

# TAX PRACTICE

Sayenko Kharenko tax group and close integration with non-tax colleagues is able to deliver seamless and highly practical tax advice. Our team effectively addresses a full spectrum of international and domestic tax issues faced by our clients, including advisory on direct tax, indirect tax, private tax, tax controversies and other transactional and regulatory tax matters.

With the national tax legislation being reshaped and the state tax authorities being reformed, it is essential that our team is able to maintain a dialogue with regulator and follow the most recent developments in tax related legislation and its practical enforcement. Sayenko Kharenko tax team is predominantly senior, partner-level practitioners, which speaks of the complexity of the tax projects we handle.

## We offer a seamless one-stop-shop advisory, including:

### Tax Disputes

Sayenko Kharenko approaches tax and customs disputes with a highly specialized team of litigators and criminal defense attorneys. Our team has extensive experience in advising clients at all stages of tax controversies both in out of court and in the court proceedings, including:

#### Pre-Litigation Stage:

- Support of tax and customs audit, including liquidation tax audit;
- Assess litigation chances;
- Draft responses to the inquiries of the tax and customs authorities;
- Helping to bridge the relationship gap between tax and customs authorities and businesses that want to adopt a more cooperative relationship.

#### Litigation Stage:

- Develop litigation strategies;
- Draft procedural documents;
- Represent the client in courts of all instances, including European Court of Human Rights.

#### Support during criminal proceedings in "white-collar" crimes:

- Develop criminal defense strategy;
- Represent a company's officials during investigative actions (questioning, search etc.);
- Draft procedural documents.

### Tax Advice

Whilst our team supports clients throughout tax life cycle, we see tax advice and tax planning as vital. We help our clients plan and structure their taxes preventively to mitigate the risks of tax controversies.

### Our tax advisory covers:

- Review of tax structures in place;
- Advice on tax-efficient business structuring;
- Establish new cross-border businesses, including intergroup transaction planning;
- Consult on resolving tax issues, current developments and their consequences;
- Assistance in obtaining advance tax rulings from the tax authorities.

### Tax aspects of M&A and similar transactions

Tax issues related to the different types of M&A and similar transactions, including merger, acquisition, disposal, IPOs, corporate reorganization, financing, real estate acquisition and development are always of primary importance, so the tax risks should be carefully assessed and your cash flow optimized. Sayenko Kharenko conducts more deals each year than any other law firm in Ukraine representing the interests of strategic and portfolio investors, the majority and minority parties.

### We offer our clients effective solutions to the most complex tax issues in M&A and similar international projects, in particular by providing the following services:

- Conduct buy side or sell side tax due diligence;
- Resolve pre-IPO and corporate restructurings tax issues;
- Consult on tax aspects of financing transactions, placement of debt and equity instruments;
- Advice on tax issues associated with real estate acquisition and development.





### Transfer Pricing

Globalization of the world economy, a variety of transactions in international trade, as well as the complexity of the tax laws are accompanied by the need for risk management of transfer pricing matters. Our team is ready to help clients manage these risks and opportunities of effective business taxation, using the considerable experience of complex legal service of transactions in international trade, economic analytical thinking, deep understanding of the business environment in which our clients operate as well as the experience of the team in the field of dispute resolution.

**Sayenko Kharenko tax professionals are able to help business to be compliant with the requirements of transfer pricing rules in Ukraine by providing the following services:**

- Preparation of TP documentation on controlled transactions with goods and services;
- Conduct benchmarking analysis to assess compliance with the arm's length principle;
- Support in preparation of TP report on controlled transactions;
- Advice on TP implications of M&A and business reorganization;
- Consult on compensatory adjustments and other TP matters;
- Support during TP audits and litigation;
- Assistance in negotiation and obtaining APAs.

### Tax compliance and accounting services

Now we are living in a rapidly changing business environment when management of a company should be deeply involved in the on-going activity as well as focus on the business' development. All this requires tremendous efforts and time.

Having huge experience in a legal and tax consulting, we would like to help our clients to go through all barriers of the challenging regulatory environment and to be compliant with all requirements of the local tax and accounting legislation. Our team of committed professionals will be glad to take care of your tax compliance and accounting functions that gives you possibility to concentrate your attention on core business tasks.

**We would be glad to assist you with:**

- Accounting compliance and financial reporting;
- Corporate reporting;
- Tax compliance and tax compliance review;
- HR and Payroll;
- Other corresponding issues.

### Individual Tax Planning & Compliance

A company's shareholders, managers and their families, family offices as high-net-worth individuals need careful development of investment strategy and management of tax risks in multiple portfolios. Sayenko Kharenko is complement to provide these services with robust execution capabilities and attentive client service.

**We offer our clients the following individual tax planning and compliance services:**

- Development of tax structures of private wealth allocation;
- Personal income tax compliance;
- Advice on managing the tax costs and reporting obligations.

## Our team



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