



# KPMG Tax & Legal

Service portfolio

2023

#TurningInsightsIntoOpportunity



**Our services are focus on understanding our customers needs, helping them to generate value and strong-competitive advantages through the implementation of the best market practices.**

## **Tax & Legal**

We have a solid multidisciplinary team and disruptive methodologies that are at the service of our clients, offering specialized advice on highly relevant tax, labor and legal issues, which contribute to strengthening the business culture of compliance.

Over time, our specialists have built their careers in diverse sectors and fields such as banking, finance, consumer goods, mining, technology, among others. Therefore, we can respond to all industries needs by providing quality advice services.



**María Julia Sáenz**  
Lead Partner, Tax & Legal

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**//** From our Purpose as a firm and as part of our role as advisors, we consider taxation and rule of law fundamental key to the development of the country. In this sense, it is critical for us to strengthen the Good Corporate Governance of our clients according to the best compliance and tax practices, as well as strategic advice on labor and legal matters and to promote the sustainable growth of business.



# Our Services

## Tax Consulting

We provide tax opinions and local and international tax planning in close connection with business leaders in order to assist in the development of economic activities.

## Tax Compliance

We understand and manage the complexity of current tax legislation and help to improve the processes of tax departments to comply with tax obligations.



## Transfer Pricing

We guide our clients in the process of collecting, presenting and backing up information related to transfer prices rules.

## Tax Innovation and Technology

We provide automation services for operational processes or tasks within tax department's scope using Robotic Process Automation (RPA) in order to achieve efficiency.

## Legal Services

We work with our professionals and experts to offer legal advice on relevant transactions and day-to-day advice customized to client needs.



## Global Mobility Services

We combine global processes and technological tools to provide quality services to corporations and their staff working around the world.

## Labor and Immigration

We align our work to the strategic goals and objectives of client's business, seeking to help them to manage talent in the best way.

# Tax Consulting

We offer comprehensive solutions in tax matters with a high level of efficiency, aimed at accompanying the business objectives, local or international.

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We provide advisory services in the different areas of tax matters to local and foreign entities, with special emphasis on resolving doubts, detecting and solving tax issues, reducing tax contingencies on business decisions regarding transactions and structures derived from business activity in different industries.

Our services are mainly focused on:

## **Tax Consulting**

We provide tax advice to local and international corporations in all tax matters required for an efficient development of business activities, including the appropriate application of taxes, agreements to avoid international double taxation, special regimes, among others, based upon an adequate understanding of business development.

## **Tax Planning**

Our team has developed strategies that allow efficient management of the tax cost in different kind of operations considering all savings opportunities allowed by the local and international tax law and the application of international treaties. Likewise, we assist in the analysis of the tax impact of new business expansion or projects.

## **Tax Audits Support**

We work to provide support and advice in meeting the requirements made by the Tax Authority, preparing the documentation and writing solid responses, as well as assistance in closing the examination procedures initiated by and meetings with the Tax Authority.

## **Tax Procedures**

We represent companies in administrative procedures as claims, appeals and legal proceedings regarding tax disputes. We help clients to define efficient and timely strategies at the different stages of the tax procedures.

## **Customs Consulting**

We provide advice on customs and foreign trade matters, and application of special or exceptional customs regimes, assistance in inspection procedures, planning, preventive reviews and due diligence.

# Tax Compliance

We offer efficient services focus on avoiding tax contingencies risks and identifying opportunities for improvement in a preventive manner.

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We assist companies in the proper determination of their tax obligations, identifying opportunities for tax savings or prevention of tax contingencies.

## **Income Tax Return**

We review the annual Corporate Income Tax return, including the monthly advance income tax payments and applicable credits, in order to avoid any tax omission or prevent contingencies when filing income tax return.

## **Tax Diagnostic**

We evaluate the exposure to tax contingencies due to an incorrect determination of taxes as a taxpayer or when the taxpayer act as a withholding agent. We assist on prevention procedures to avoid or reduce penalties and correction of the tax determination before any tax audit.

## **Monthly Tax Obligations**

We assist in the monthly tax determination, both as a taxpayer and when the taxpayer act as withholding or collection agent, verifying the correct application of tax criteria and the appropriate supporting documentation.

## **Tax Audits**

We support in meeting the Tax Authority requirements, through the study and analysis of information and supporting documentation in order to assess its consistency and suitability.

## **Tax Outsourcing**

We prepare the calculation and working papers of taxes; we help filing tax returns and other information required by the Tax Authority. We also help attending information requests related to tax determination and filing the accounting books and records before the Tax Authority. Likewise, we prepare the calculation of advance income tax payments and tax provisions that should be recorded in the accounting records.

## **Due Diligence Tax**

As part of the comprehensive analysis of business transactions, we detect and quantify the amount of tax liabilities that could be audited by the Tax Authority. Therefore, we help anticipating tax penalties and any other amendments in tax returns frequently required by the Tax Authority.



# Transfer Pricing

We guide our clients in the process of collecting, presenting and supporting information related to transfer pricing rules.

We provide specialized advice on transfer pricing rules, allowing our clients to fulfill their formal obligations and attend Tax Authority requirements. We help our clients accessing to key information in order to evaluate decisions in operations with related parties that are carried out daily.

## Planning

We advise on the design of sustainable transfer pricing policies based on the analysis of the relevant financial, economic and tax aspects of each transaction.

We estimate the Fair Market Value for transactions with related parties and help our clients to evaluate optimal structures and supply chains from a tax perspective including the diagnosis based upon the Country-by-Country Report required by the Tax Authority and the BEPS 2.0 guidelines.

## Implementation

We assist in the implementation of adequate processes, controls and technology for the administration and monitoring of transactions that should be determined by transfer prices rules.

## Compliance & Documentation

We assist in the fulfillment of formal transfer pricing obligations, including the preparation of annual transfer pricing tax return, Local Report, Master Report and Country by Country Report.

We assist in the preparation of the Benefit Test and advice on the support documentation related to intra-group services according to the tax law requirements.

## Disputes

We help resolving transfer pricing controversies or disputes in audit processes initiated by the Tax Authority or litigation in other administrative or judicial instances. Likewise, we advise on the conclusion of Advance Price Agreements (APA's) and correlative price adjustments in Mutual Agreement Procedures (PAM).

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# Tax innovation and technology

We combine our experience in tax processes with the best technology tools to provide customized solutions in automation and business intelligence, helping our clients to optimize tax compliance and risk reduction.

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Our products have been designed to allow companies to use information efficiently and have adequate control of results.

## **Processes Automation with RPA**

We use Robotic Process Automation (RPA) to provide tax operational process automation solutions customized to our clients needs.

Our Agile Methodology and experience in taxation allow us to design solutions that meet the needs of the tax department of different industries, allowing us to robotize processes such as: verification of electronic accounting books, records of purchases and sales, determination and monthly tax return working papers. As well as the determination of the current and deferred Corporate Income Tax. In general, every operational and manual process carried out by the tax department could be robotically automatized generating the following benefits:

- Speed and efficiency: the robot works 24/7.
- Quality and Flexibility: eliminates the risk of human error.
- Automation and better adaptability to changes.
- Cost savings from operational efficiency.
- Continuous improvement in process optimization.

## **Process optimization and improvement**

By identifying the processes managed by the tax department, we analyze its end-to-end flow to identify opportunities for improvement and establish adequate controls. We have created a map of controls and an action plan for improvement opportunities. We also support in the implementation of required changes.

## **Tax Indicators**

We support companies in the implementation of a Tax Control Panel that allows the registration and administration of the main tax indicators that we create according to the sector in which the company is located.

Through RPA, we support the implementation of robots as part of the indicator automation process.

# Legal services

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Our solid knowledge of the law and our client's, allow us to provide a high-quality service focused on business needs in the most efficient and timely manner.

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please contact:**



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We seek to provide high value advisory services in matters of corporate, commercial, administrative and regulatory law, business compliance and civil law issues in general.

## **Legal Advisory Services**

We provide advice on corporate matters which includes the incorporation, dissolution or liquidation of companies, branches and other legal entities, modifications of corporate bylaws, capital increases and reductions, appointment and removal of representatives, granting and revocation of powers, among others.

Legal assistance in the design, negotiation, celebration, execution and conclusion of all types of contracts and civil, commercial and financial agreements. Likewise, we provide legal opinions on the scope and interpretation of contractual clauses.

Our legal assistance includes the identification of alternatives, design and execution of corporate reorganization processes (transformations, mergers, spin-offs and simple reorganizations).

## **Business transactions**

We advise on the structuring and implementation of mergers and acquisitions of companies, establishment of business relationships and sale of businesses.

We carry out Due Diligence identifying the main relevant legal aspects in investment transactions, as well as comprehensive assistance in the drafting and negotiation of purchase agreements and other related contracts.

## **Legal Compliance Diagnosis**

We provide advice on the implementation and development of the money laundering and terrorism financing prevention system, compliance with free competition, fraud and anti-corruption, good corporate governance practices as well as compliance according to the Personal Data Protection Law and its regulation.



# Global Mobility Services

Our global service delivery model is a combination of standard processes and technology tools, helping to deliver consistent service quality around the world.

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Our service integrates advice and management in labor, tax, immigration and social security matters for employees in mobility or international assignment with the international support of the KPMG network.

## **International Assignment Consulting**

**Exit interview** from the country of origin and arrival at the destination: Individualized interviews to determine the labor implications derived from the international assignment of the employee.

**Preparation of annual tax returns considering international assignments:** Tax returns filing both in the country of origin and destination of employees on international assignment.

**Registration to the Peruvian Tax ID Registry (RUC):** Support to the employee in obtaining their tax ID number, as well as their username and access password (SOL) to log in in the Tax Authority virtual platform to fulfill their tax obligations.

## **Additional services:**

**Monthly tax return:** Preparation of monthly tax calculations required for filing the tax return and in the country of destination, in those cases in which the salaries of the employees on international assignment are not registered in the local payroll in destination.

**Shadow Payroll:** Support in the preparation of Shadow Payroll of those employees on assignment in case the remuneration of the assignee is reported in the payroll of the country of destination.

**Gross Up:** Grossing amount of the remuneration/benefits that have been agreed in net values.

**Hypothetical Tax :** Prepare the hypothetical or net tax that the assigned person would receive in their country of origin if they had not moved on an international assignment.

**Tax Equalization:** Annual preparation of the tax equalization for the tax calculation of employees on assignment according to the conditions of their corporate policy.

**Social Security: Support** in the withdrawal of pension funds or retirement programs contributions in the country of destination of the employee on assignment, if applicable.

# Labor & Immigration

We advise on the hiring of national and foreign personnel, compensation and labor benefits, organization of the employment relationship, labor procedures, among others, for national and global companies.

We provide comprehensive and preventive advice on labor matters. We review compliance with labor obligations and propose more efficient alternatives for talent management and labor cost administration.

## Labor diagnostics

We evaluate the compliance level according to the labor and Occupational Health and Safety (OSH) obligations, measuring their impact on organizational performance. We carry out a preventive review that allows companies to verify if they comply with the requirements established by jurisprudence and the Labor Authority.

## Labor planning

We recommend organizational, remunerative, contracting and organization of labor relations structures that lead to more efficient management of human capital and better administration of labor costs.

## Labor consulting

Specialized, constant and timely professional support regarding the different areas of labor relations (individual and collective), including labor aspects derived from business operations, such as mergers, acquisitions and reorganizations.

## Sponsorship of labor processes

We provide advice and labor sponsorship in the context of the New Labor Procedural Law that has changed the judicial process incorporating oral hearings.

We support in case of labor inspections of the National Superintendence of Labor Inspection (SUNAFIL).

## Trainings

Sd-hoc training on all labor matters, including those required by law.

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# The Community

## Trusts Us

We bring all our environmental, social and governance (ESG) commitments together in one environment.. **KPMG: Our Impact Plan** presents all our commitments and actions that were already being carried out and that have now gained even more force, in four categories: People, Planet, Prosperity and Governance.

<b>People:</b> Promote an inclusive, caring and values-oriented culture for our People..	<b>Planet:</b> Reduce our impact on the environment to build a more sustainable future.	<b>Prosperity:</b> Promote purpose-based business practices and corporate citizenship	<b>Governance:</b> Our values are at the heart of everything we do.
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We support the Viva Vive Valores citizenship program, whose mission is to transform Peru into a fair and respectful society through education, using an active teaching methodology based on social values.



We promote the management of entrepreneurs with the adoption of the anti-bribery management certificate of “Empresarios por la Integridad” (ExI) association. Likewise, we contribute to the effectiveness of action and supervision of the directors through the “Instituto de Directores” of KPMG in Peru.



We bet on the generation of alliances with educational entities. For this reason, since 2016, we have contributed to CARE’s project “Niñas con Oportunidades” that encourages girls living in poverty to complete their school education and empower themselves for the future.



**Sponsoring and promotion:**

We promote commitment to the Sustainable Development Goals, through initiatives such as Peru for the SDGs, a movement that seeks to make the 2030 Agenda known and inspire organizations to take action and compliance.



**Good Corporate Governance and Diversity practices**

We participated on an Alliance with WCD to encourage greater participation of women in the board of directors. This organization has been a participant for the last 15 years in the training of women in the Board of Directors.



**Business with purpose - Sustainability**

For the sixth consecutive year, we achieved the Socially Responsible Company distinction, which demonstrates a culture of commitment and compliance with responsible business management aligned with environmental, social and governance aspects.



# About KPMG

## KPMG

KPMG is a global network of the world's leading professional services firms, providing innovative business solutions and audit, tax (tax and legal) and advisory services to many of the largest and most prestigious organizations. We operate in 144 countries and have more than 236,000 people working in member firms around the world.

KPMG announced its intention to become a zero-carbon business by 2030, as part of its continued focus on generating growth in a sustainable manner. Our environmental, social and governance (ESG) commitments brought together in KPMG: Our Impact Plan, to present our actions that have now gained even more traction, in four categories: Planet, People, Prosperity and Governance.

## KPMG One Américas

We operate as a single firm from the United States to Chile, in an integrated, consistent and strategic manner for the benefit of our clients; which gives us the governance to mobilize resources, specialized expertise, good practices and efficient coordination.

Our growth rate Global FY22 was



**\$35**

USD Billions

*2022 KPMG Global Corporate Reporting  
Income Global FY22*

**To be better for our customers, together we are stronger.**



**17**  
countries



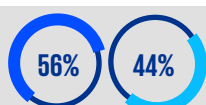
**55,000**  
people

## KPMG in Perú

Operating in Peru for 51 years, we are a multidisciplinary team of more than 500 professionals trained to provide our clients with a quality service with international standards and policies to an important portfolio of clients, both locally and internationally.

### Extraordinary people

**100%** equal pay with a career plan and compensation based on meritocracy.



● women  
● men

### Inclusive Culture

We promote diversity, equity and equality at work

**+500**  
professionals

In Perú **27%**

of the companies that issue SMV securities are audited by us.

Source: Analysis based on the Top 100 companies in the Top 500 Ranking of Peru, América Economía, audited by Big4 in 2021.

## Our Values

We have values by which we live. They guide our everyday decisions and actions, define what we stand for, and create a shared sense of identity globally.



**Integrity**

We do what is right



**Excellence**

We never stop learning and improving



**Courage**

We think and act boldly



**Together**

We respect each other and draw strength from our differences

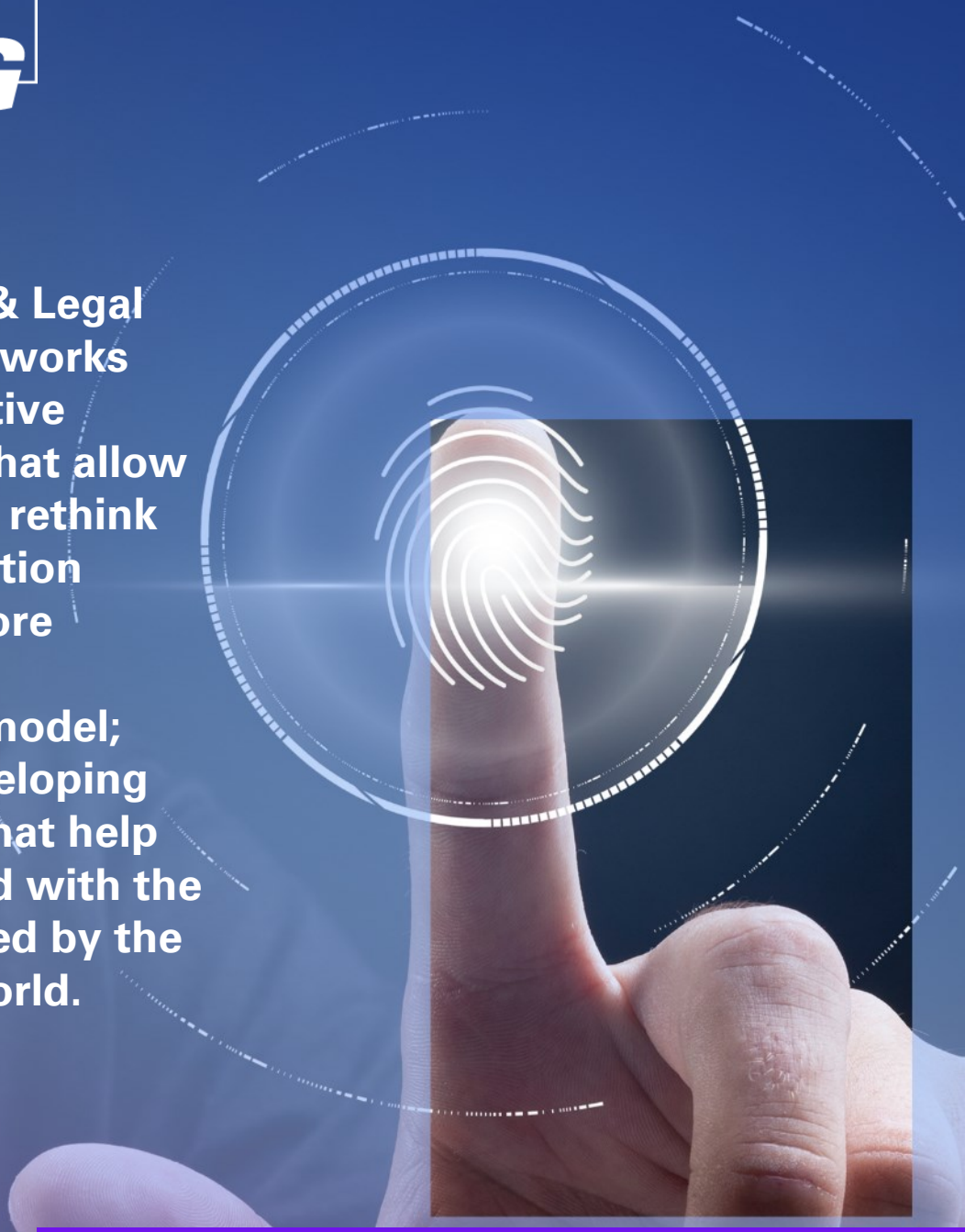


**For Better**

We do what matters.



**KPMG's Tax & Legal team in Peru works under disruptive approaches that allow our clients to rethink their tax function towards a more effective and transparent model; aimed at developing capabilities that help them respond with the agility required by the globalized world.**



**Know your  
Tax footprint**



# [www.kpmg.com/pe](http://www.kpmg.com/pe)



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## **KPMG in Perú**



The information contained herein is general in nature and is not intended to address the circumstances of any particular individual or entity. Although we endeavor to provide accurate and timely information, there can be no guarantee that such information is correct on the date it is received or that it will continue to be correct in the future. No one should take action based on such information without proper professional advice after a detailed study of the particular situation.

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