



# Tax and Legal Compliance Services

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Tax and Legal  
KPMG in Ukraine  
[kpmg.ua](http://kpmg.ua)





**Current unprecedented economic challenges are forcing companies to reconsider the way they do business in Ukraine. Culture of compliance is spreading over the world significantly (covering not only the USA, but also the EU). As far as Ukraine has strong intention to join the leading world practices, compliance issues become important at the local level as well. For many, this includes taking a closer look at how they manage their compliance obligations not only globally, but also in Ukraine. What is more, keeping a close watch on regulatory trends in Ukraine can be daunting challenge for companies entering the Ukrainian market.**

## Industries

There are many fields where compliance services may be applied. The legal obligations applied to the companies and the pitfalls which they face vary depending on industry and business strategy.

Compliance refers to spheres where labour safety standards need to be upheld, the anti-money laundering and corruption issues need to be monitored and regulated, where licenses or permits are required, etc. Any businesses that effect the environment such as agriculture, scientific laboratories, industries that develop and create products for commercial use and consumption need compliance services. What is more, the compliance services are vital in the areas that are heavily regulated and monitored:

- Agriculture
- Automotive
- Chemicals
- Consumer Markets
- Diversified Industrials
- Energy and Natural Resources
- Financial Services
- Government and Public Sector
- Healthcare
- Infrastructure
- Pharmaceuticals
- Private Equity
- Real Estate, Building & Construction
- Technology, Media and Telecommunications
- Transport and Logistics

## How we can help your business?

KPMG's professionals clearly understand the challenging business and demanding regulatory environment in Ukraine. Our compliance service offering being responding to compelling clients' needs includes a wide range of services.

## Legal Compliance

### Counterparties and Clients Compliance

- advising on the corporate guidelines and the best practice (e.g. corporate compliance matters, disclosure obligations, compensation, ethical standards, responsibilities of management)
- drafting or reviewing corporate policies and regulations in accordance with the global ones and ensuring their compliance with the Ukrainian law
- conducting due diligence reviews on corporate issues
- providing legal secretary services as well as drafting supportive documents on annual basis (e.g. to approve the annual financial statements, data to be mandatory provided to the relevant authorities, etc.)

### Corporate Law

- advising on the corporate guidelines and the best practice (e.g. corporate compliance matters, disclosure obligations, compensation, ethical standards, responsibilities of management)
- drafting or reviewing corporate policies and regulations in accordance with the global ones and ensuring their compliance with the Ukrainian law
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### Competition Law

- counseling on general antitrust regulations
- filing notifications to the Ukrainian antitrust authorities
- interacting with regulatory authorities and responding to inquiries, investigations and other regulatory actions
- advising on agreements and strategies concerning restrictive agreements and concerted practice and their adaption to the Ukrainian law
- drafting and advising on trading policies, subject to antitrust regulations





### Anti-Money Laundering and Anti-Corruption Law

- drafting or adjusting anti-corruption policies and regulations to the Ukrainian law as well as consistently with foreign corrupt practices acts (e.g. FCPA, UK Bribery Act, the EU regulations, etc.)
- analyzing reservation clauses in contractual documents between the Ukrainian and foreign companies controlled by US corporations in the context of foreign corrupt practices acts
- counseling on structuring transactions to comply with foreign corrupt practices acts

### Employment Law

- managing and advising on the best employment structure
- advising on the specifics of health and safety regulations
- drafting or reviewing compliance policies and regulations (e.g. business conduct codes, board regulations, etc.)
- bringing global employment and labour safety policies and regulations in compliance with the Ukrainian law and ensuring compliance of local employment documentation
- conducting due diligence reviews on employment and labour safety issues

### Data Privacy Law

- counseling on various data protection aspects
- identifying personal data filing systems and advising on their optimization
- drafting or reviewing local data processing and protection regulations, template data protection provisions of the employment contracts (agreements) and other relevant documentation
- drafting sophisticated agreements between data controllers and processors as well as between data processors and the third parties on transferring / processing data locally and abroad
- conducting due-diligence reviews of data protection compliance

### Brand and IP Compliance

- developing brand best practices guidelines and IP policies, appropriate copyright notices

### Public Procurement Law

- analyzing the customers' tender documentation to determine whether it is worth any risks
- preparing/ analyzing tender proposal for participation in public procurement for the Ukrainian law and the tender documentation
- analyzing public procurement contract to determine whether the engagement is worth any risks
- developing strategy to appeal illegal actions of the state authorities (if any) as well as drafting claims in the course of public procurement
- interacting with the competent authorities and responding to inquiries

### Environmental Law

- counseling on general environmental as well as waste/ pollution related legislation
- conducting due-diligence reviews of environmental compliance

### Regulatory Compliance

- advising on procedures of obtaining various regulatory documents pertinent to clients business activities
- legal support in obtaining regulatory documents
- interacting with regulatory authorities and responding to inquiries, investigations and other regulatory actions
- conducting legal due diligence to detect potential violations

# Tax Compliance

## Corporate Tax Compliance

- preparing and filing corporate tax returns
- tax accounting, maintaining tax books and tax registers on the base of statutory accounting books or separately
- advising on tax payments including installment payments and penalty implications
- preparing and filing statutory financial statements in compliance with national accounting standards (NAS)
- bookkeeping and preparing statutory accounting registers in compliance with NAS
- corporate income tax accounting, reconciling differences between statutory and tax accounting, calculating deferred taxes in compliance with NAS
- preparing primary documents in the format required by the Ukrainian legislation
- preparing and filing all relevant statistics forms

## Payroll Compliance

- monthly payroll processing and calculating of payroll-related taxes and contributions
- preparing mandatory payroll documentation packages in compliance with the Ukrainian law

- preparing and filling mandatory reporting on payroll-related taxes and contributions
- administrating day-to-day paperwork

## Tax Compliance Reviews

- pre-filing review of tax returns
- review of supporting documentation, statutory accounting registers and tax books
- review of accounting and tax methodology with respect to their effectiveness and compliance with the Ukrainian law, review of approval procedures
- tax risk assessment analysis

## Additional Compliance Services

- development of accounting and tax policies, intercompany procedures and regulations and document-flow
- assistance during internal and external auditing activities, desk and field audits, liaison with the tax authorities
- daily tax advisory hotline support
- other accounting and tax consulting services

**We strive to keep abreast of the changing legal environment so we can provide up to date support and value-added solutions to our clients.**

## Contact us:

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