

The Canadian Institute's 4th

FATCA Compliance Forum

Solutions to Manage Your Obligations Under the IGA



IIAC members save \$200*
See last page for details.

A roster of expert speakers will offer practical guidance on the key areas affecting your firm under the far-reaching FATCA regime, including:

- Interpreting the key aspects and risks of the FATCA regulations
- Clarifying **entity identification** and the allocation of responsibilities for client named accounts
- Best practices for **approaching your current customer base**
- Exploring **top industry reporting approaches**
- **Updates directly from the CRA** on XML schema, annual reporting requirements, domestic penalties and more!
- **Global FATCA** – how to comply with all the jurisdictions
- Meeting **additional reporting requirements** under the Common Reporting Standard (CRS)
- **Managing new and existing data** after onboarding to minimize risk

And much more!

Benefit from the experience of leading FATCA experts including:

- Canada Revenue Agency (CRA)
- Canadian Life and Health Insurance Association Inc. (CLHIA)
- Deloitte Tax LLP
- Ernst & Young LLP
- The Investment Funds Institute of Canada (IFIC)
- Investment Industry Association of Canada (IIAC)
- KPMG LLP
- Manulife
- National Bank of Canada
- Scotiabank
- Sun Life Financial
- TD Bank Group
- ...and more



Co-Chairs:
John M. Staples
Managing Partner
Burt, Staples & Maner LLP



Andrea Taylor
Managing Director
Investment Industry Association of Canada (IIAC)

Get a refresher before our event on the key aspects of FATCA:

The Fundamentals of FATCA

Please see inside for details

Cocktail Reception Hosted by:



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This conference and workshop counts toward CPD hours for lawyers in various provinces
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" Well organized, good breadth of expertise "

– Nicholas Hrebicek, RBC Global Asset Management, Past Delegate

Keep up with the rapidly evolving FATCA regime. Attend our premier industry conference for all you need to know to **stay compliant with Canada's IGA and related guidance and to safely navigate through the global FATCA maze.**

Whether you are an investment executive, counsel or compliance personnel, **The Canadian Institute's 4th FATCA Compliance Forum** offers outstanding speakers and guidance on the key areas affecting your firm under the far-reaching FATCA regime.

As the reality of the rules sink in, grey areas remain in interpreting and operationalizing the IGA legislation. The allocation of **due diligence** responsibilities for dealers and fund distributors can be unclear when multiple people are responsible for the account – who is ultimately liable under FATCA? Gain practical advice that you can implement right away at your financial institution.

This event provides the guidance you need for correctly determining **U.S. indicia** during account review and identification. Gain clarification on who is a **U.S. person** – provisions relevant to Snowbirds, students and others who may spend significant amounts of time in the U.S. Find out how to avoid reputational and financial risks for incorrect **identification** and hear about the different **entity classifications** for the purposes of FATCA, from securitization vehicles to trusts.

We will also be exploring **global FATCA** with a look at how to set-up effective compliance approaches across multinational groups where standards may differ across jurisdictions. Are you aware of the **Common Reporting Standard** introduced by the OECD? This session is not one to miss – the CRA and leading subject-matter-experts will be sharing the latest details on this new, global information collection regime.

Prior to the conference, **The Fundamentals of FATCA** workshop offers a chance for you and your colleagues to get up to speed on this legislation and the related guidance.

Don't miss this outstanding opportunity for professional development. Reserve your space today by calling **The Canadian Institute** toll-free at **1-877-927-7936**, faxing your registration to **1-877-927-1563**, or registering online at www.CanadianInstitute.com/FATCA.

We look forward to seeing you there!

Gain Insights From These Distinguished Speakers:

Co-Chairs:

John M. Staples

Managing Partner, [Burt, Staples & Maner LLP](#)

Andrea Taylor

Managing Director, [Investment Industry Association of Canada \(IIAC\)](#)

Speakers:

Carlos Sanchez-Abarca

Director, Enterprise Regulatory Projects
[Scotiabank](#)

Aline Aswad CIA, CRMA, CCSA

Senior Advisor, FATCA

Paul Barba

US Tax Lawyer, [Moody's Gartner Tax Law LLP](#)

Roy A. Berg

Director, US Tax Law, Barrister & Solicitor
[Moody's Gartner Tax Law LLP](#)

Suzanne Bourgouin, CPA, CGA, MBA

Senior Manager, Corporate Compliance
[National Bank of Canada](#)

James Carman

Senior Policy Advisor, Taxation
[The Investment Funds Institute of Canada](#)

Vivien Dadds

Program Director, Business Projects
& Solutions – Individual, [Sun Life Financial](#)

Cyrus Daftary

CEO, [Compliance Technologies International, LLC](#)

Louise DesLauriers

Manager, Information Returns Development
Section, Third Party Reporting Division, IRD,
[Canada Revenue Agency](#)

Gene DiMira

Director, Compliance, [Manulife](#)

Gregg Fradkin

AVP & Tax Counsel, Global Tax Advisory
[Sun Life Financial](#)

Blair Hammond

Manager – Tax Treaty Section (LPD)
Legislative Policy and Regulatory Affairs
Branch, [Canada Revenue Agency](#)

Denise M. Hintzke

Global Tax Leader – Foreign Account Tax
Compliance, [Deloitte Tax LLP](#)

Carlene R. Hornby

Partner, Tax, [KPMG LLP](#)

Katherine Johnson

AVP, FATCA, Corporate Compliance
& Tax Services, [TD Bank Group](#)

Peggy McFarland

Director, Corporate Taxation, [Canadian Life and Health Insurance Association Inc. \(CLHIA\)](#)

Jillian Nicolson

Partner, Leader, Operational Tax Practice
Canada, [Ernst & Young LLP](#)

Carmela Pallotto

Partner, Tax, [KPMG LLP](#)

Amber D. Scott

Founder & Chief AML Ninja, [Outlier Solutions Inc.](#)

Stephen Vescio

Senior Vice President – Global Tax Services,
Investor Services, [Brown Brothers Harriman & Co.](#)

Colleen Waddell

Managing Director, U.S., [Outlier Solutions Inc.](#)

Nanci York

Vice President, Program Controls & Oversight
Solutions, [Scotiabank](#)

Register at 1-877-927-7936 (416-927-7936) or www.CanadianInstitute.com/FATCA



@CI_Legal #CI_FATCA

Day One: Wednesday, March 25, 2015

7:45 Registration Opens and Refreshments are Served

8:45 **Welcome and Opening Remarks From the Co-Chairs**



John M. Staples
Managing Partner
Burt, Staples & Maner LLP



Andrea Taylor
Managing Director
Investment Industry Association of Canada (IIAC)

9:00 **Framework of the Key FATCA Regulations, Future Implementation Dates and Related Guidance**

Carlos Sanchez-Abarca
Director, Enterprise Regulatory Projects
Scotiabank

- Analysis of the key aspects, overview of the requirements under FATCA
- Key upcoming dates for FATCA implementation for Canadian FIs
 - Preparing for filing the first information reporting required under the IGA with the CRA on May 1, 2015
 - Review of U.S. indicia – guidance for reviewing client accounts to determine U.S. Persons
- The practical solutions the industry has for meeting due diligence obligations given the revised guidance
- An update of what is happening in the industry
- The approaching June 30, 2015 deadline for completion of pre-existing high-value individual account review in current database

10:00 **Government Overview – Navigating FATCA Elements in This Tax Reporting Space**

Moderator:

James Carman
Senior Policy Advisor, Taxation
The Investment Funds Institute of Canada

Speaker:

Louise DesLauriers
Manager, Information Returns Development Section
Third Party Reporting Division, IRD
Canada Revenue Agency

- What are the potential penalties of non-compliance or late reporting by FIs?
- Suggested reporting formats or models

- Update on the CRA XML Reporting Schema: What data will the CRA be looking for?
- Information about the CRA's website and updating service

11:00 Networking Refreshment Break

11:15 **Ongoing Post-Implementation Challenges: Client Identification Classification and Reporting Guidelines**

Suzanne Bourgoquin, CPA, CGA, MBA
Senior Manager, Corporate Compliance
National Bank of Canada



Aline Aswad CIA, CRMA, CCSA
Senior Advisor, FATCA



Cyrus Daftary
CEO
Compliance Technologies International, LLC

- Clarification on definitions and classifications of entities
 - Review of key concepts and terminology
 - Are securitization vehicles classified as FIs?
 - How are trusts classified for the purposes of FATCA?
- Approaches for account identification and reporting, as well as monitoring changes in circumstances
- Required documentation for resolving U.S. indicia and sharing forms across an institution
- Should FIs provide internal checks or rely on client's declaration? What about 3rd Party Data Providers?
- How to document pre-existing accounts for individuals and entities:
 - Documentary evidence
 - Obtaining self-certifications
 - How to handle clients who do not want to provide personal information under FATCA reporting
 - Reviewing accuracy of completed forms
- Complications of identifying and reporting U.S. persons in partnerships and passive NFFEs – who owns the account through the chain of ownership?
- How to avoid reputational and financial risks for incorrect client identification?

12:15 Networking Luncheon for Delegates and Speakers

1:15 **FATCA Hurdles Faced by Depository and Investment Entities**



Paul Barba
U.S. Tax Lawyer
Moodys Gartner Tax Law LLP



Carmela Pallotto
Partner, Tax
KPMG LLP



Roy A. Berg
Director, U.S. Tax Law, Barrister & Solicitor
Moody's Gartner Tax Law LLP

- Obligations for fund managers, dealers, custodians and distributors for client or dealer named accounts – sharing of responsibilities
 - Allocation of due diligence responsibilities for dealers and fund companies for client-named accounts – a roadmap of who has the onus for completing client identifying when more than one person is responsible for the account
 - Who is ultimately liable?
- Clarity on what the industry is doing in their compliance approaches
- Is a reasonable explanation sufficient for loss of U.S. citizenship, or should relevant clients complete a “Certificate of loss” and DS-4079 form?
- How market participants have approached the gray areas in IGA legislation?
- Suggested content to put in manual for front-line staff including Investment Advisors and Portfolio Managers
- Avoiding duplication issues – paperwork and identification numbers: Global Intermediary Identification Number (GIIN) and Taxpayer Identification Number (TIN)
- Industry policies – how FIs have implemented the IGA and CRA guidance

2:15

FATCA Transition Issues for Credit Unions, Small-Mid FIs and Mutual Fund Dealers

Carlene R. Hornby
Partner, Tax
KPMG LLP

- How credit unions are dealing with their specific (reduced) reporting and pulling from their own databases: category selections, monitoring their memberships
 - Understanding requirements for credit union exemptions
- How smaller banks are dealing with the associated costs of continually complying
- Obligations for deemed compliant and non-reporting FIs?
- Knowing the requirements for exemptions
- When there are issues of interpretations among business units, when would it be appropriate to go to external counsel for clarity?
- Client onboarding – how to handle clients with U.S. identification?
- How is upcoming reporting going to work specifically for this industry segment?
- In what ways do the new regulations apply to lower-budget smaller scale credit unions or small banks?
- How to prove non-reporting categories for credit unions and smaller-scale FIs

- How to communication your exemptions in the W-8 form?
- What are the pitfalls for being a non-reporting Canadian financial institution (NRCFI)?

3:00

Networking Refreshment Break

3:15

Organizationally Improving FATCA Compliance Programs Through Onboarding, AML and Internal Communications



Colleen Waddell
Managing Director, U.S.
Outlier Solutions Inc.



Amber D. Scott
Founder & Chief AML Ninja
Outlier Solutions Inc.

- The nuts and bolts of how compliance activities are divided up – best ways to organize internally for new account onboarding and working with pre-existing account base
 - Tips for how each business unit should comply – coordinating FATCA integration and revisions from all functional business lines: investments, insurance, wealth management, corporate, capital markets and retail and in the areas of legal, operations, compliance and taxation
- Building alignment cross-functionally and helping different teams understand how FATCA compliance affects them and how each unit will contribute to the efforts and comply
- New updates to AML – how to make sure the proper procedures are updated in alignment with FATCA
- How to communicate the message of FATCA and AML compliance across different functional lines and how they interface with your clients?

4:15

Closing Remarks From Co-Chairs

4:30

Conference Adjourns

Cocktail Reception 4:30 – 6:00 p.m.
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Day Two: Thursday, March 26, 2015

7:45 Refreshments are Served

8:15 **Opening Remarks From the Co-Chairs**



John M. Staples
Managing Partner
[Burt, Staples & Maner LLP](#)



Andrea Taylor
Managing Director
[Investment Industry Association of Canada \(IIAC\)](#)

8:30 **Panel Discussion: Insights on How the Insurance Industry Has Implemented FATCA**

Vivien Dadds
Program Director
Business Projects & Solutions – Individual
[Sun Life Financial](#)

Gene DiMira
Director, Compliance
[Manulife](#)

Peggy McFarland
Director, Corporate Taxation
[Canadian Life and Health Insurance \(CLHIA\)](#)

Gregg Fradkin
AVP & Tax Counsel, Global Tax Advisory
[Sun Life Financial](#)

- Industry efforts to develop consistent interpretation and business practices for implementing Part XVIII due diligence and reporting
 - Current issues
 - Final preparation for reporting
- Entity self-certification challenges
- Segregated funds held in nominee accounts and their due diligence and reporting
- Insights as we move into operationalizing Canadian and international tax compliance on automatic tax information exchange

9:30 **The Impact of FATCA on Canadian Investment Funds, Custodians and Transfer Agents**



Stephen Vescio
Senior Vice President – Global Tax Services
Investor Services
[Brown Brothers Harriman & Co.](#)

- The viewpoints and reality of what the investment industry is doing from legal, asset management and tax standpoints for investment funds

- Insights on how FIs, such as mutual fund dealers implemented the due diligence processes
- What types of funds could be considered FIs under the IGA?
- Implementation rules, including withholding
- How transfer agents can prepare for the significant amount of work going back to dealers for due diligence of pre-existing high value accounts ahead of the June 30, 2015 deadline
- Ways to get front line staff such as custodians, advisors and CSRs in-depth knowledge of FATCA regulations so they can support their clients
- What this information gathering regime means for a transfer agent set-up?
 - To mitigate risks, should entry for new accounts be in operations or legal – is a separate team needed for reporting and testing?
 - How do you make sure you do the best you can to comply as an organization?
- The role of custodians working with dealers to collect information on underlying clients
 - Details on FATCA support agreements between custodians and clients such as Canadian fund managers of mutual funds and pooled funds – clearing any confusion between roles
 - When to go back to the dealer to get more client indicia information

10:30 Networking Refreshment Break

10:45 **How to Comply with FATCA Globally in This Far-Reaching Regime**



John M. Staples
Managing Partner
[Burt, Staples & Maner LLP](#)

Nanci York
Vice President
Program Controls & Oversight Solutions
[Scotiabank](#)

- Setting up effective compliance approaches across multinational groups where standards may well differ
- Preparing a responsible officer to sign off on for FATCA or QI purposes
- Strategies to minimize the risks associated with a failure to comply
- Ensure that FATCA does not obscure the very real risk of failing to comply with “normal” U.S. withholding and reporting rules
- What to do when failing to comply with “normal” U.S. withholding and reporting rules

11:30 **The New Common Reporting Standard (CRS) Introduced by the OECD – Are You Aware of What is Coming?**

Moderator:



Andrea Taylor
Managing Director
Investment Industry Association of Canada (IIAC)

Speakers:

Blair Hammond
Manager – Tax Treaty Section (LPD)
Legislative Policy and Regulatory Affairs Branch
Canada Revenue Agency

Katherine Johnson
AVP, FATCA, Corporate Compliance & Tax Services
TD Bank Group



Jillian Nicolson
Partner , Leader, Operational Tax Practice Canada
Ernst & Young LLP



Denise M. Hintzke
Global Tax Leader – Foreign Account Tax Compliance
Deloitte Tax LLP

- Who are the early adopters and what is the expected timeline for Canada?
- Variances between CRS and FATCA – what can be leveraged or slightly adjusted to get to that model?
 - Will the CRS model reporting be a big adjustment or costly?
- Anticipated future reporting requirements and timelines
- New challenges expected with this regime in 2016?
 - No thresholds compared to FATCA
- Will there be any exemptions for lower thresholds such as for credit unions or smaller banks?
- Banks with global footprints – how to prepare now and comply with early adopters in other jurisdictions
- Matters the CRA is having to consider in connection with the Government’s commitment to implement the CRS

12:30 **Co-Chair’s Closing Remarks & Conference Concludes**

Pre-Conference Workshop: Tuesday, March 24, 2015

2:00 p.m. – 4:30 p.m. (Registration Opens at 1:30p.m.)

Fundamentals of FATCA

Aline Aswad CIA, CRMA, CCSA, Senior Advisor, FATCA

This is a great opportunity for a refresher or to get up to speed on FATCA, including the specific terminology, legislation of the IGA and interpretation the CRA’s guidance. Colleagues of registered delegates are also welcome to register for this specialized workshop.

- A brief history and purpose of the FATCA regime
- Introduction of Intergovernmental Agreements (IGAs) and different approaches in a global context
- FATCA obligations under Canada’s IGA
- Key concepts and terminology, including “Canadian financial institution” and “non-reporting Canadian financial institution”
- Identifying and reporting customer base of “U.S. Persons” – different categories of entities and clients
- Compliance and registrations process – account opening changes and client onboarding
- Self-certification and U.S. “W - forms”
- Risks involved
- Common questions and misconceptions
- Key implementation dates under the regime and further timelines
- The most recent developments for the Canadian IGA and U.S. Treasury Regulations
- Definition of U.S. indicia and practical application for reporting purposes

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Partners:



The Investment Industry Association of Canada (IIAC) is the national association representing the investment industry’s position on securities regulation, public policy and industry issues on behalf of our 161 IIROC-regulated

investment dealer Member firms in the Canadian securities industry. These dealer firms are the key intermediaries in Canadian capital markets, accounting for the vast majority of financial advisory services, securities trading and underwriting in public and private markets for governments and corporations. The IIAC provides leadership for the Canadian securities industry with a commitment to a vibrant, prosperous investment industry driven by strong and efficient capital markets. www.iiac.ca



The Investment Funds Institute of Canada is the voice of Canada’s investment funds industry. IFIC brings together 150 organizations, including fund managers,

distributors and industry service organizations, to foster a strong, stable investment sector where investors can realize their financial goals. By connecting Canada’s savers to Canada’s economy, our industry contributes significantly to Canadian economic growth and job creation. The organization is proud to have served Canada’s mutual funds industry and its investors for more than 50 years. www.ific.ca

Who Will Be There

- Portfolio Mangers, Investment Fund Managers and Financial Advisors
- Compliance Professionals
- Legal Counsel
- FATCA Project Managers
- Operational Risk Managers
- Professional Services Consultants
- Back Office – Administration and Support Personnel
- Lawyers in Private Practice
- Brokers/Dealers, Custodians and Transfer Agents
- Trust Tax Representatives
- Operations Department Personnel
- Investment Officers
- Chief Financial Officers
- Chief Compliance Officers



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For Alberta lawyers, consider including this course as a CPD learning activity in your mandatory annual Continuing Professional Development Plan as required by the **Law Society of Alberta**.



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Hotel Reservations

For information on hotel room availability and reservations, please contact One King West at 416-548-8100 and ask for the best available rate.

Registration Fee

The fee includes the program, all program materials, coffee breaks and lunches.

Payment Policy

Payment must be received in full by the program date to ensure admittance. All discounts will be applied to the Program Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. **Group discounts available to 4 or more individuals employed by the same organization, who register at the same time.** For more information on group rates, please call 1-877-927-7936.

Cancellation and Refund Policy

You must notify us by email at least 48 hrs in advance if you wish to send a substitute participant. Delegates may not "share" a pass between multiple attendees without prior authorization. If you are unable to find a substitute, please notify **The Canadian Institute** in writing no later than 10 days prior to the program date and a credit voucher will be issued to you for the full amount paid. Credit Vouchers are valid for 1 year and are redeemable against any other program by **The Canadian Institute**. If you prefer, you may request a refund of fees paid less a 25% service charge. No credits or refunds will be given for cancellations received after 10 days prior to the program date. **The Canadian Institute** reserves the right to cancel any program it deems necessary and will, in such event, make a full refund of any registration fee, but will not be responsible for airfare, hotel or other costs incurred by registrants. No liability is assumed by **The Canadian Institute** for changes in program date, content, speakers or venue.

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The Canadian Institute's 4th

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Compliance Forum

Solutions to Manage Your Obligations Under the IGA



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PLEASE ADD 13% HST TO ALL ORDERS		
Program (on site)	-\$2095 \$1895	-\$2295 \$2095
Program + Workshop	-\$2590 \$2390	-\$2790 \$2590

Top Reasons to Attend

- ✓ **GAIN CLARITY** on your obligations under the IGA and globally to ensure your compliance
- ✓ **PROTECT** your organization from costly withholding tax, penalties and privacy concerns
- ✓ **UNPARALLELED OPPORTUNITY** to learn from and network with key stakeholders
- ✓ **BENCHMARK** your regime against industry leading standards
- ✓ **GAIN INSIGHTS** on the upcoming Common Reporting Standard

