



Naeha Lal

Lawyer

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OVERVIEW

Naeha Lal is a tax lawyer who advises on a broad range of taxation issues, including those associated with mergers and acquisitions, inbound and outbound investments, corporate structuring and reorganisations, and employee incentive programs. She is also experienced in advising not-for-profit organisations, and assisting clients with tax audits and reviews.

Naeha has acted on behalf of clients in relation to disputes with the Australian Taxation Office and matters before the Administrative Appeals Tribunal.

Having completed a 12 month secondment to K&L Gates' London office, Naeha has also developed experience in a wide range of UK related tax issues, including UK corporate tax and real estate tax matters.

PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, Naeha worked for one of Australia's leading professional services firms in the financial advisory practice with a particular focus in advising on tax matters for privately owned companies and high net worth individuals.

PROFESSIONAL / CIVIC ACTIVITIES

- Member of the Law Society of New South Wales
- Mentor - Sydney University Law Careers Mentoring Program (2018 and 2020)

EDUCATION

- B.Com, Macquarie University, 2014 (*Finance*)
- LL.B., Macquarie University, 2014

ADMISSIONS

- Supreme Court of New South Wales

LANGUAGES

- Hindi
- Punjabi

THOUGHT LEADERSHIP POWERED BY HUB

- 30 October 2020, Using a GoFundMe campaign to donate money? More complicated than you think. *(Alerts/Updates)*
- 7 October 2020, Australian Federal Budget 2020-2021 – What It Means for You *(Alerts/Updates)*
- 31 March 2020, COVID-19: (Australia) Changes to the Foreign Investment Review Board Approval Process *(Alerts/Updates)*

NEWS & EVENTS

- 30 October 2020, K&L Gates acts as Co-Counsel for the Bayles Family in Cyberbullying Matters *(Press Release, Practice & Regional News)*
- 7 February 2020, K&L Gates Advises ESO Capital on Investment in Arcus FM *(Press Release)*
- 4 February 2020, K&L Gates Advises Touchstone Group's Management Team on Merger with Microgen *(Press Release)*
- 2 October 2019, K&L Gates Advises Naked Wines Plc on Sale of Lay & Wheeler Business Unit *(Press Release)*

AREAS OF FOCUS

- Corporate Tax

REPRESENTATIVE EXPERIENCE

Australian Representative Work

- Reviewing the proposed U.S. investment and group reorganisation of an Australian listed oil and gas company, including an analysis of the refinancing of the group's inter-company loan structure, CFC rules and transfer pricing issues.

- Advised a U.S. based logistics company on the establishment of a managed investment trust structure to fund the acquisition of its Australian real estate assets, including advice on the availability of any interest withholding tax exemptions , and preparation of its foreign investment review board application.
- Advised the management team of Touchstone Group on its merger with Silverfleet Capital portfolio company Microgen Financial Systems.
- Advising a U.S. based consultancy firm in relation to structuring its employee incentive program for its Australian subsidiary, including assessing whether the US issuing entity classifies as a foreign hybrid for Australian tax purposes.
- Advising a start-up company on the structuring options available for the implementation of its employee share scheme, including advice on the company's eligibility to meet the early-staged innovation company tax concessions. This also involved the preparation of the implementation documents for the scheme.
- Advising an Australian high net worth family group on the restructure of its asset ownership structure so as to provide the most advantageous structure for third party investors prior to a planned capital raising transaction, including an assessment of withholding tax obligations.
- Acting for a high net worth family group within the property development industry to conduct a due diligence of their investment structures and income tax returns, including a review of their intra-group loans and carried forward tax and capital losses, and their FBT liabilities.
- Advised a U.K. based company on structuring options available to it in respect of its lease arrangements with an Australian telecommunications company.
- Advising Quaden Bayles, an Aboriginal child with dwarfism, and his family, in relation to implementing a tax efficient structure to receive funds raised by comedian, Brad Williams, through his GoFundMe campaign in the US, and providing ad hoc assistance in that respect.
- Acting on behalf of a mining company in a matter before the Administrative Appeals Tribunal involving a dispute between the company and the ATO regarding the company's claim for research and development tax incentives
- Assisting an international aviation company with submissions to the ATO in relation to an objection to its private ruling regarding its ability to satisfy the same business test with respect to its carried forward tax losses.
- Advising an Australian unlisted public company in the energy sector on the structuring options available to create a community benefit fund. This not only included advice on the establishment of the fund but also on its ongoing operations, and tax and governance issues, such as board requirements and eligibility to be endorsed as a charity and/or income tax exempt entity.

UK Representative Work

- Advised a foreign government in relation to the VAT and stamp duty land tax implications arising from acquiring an embassy site in London.

- Advised a sovereign wealth fund and a global investment manager on the sale of their underlying interests in real estate located in Central London and valued at approximately £350 million.
- Advised a sovereign wealth fund with the restructuring of its joint venture arrangement with a UK company. This involved implementing a tax efficient structure so that the underlying interests in undeveloped UK land could be split into two separate parcels of land and under two separate holding vehicles. This was to enable ease for future financing arrangements and cleaner exit strategies.
- Advised private equity investor ESO Capital (ESO) on its investment in facilities management company, Arcus FM. The deal was structured as the financing of a management buyout, which also saw ESO take a significant minority equity stake in the business and will enable Arcus to accelerate its expansion plans.
- Assisted Naked Wines Plc on their £11.3m sale of the entire issued capital Lay & Wheeler Limited and Vinotheque Holdings Limited, which together comprise the Lay & Wheeler business.