



**Eddie Ahn**

**Partner**

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Eddie Ahn is a tax lawyer with over 15 years' experience advising clients on Australian taxation issues. He focuses on income tax and stamp duty.

Eddie has particular experience advising upon corporate tax and real estate tax issues, particularly in the areas of tax structuring, cross-border transactions, tax consolidation and stamp duty.

He has advised major corporate groups in respect of tax structuring acquisitions and internal corporate reorganisations. In addition, he has advised parties involved in infrastructure projects in Australia on the various taxation and stamp duty implications.

Eddie has also advised both inbound and outbound investment funds on the structuring and taxation implications of their investments, in particular in respect to Australian real estate investment.

- Real Estate
- Financial Services
- Infrastructure, Construction and Transport
- Technology

- Advising a large Korean asset manager on tax and related matters in relation to an investment in Endeavour Energy, a recently privatised "Poles and Wires" electricity distribution network operators.
- Advising various Korean, German and Singapore funds managers and institutional investors on the establishment of Managed Investment Trust structures to invest in significant commercial real estate assets across Australia.
- Advising various Australian asset managers on the tax structuring and related implications of acquiring and restructuring the holding of significant commercial properties in Australia.
- Advising Singapore and Hong Kong based asset managers on the acquisition, development and operation of various student accommodation facilities in Australia.
- Advising ASX-listed US fintech company Credible Labs Inc. on its AUD585 million merger with NASDAQ listed Fox Corporation.
- Advising NASDAQ listed Danaher Corporation in respect of the restructure of the global group to effect demerger of various business lines through the spin-off of Fortive Corporation, a new NASDAQ listed corporate group.
- Advising various international insurance companies on warranty and indemnity insurance policies for significant M&A transactions in Australia
- Advising NASDAQ listed HomeAway Inc in respect of its acquisition from ASX listed Fairfax Media Limited of www.stayz.com.au for AUD216.6 million, as part of a competitive sale process, including the structuring of the acquisition

- Advising Pengana Capital Group on the IPO for its Pengana Private Equity Trust, Australia's first global private equity listed investment trust (LIT).
- Advising a large global property management group on a significant land tax dispute in the Queensland Land Court.

## CREDENTIALS

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### Professional Qualifications

- Solicitor of the Supreme Court of New South Wales, 2005

### Prior Experience

Eddie has previously worked as a Senior Consultant in a major accounting firm in its corporate tax consulting group.

### Education

- Master of Laws, University of Sydney, 2009
- Bachelor of Laws, University of New South Wales, 2003
- Bachelor of Commerce (Accounting), University of New South Wales, 2003

### Memberships

- Taxation Institute of Australia
- Law Society of New South Wales

## INSIGHTS

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Eddie prepares client alerts on key developments in taxation and also articles and commentary for tax publications such as the *International Tax Review*.

### Publications

#### **Australian Corporate Collective Investment Vehicle Regime draft legislation**

31 August 2021

On Friday 27 August the Treasurer and the Assistant Treasurer announced the release of draft Legislation for public consultation on tax and regulatory aspects of the proposed new Corporate Collective Investment Vehicle Regime (CCIV) Regime with a view to implementation from 1 July 2022.

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#### **Asia Pacific Tax Newsletter July 2021**

6 August 2021

Welcome to the third issue of our AsiaPac Tax Newsletter. In this issue, we continue to bring you the latest tax developments in the Asia-Pacific region including governmental policies and updates on case laws.

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#### **Changes ahead for property tax in Australia**

7 July 2021

In this update we discuss the tax changes impacting the real estate sector in Victoria and consider the ATO's updated approach to dealings in intangible assets.

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## **Victoria's State Budget introduces changes to real estate tax (Australia)**

25 May 2021

As announced in Victoria's State Budget on Thursday 21 May 2021, Victoria will be introducing a new 50% "windfall gains tax" for rezoned land and increasing land tax and stamp duty rates.

These tax changes will significantly impact the real estate sector in Victoria and will be effective on various dates, as noted below.

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## **Australian Federal Budget 2021-2022**

11 May 2021

Australia's COVID-19 'comeback' 2021-22 Federal Budget ( **Budget**) was delivered by the Australian Treasurer, the Hon Josh Frydenberg, on 11 May 2021 and provides, amongst other things, several important business tax and related initiatives.

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## **Foreign investment in Australian real estate: 2020/2021 tax update**

16 December 2020

This update provides an overview of the key Australian taxation developments in 2020 that impact on foreign investment in Australian real estate. While the Australian Federal and State Governments have focussed on expenditure measures to stimulate the economy this year, due to the significant impact of COVID-19, there are still a number of important tax developments that foreign investors and managers should be aware of in relation to their existing and future investments in Australia. We are optimistic that 2021 will see growing interest and foreign investment into the Australian real estate sector as the global economy gradually recovers from COVID-19.

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## **Australian Federal Budget 2020-21**

6 October 2020

The Australian Treasurer, the Hon Josh Frydenberg, delivered the 2020/21 Federal Budget on 6 October, 2020 and as widely anticipated, the key focuses were on firstly, bringing forward to 1 July, 2020 the effective date of previously legislated personal income tax cuts and secondly, expanding significant economic stimulus initiatives.

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## **Australia evaluates impact of COVID-19 on transfer pricing**

6 August 2020

In this article we discuss how the Australian government has moved to assist business and taxpayers affected by the coronavirus outbreak.

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## **Australia's JobKeeper stimulus package: what you need to know**

14 April 2020

Australia's 'JobKeeper' stimulus package is now law – it is designed to assist Australian businesses that have experienced a substantial decline in turnover due to the COVID-19 pandemic, in particular, by subsidising wages of their employees.

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### High Court rules BHP entities were associates

23 March 2020

On 11 March 2020, in an unanimous and landmark decision, the High Court of Australia handed down its decision on the technical meaning of “sufficiently influenced” which is used to determine who is an “associate” under Australia’s foreign income attribution rules. The decision has significant impact for large listed groups especially with a dual-listed company (**DLC**) structure and concerns the application of the Australian Controlled Foreign Company (**CFC**) rules.

Whilst the facts and future application of this case may principally be limited to the DLC type structures, the legal analysis of the definition of “associate” impacts on wider applications as this definition is used outside of the CFC provisions including the thin capitalisation rules, the debt/equity tests and the withholding tax rules.

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## Events

ITR Asia Tax Forum 2019, Singapore

## NEWS

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### DLA Piper advises Whitehelm on sale to Patrizia

16 September 2021

Global law firm DLA Piper has advised Whitehelm Capital (Whitehelm) on its sale to PATRIZIA AG, a leading partner for global real assets. The initial purchase price of EUR67 million will be paid in a combination of cash and PATRIZIA shares.

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### DLA Piper advises Zip on its AUD400 million convertible notes offering

17 June 2021

Global law firm DLA Piper has advised Zip Co Limited (ASX: Z1P) on its AUD400 million convertible notes offering.

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### DLA Piper advises Washington H. Soul Pattinson and Company on its AUD225 million convertible notes offering

18 February 2021

DLA Piper has advised Washington H. Soul Pattinson and Company Limited (ASX: SOL) on its AUD225 million convertible notes offering.

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### DLA Piper advises Manulife on its acquisition of 39 Martin Place

29 January 2021

DLA Piper has advised international financial services group Manulife Financial Corporation on its 50/50 joint venture with Investa

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Commercial Property Fund ("ICPF") to acquire the right to a 100% interest in 39 Martin Place, Sydney from Macquarie Group Limited (ASX: MQG).

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### **DLA Piper advises Pengana Capital Group on AUD93 million equity raise for Pengana Private Equity Trust**

27 July 2020

DLA Piper has advised funds management group Pengana Capital Group (PCG) on its 1 for 3 pro-rata non-renounceable entitlement offer (Rights Issue) and additional placement (Placement) of units in Pengana Private Equity Trust (ASX: PE1) – a listed investment trust managed by PCG – raising in excess of AUD93 million.

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