational enterprises may recalibrate the deployment of their resources in ways that are responsive to changing political, fiscal and business dynamics even within a continuing familiar structural framework.



Pascal Hinny
Chair

Attorney at Law, Certified Tax Expert.
 Extensive experience in national and international tax matters.
 Regularly advises on international and domestic transactions (M&A, restructurings, recapitalization, financing, relocation, private equity) and regularly represents corporates and individuals in front of tax administrations and in legal proceedings.
 Head of the Zurich practice group Tax.
 Professor of tax law at law faculty of University of Fribourg, Switzerland.
 Swiss delegate to IFA permanent scientific committee, member of Swiss IFA board.



Domenico Borzumato
Speaker

Domenico is a senior partner in the International Tax and Transaction Services practice of EY and shares his time between London and Italy. In EY he has been the EMEIA leader for the International Corporate Tax Advisory competency and the Tax&Law Country Managing Partner in Italy. He has 30+ years of professional tax experience.
 His background ranges from ongoing tax assistance to Italian-based multinationals and fund managers to advising major groups in cross-border reorganizations and/or acquisitions.
 In providing international tax advice to large corporates, Domenico has been able to negotiate bilateral and unilateral Advance Pricing Agreements, transfer pricing settlements with tax authorities as well as obtain tax rulings on the presence of a permanent establishment.
 Domenico has been responsible for the Technical Tax Committee of Assirevi (Association of Italian Audit companies) for 5 years and Tax Observer in the Civilistic Committee of OIC (Italian GAAP setter).



Gauthier Blanluet
Speaker

Managing Partner of Sullivan & Cromwell's Paris office.
Head of the French tax practice of Sullivan & Cromwell.
Professor of Business Tax Law at the University of Paris II (Panthéon-Assas).
Head of the scientific committee of the French branch of IFA.
Member of the French IFA Board.

Member of the international committee of the French institute of tax advisers (IACF).
Mr. Blanluet regularly deals with legal and tax aspects of mergers and acquisitions, real estate transactions, tender offers and IPO's for a wide range of clients, including French and European industrial groups and international financial institutions.

In addition to providing tax and corporate advice, Mr. Blanluet's work also includes a significant tax litigation practice. He often represents major corporations and financial institutions on their most sensitive matters involving tax disputes.
Chambers Europe - Tax: Band 1; Legal500 Europe - Tax: (Hall of Fame);
Trophées du Droit - Corporate Tax: Trophée d'Or ("Golden Trophy").



Arne Møllin Ottosen
Speaker

Arne Møllin Ottosen is head of Kromann Reumert's Tax Law Group. Arne specialises in corporate taxation, tax litigation, and corporate and commercial law matters. He is the head of Kromann Reumert's Tax Law Group, which advises and represents Danish and international businesses in matters concerning Danish and international corporate taxation. Arne is widely recognised as one of the most outstanding tax lawyers in Denmark. He is member of the Danish Supreme Court Bar and has conducted a large number of high-profile tax law cases.



James Somerville
Speaker

James Somerville is a Tax Partner in A&L Goodbody based in Dublin. He advises on all aspects of taxation law but with particular emphasis on financial services and property related tax, including structured finance transactions, capital market issues, investment funds and cross border financings, mergers and acquisitions, inward investment, group re-organisations and property acquisition and holding structures.