

Global Mobility Services

In the era of rapid globalisation, mobility is increasingly becoming a way of life. This is evident from the increasing number of deputations and secondments. The requirement to have the right employee with the appropriate skill-set at the right location to fulfil organisational requirements demands speed of deployment.

In this scenario, it is no surprise that, today, organisations are looking for the best ways to manage employee compensation and address immigration, social security, tax and other mobility-related issues. As organisations grow and become more global in nature, employment issues become more complex. Among the most serious challenges businesses face today is compliance with multifaceted tax laws and labour regulations.

Enhanced disclosure through tax return forms and the introduction of stringent provisions to tax undisclosed/unaccounted overseas income and assets by tax authorities warrant a review of current policies and processes.

With increased data sharing among tax, immigration and social security authorities, employers need to focus on robust documentation and choose the right deployment model.

With the objective of helping our clients manage a mobile workforce, we, along with our other member firms across the globe, provide a holistic service offering covering:

- International employee assignment management for both inbound and outbound population;
- Immigration and visa-related compliance and advisory services;
- Designing a cost-effective, tax-compliant and easy-to-administer compensation structure;
- Social security compliance and advisory services;
- Employee incentives (including equity incentive/share plan);
- Payroll tax and social security diagnostics review for companies.

Detailed scope of our service offerings has been enumerated below

Expatriate inbound/outbound assignments

- Analysing and assistance in structuring of assignments for inbound employees, keeping in view:
 - Permanent establishment related risk implications;
 - Indian regulatory and social security framework;
 - Immigration law.
- Review and designing of outbound deployment model, keeping in view:
 - Timing of the assignment - tax withholding/treaty relief etc;
 - Payroll considerations - payroll transfer/split payroll etc;
 - Assignment-related benefits and their place of receipt;
 - Tax, social security, regulatory and immigration consideration both from India and overseas perspectives;
- Assistance in implementation of hypothetical tax and tax equalisation policies;
- Analysis of relevant provisions of Double Taxation Avoidance Agreement (DTAA) to ensure avoiding double taxation in different jurisdictions;
- Managing compliances:
 - Employer withholding tax compliances including monthly tax depositions, preparation and filing of quarterly withholding tax return (ie Form 24Q) and preparation of withholding tax certificate (ie Forms 16 and 12BA);
 - Handhold expatriates for compliance requirements from their time of entry/ departure to their departure/entry from/to India, as the case may be, including tax registration, de-registration, personal tax return preparation and filing, tax clearance certificate, obtaining Tax Residency Certificate (if required) etc.





Immigration/ Visa

- Advise on the applicability of relevant visa (eg business, employment etc.) and review of the related documentations;
- Assistance in registration of foreign citizens with the FRRO and extension of visas in India;
- Assistance in applying for Overseas Citizen of India (OCI) card;
- Assistance in endorsements on the passport (eg change of employer, conversion of visa, regularisation of overstay, etc.)
- Assistance in making representations to the government, to seek necessary clarifications/ approvals on the complex issues.

Indian social security

- Advisory and compliance services for expats:
 - Compensation structuring from PF efficiency perspective;
 - Advising and assisting on various compliance requirements under the EPF regime in India;
 - Advising and assisting on various benefits available under the Social Security Agreements (SSA);
 - Assistance to outbound population in obtaining Certificate of Coverage (CoC) to get exemption from contributions in host country;
 - Advise on the withdrawal mechanism and related tax implications upon completion of assignment/ retirement in case of inbound assignees.
- Advise and assist in obtaining registration of new companies with Social Security Authorities in India;
- PF diagnostic services which include:
 - Reviewing the PF policies of the company and suggesting appropriate changes;
 - Ascertaining whether monthly contributions have been correctly and timely made for own employees and employees of contractors and advising the company on various non-compliances and follow-up action
- Assistance in setting up PF Trust and related compliances;
- Advising and assisting organisations in setting up National Pension Scheme (NPS) Plan.

Compensation structuring

- Advisory services with respect to compensation structuring of employees from tax and regulatory perspectives, including:
 - a. Reviewing existing employee compensation structure and highlighting the gaps;
 - b. Advising on the processes to be implemented for the verification of documents in respect of expense and compensation claims;
 - c. Designing a standard manual containing payroll policies and procedures.;
- Preparation of sample calculations (one per level) based on suggested structure, demonstrating the impact of the suggested components on the tax liability and net take home pay;
- Collating and sharing industry trends with respect to the various compensation structures being followed by different sectors/industries.

Employee incentive plan

- Assistance in selection of an appropriate equity linked incentive plan which may be in the form of employee stock purchase plan, restrictive stock awards, stock appreciation rights, etc;
- Assistance in formulating an appropriate incentive plan by preparing related literature and presentations and conducting workshops etc.;
- Advise in relation to tax, corporate laws, SEBI requirements and foreign exchange regulations;
- Address cross-border tax issues with the help of our international network.

Payroll diagnostics/TDS health check

- Review of withholding tax calculation on salaries, including tax computation and verification of tax deposits;
- Review of the process of collating compensation/ expense details of employees for the purpose of tax withholding, including verification of documents collated/maintained for providing exemptions/deductions;
- Review of quarterly withholding tax returns and verification of interest payments on delayed deposit of taxes;
- Discuss tax positions on specific compensation items which may merit attention due to their ambiguous nature;
- Providing sensitivity reports and suggesting corrective measures.

For further information, please contact:

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