

On behalf of the Board of Directors of ACCE, I wish to extend my warmest and most sincere wishes to you for the upcoming holiday season.

## Message from the President

Since the last edition of Entrepreneur News, there has been no shortage of exciting activities, programs and events within ACCE. One of our most popular events, the ACCE Annual Golf Classic, was held on July 10, 2012 at Angus Glen Golf and Country Club. The many members, sponsors and attendees thoroughly enjoyed a day on the links on a beautiful and sunny day, followed by networking and prize draws at dinner in the clubhouse.

On September 20, 2012, our Annual General Meeting was held. I want to welcome the Directors who were elected to our Board of Directors at the meeting. I look forward to work with this team as I begin my second term as President of ACCE. It is worthwhile to note that two of the new directors are our past ACCE Award winners: Dr. Songnian Zhou, formerly of Platform Computing and Irwin Li of Mennie Canada Ltd.

The expansion of our Association to the West Coast has been one of the most exciting initiatives in ACCE's history. On October 11, 2012, ACCE held its second annual West Coast Gala at the Fairmont Waterfront Hotel in Vancouver. The event was attended by over 200 guests, comprising of government officials from various levels of government, as well as leaders from the Chinese Canadian business community in British Columbia.



At a news conference held on November 16, 2012, the focus was on social responsibility, which has always been a major pillar of ACCE's mission. This year marks the third consecutive year that ACCE has partnered with various sponsors to issue free Welcome Kits which are designed to reach out to new immigrants and to assist in their transition and integration into the local community. The invaluable resources and information provided in the Welcome Kit relate to finance, government, transportation, healthcare, and business start-up.

Looking ahead, our annual Christmas Celebration will be held on December 6, 2012 at Diamond Banquet Hall in Markham. In addition, the Chinese New Year Celebration will be held on February 19, 2013. In the fine tradition of ACCE, we will be celebrating these occasions with fun, entertainment, music, food, and drink. I look forward to seeing you at these celebrations.

Last but not least, the planning and coordination of our annual signature event, the ACCE Chinese Canadian Entrepreneur Awards are in full gear. The 2013 ACCE Awards Gala will be the 17th annual event, and will be held on March 23, 2013 at the Markham Hilton Suites. On this evening, the very best in entrepreneurship in the Chinese Canadian community from coast to coast will be recognized and honoured.

It goes without saying that none of these events will be possible without the generous and continuous assistance of our sponsors, volunteers, directors, advisors and staff. I want to thank each of them for their contributions for making each of these events so successful.

Again, I want to wish everyone the very best for the holidays season, and a very happy, healthy, and prosperous 2013.

*Alan Kwong*

Alan Kwong  
President



2012 ACCE West Coast Gala (left 4 to 8): Joshua Huen, Co-chair of 2012 ACCE West Coast Gala; The Honourable James Moore, Federal Minister of Canadian Heritage and Official Languages; Alan Kwong, President of ACCE; MLA Harry Bloy, B.C.; Stephen Murphy, Senior Vice President of TD Canada Trust.



## 2012 ACCE Golf Classic



- ▲ The 2012 ACCE Golf Classic was held on July 10, 2012 at Angus Glen Golf Course. The winners of the tournament are as follows: 1st Place Team: Paul Marconi, Clarence Yue, James Ling & Leonard Lee; 2nd Place Team: Siena Pang, Edgar Pang, Tonny Wong & Sunny Ho; 3rd Place Team: Yang-Hai Wang, Raymond Wang, Xing Chen Liao & Daniel Poon; Men's Longest Drive: Paul Marconi; Ladies Longest Drive: Yang-Hai Wang; Men's Closest to the Pin: Dan Granic & Eddie Rei; Ladies Closest to the Pin: Yang-Hai Wang & Siena Pang.



- ▲ Alan Kwong, President of ACCE (middle) presented trophies to 1st place Team members: (from left) Paul Marconi, Clarence Yue, James Ling & Leonard Lee.



- ▲ 2nd Place Team: (from left) Sunny Ho, Siena Pang, Edgar Pang & Tonny Wong.



- ▲ 3rd Place Team: (from left) Raymond Wang, Xing Chen Liao, Yang-Hai Wang & Daniel Poon.

## 2012 ACCE Annual General Meeting



- ▲ The 2012 ACCE Annual General Meeting was held on September 20, 2012 at Diamond Banquet Hall. All ACCE Directors, members and guests are shown.

## 2012 ACCE West Coast Gala



- ▲ 2012 ACCE West Coast Gala was held on October 11, 2012 at Fairmont Waterfront Hotel, B.C. (left 5 to 8): Alan Kwong, President of ACCE; MLA Harry Bloy, B.C.; The Honourable John Yap, B.C. Minister of Advanced Education, Innovation and Technology and Minister Responsible for Multiculturalism; MLA Richard Lee, B.C.



## 2012 ACCE West Coast Gala



All sponsors, co-chairs and guests at 2012 ACCE West Coast Gala. All sponsor representatives from front left: Eddie Rei, Triumph Express Service Canada; Fan Chun, Dr. Battery; Irwin Li, Mennie Canada; Stephen Murphy, TD Canada Trust; Alan Kwong, ACCE; Joshua Huen, Dr. Battery; Marks Johannus, Cathay Pacific Airways; Catherine Yuen, HKETO; Sandra Tam, City of Markham. (Back row from left): UPS; Misty Mountain Specialties; Mercedes-Benz Canada Inc.; Manulife Securities; Ming Pao Daily News and eSeeLYNX.

2013 ACCE Chinese Canadian Entrepreneur Awards major sponsors representatives and president of ACCE. (From left): Maureen Tang, Ming Pao Daily News; Teresa Tazumi, CIBC; Stephen Siu, Hong Kong Economic & Trade Office (Canada); Janet Vanderlaan, TD Canada Trust; Shaun Rath, BDC; Edward Hiew, RBC Royal Bank; Alan Kwong, President of ACCE; Brian Love, Ontario Ministry of Economic Development & Innovation; Adrian Cheung, BMO Bank of Montreal; David Kuo, HSBC Bank Canada and Andy Yap, Deloitte & Touche LLP.

## 2013 ACCE Awards – Media Conference



The media conference of 2013 ACCE Chinese Canadian Entrepreneur Awards was held on October 18, 2012 at the Ontario Investment and Trade Centre.



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## ACCE Networking Series



▲ ACCE Building a Successful Company Networking Series: "Learning from the Achievers" was held on November 15, 2012 at Markham Convergence Centre. (From left): Anita Kwan, HKCBA; Bob Brown, HKCBA; Benson Sy, TESTT; Alan Kwong, ACCE; Keynote speaker Dr. Songnian Zhou, 1997 Entrepreneur of the Year Award winner; Sandra Tam and Michael Cheung, ACCE.

▼ 2012 ACCE Welcome Kit for Newcomers Press Conference (From left): Jim Pilkington, Walmart Canada Corp.; Alan Kwong, President of ACCE; Mayor Frank Scarpitti, City of Markham; Title sponsor representative Adrian Cheung, BMO Bank of Montreal; Royson Ng, Advisor & Director of ACCE.

► Sponsors, ACCE Board of Directors & guests at ACCE Welcome Kit for Newcomers Press Conference on November 16, 2012 at Markham Civic Centre.

## 2012 ACCE Welcome Kits – Media Conference



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# This Treaty is a Wonderful Treat

By Charles Fu

Confucius once said, "Isn't it wonderful to have friends visit from faraway places?"

No doubt it is. But for those going to Hong Kong from Canada (or vice versa) to do business, the trip can also be taxing. Figuratively, and literally.

As many know, Canada has historically had no tax treaty signed with Hong Kong, which can potentially lead to double taxation. (For tax purposes, the region of Hong Kong is specifically excluded from the 1986 *Canada-China Income Tax Agreement*, which is still in effect but under re-negotiation.) This means that for Canadian residents doing business in Hong Kong, there is no relieving mechanism in place to determine whether they would be subject to tax as a Hong Kong resident – and vice versa. And once double taxation occurs, there is little to no relief.

Fortunately, things are about to change. On November 11, 2012, the governments of Canada and the Hong Kong Special Administrative Region of the People's Republic of China signed a new income tax treaty. While not yet effective, the treaty will enter into force when ratified by both governments.

## Treaty Highlights and Analysis

- Reduced tax withholding rates on **dividends** (5%–15%), **interest** (0%) and **royalties** (10%) from 25% under certain circumstances.
- **Capital gains** will be taxed only on the sale of immovable property situated in the other state, and shares deriving more than 50% of their value from such property.
- **Employment income** earned by a Hong Kong person in Canada will not be taxable in Canada if that person spends fewer than 183 days in Canada, and if the salary is not paid by or borne by a Canadian entity.
- And it works both ways: employment income earned by a Canadian person in Hong Kong will not be taxable in Hong Kong if that person spends fewer than 180 days in Hong Kong.
- The **residency** "tie-breaker" rules will prevent a person from being a resident of both states.
- Business profits of a Hong Kong company may not be subject to Canadian tax (and vice versa), unless that company carries on business in the other jurisdiction through a **permanent establishment**.



- Thanks to the treaty, Canadian companies with **foreign affiliates** in Hong Kong may now earn "exempt surplus", which can generally be repatriated back to Canada on a tax-free basis.

## Are there any red flags?

Well, not counting the ones with the maple leaf and the bauhinia flower on them, there are a couple of other red flags in the treaty.

Firstly, the treaty allows the competent authorities in Canada and Hong Kong to exchange information and share them with the local tax courts and tax administrative bodies.

Secondly, there is an anti-avoidance rule that denies treaty-reduced withholding rates. It is applicable where one of the main purposes of a particular structure is to obtain treaty benefits.


## Closing Thoughts

Isn't it wonderful to pay less tax? For Canadian residents conducting cross-border transactions in Hong Kong (and vice versa), the treat is in the treaty. Such persons and businesses should benefit from a lower cost of doing business across the pond.

On an interesting note, the 5% dividend withholding tax rate under the Canada-Hong Kong treaty is half of that under the Canada-China treaty (which is at 10%). For Canadian companies doing business in China, this may present an opportunity to restructure affairs and save taxes.


For more information or planning advice regarding the Canada-Hong Kong tax treaty, please consult your tax advisor.

Charles Fu is a Senior Manager of Taxation with McCarney Greenwood LLP.



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*Awards Gala*

Saturday, March 23, 2013 Hilton Suites Hotel, Markham, ON

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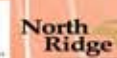


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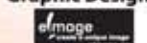
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# Events Calendar

Date	Event
Thursday, January 17, 2013	ACCE "Networking to Learn Seminar"
Tuesday, February 19, 2013	ACCE Chinese New Year Party
Monday, March 4, 2013	Multicultural Mega Networking
Saturday, March 23, 2013	2013 ACCE Chinese Canadian Entrepreneur Awards Gala
Thursday, April 18, 2013	ACCE "Networking to Learn Seminar"
May, 2013	2013 ACCE Business Forum
Thursday, June 6, 2013	2013 ACCE Appreciation Dinner
Tuesday, July 9, 2013	2013 ACCE Golf Classic at Angus Glen Golf Club, Markham, ON



## 2012 ACCE Annual General Meeting



- ▲ The 2012 ACCE Annual General Meeting was held on September 20, 2012. Advisors and board of directors: (back row from left) Kam Ko, Edward Hiew, Alan Hamm, Wilbert Lai, Fred Lai, Irwin Li, Michael Cheung, Andy Yap and Jeffrey Shek. (Front row from left): Sandra Tam, Amanda Collucci, Phoebe Chow, Alan Kwong (President), Joanna Lo, Royson Ng and Karen Ng.

## ACCE in the Community



- ▲ A media conference for an epic poetic dance titled "Qingming Riverside" was held on November 13, 2012. The finale of the Hong Kong Special Administrative Region's 15th anniversary celebration in Canada will be performed at the Sony Centre in early January 2013. (left 7): Gloria Lo, Director of the Hong Kong Economic and Trade Office (Canada); (left 4): Alan Kwong, President of ACCE; (right 1): Stephen Siu, Assistant Director of the Hong Kong Economic and Trade Office (Canada).

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