



# Tax & Legal

#KPMGTransforma

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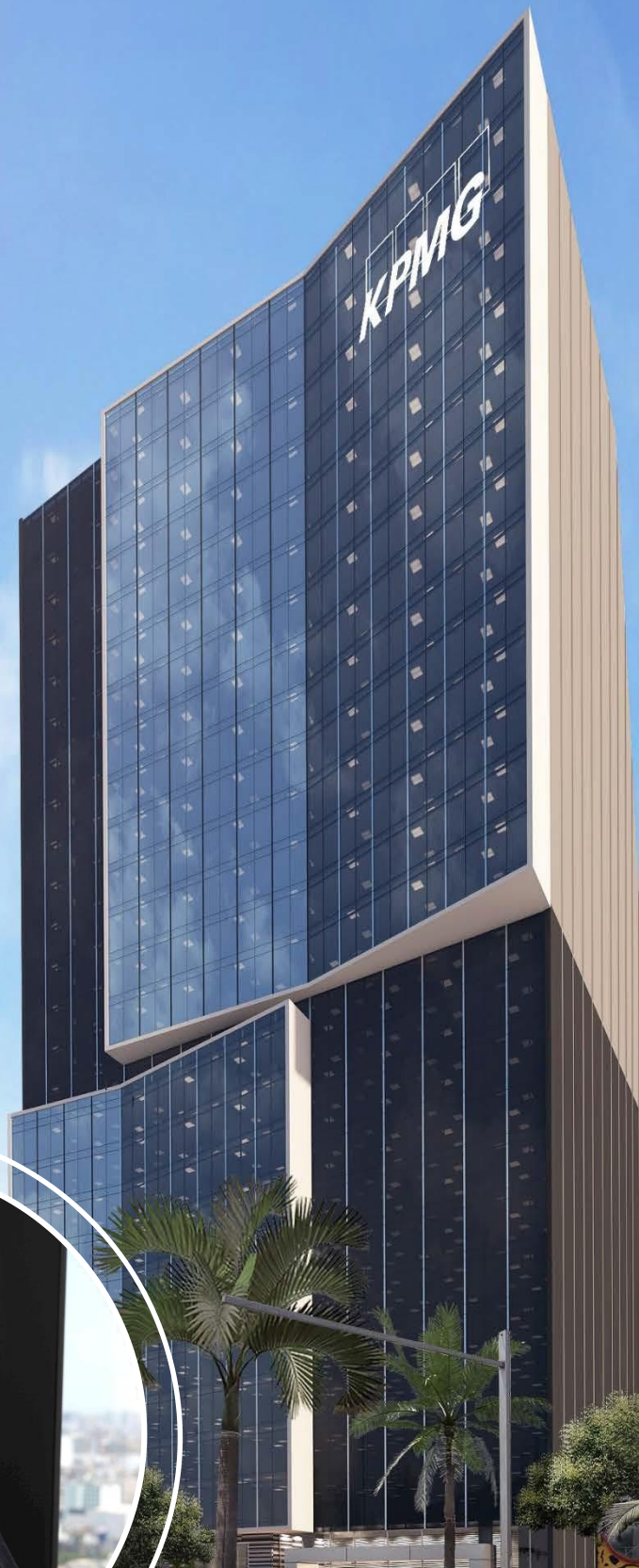
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*“ We are more than a Big 4. We are a team motivated by purpose and values which go beyond our business objectives and put our focus on building a modern, inclusive and upright Peru ”*



Oscar Caipo  
Senior Partner



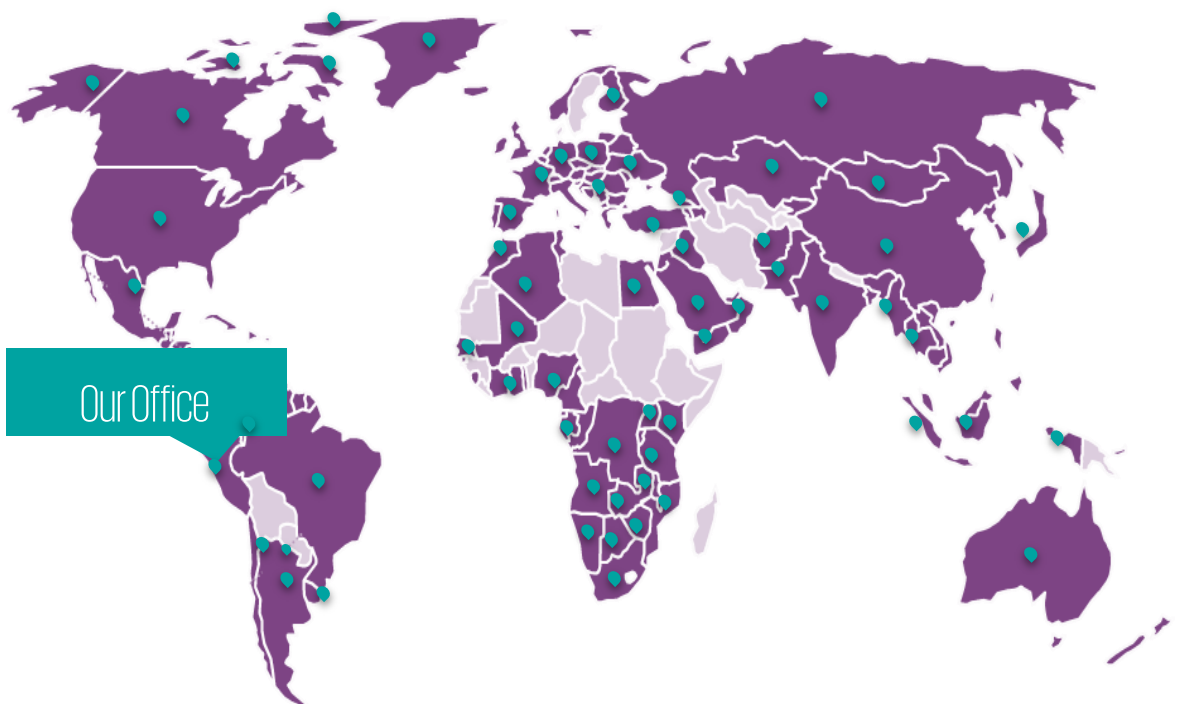
# Our Firm

KPMG in Peru is part of a global network of a leading professional services firm, providing innovative business solutions for Audit, Tax & Legal, and Advisory services to many of the largest and most prestigious organizations in Peru and the world.

With 123 years of experience and 219,000 professionals worldwide, KPMG is one of the most important international networks providing professional services.

We operate in 147 countries, supporting companies and industries, as well as playing an important role in capital markets.

At KPMG we share knowledge, methodologies, values and the same code of conduct, so our clients know what they can expect from us anywhere in the world. They especially know that, above all, we act with integrity.



## KPMG in Peru

We are a multidisciplinary team of around 500 professionals trained to provide our clients with a quality service with international standards.

We have been operating in Peru for more than 46 years, as one of the leading professional services firms in our country. We are proud to provide services to an important portfolio of clients, both locally and internationally.



*Our services are oriented to  
understand the needs of our clients,  
providing tools for success and  
generating value and solid competitive  
advantages.*

# Tax & Legal services



Tax Compliance



Tax Technology



Global Mobility Services



Transfer Pricing



Local and International Advisory



Taxation of Individuals



Labor & Immigration



Legal Services



Innovation

distinguishes the leader

from the followers

**KPMG**

# Tax & Legal

Our professionals have diverse professional backgrounds: lawyers, accountants, engineers, economists, etc. This allows us to assist and advise the Business Community with a comprehensive and multidisciplinary vision.

The quality and experience of our professionals, together with the global support of the KPMG network make our practice the clear choice to provide you legal, labor and tax advice necessary for your company.







*“ Innovation, strategic knowledge of the industries and the talent and experience of our professionals, allow us to anticipate our clients needs and provide them advice and key tax tools to generate value in their operations. ”*



Ahmed Vega  
Partner



Tax

Compliance

Our goal is to identify tax contingencies before they become a problem to our clients.

#### For more information

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**Iván Mejía**

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We assist our clients with their tax compliance and provide advisory in the adequate determination of tax obligations, also identifying tax savings opportunities along this process.

#### **Income Tax Return**

We review the Corporate Income Tax determination prepared by the companies, both in its substantial and formal aspects, including payments in advance and applicable tax credits.

#### **Tax Assessment**

We assess whether companies are exposed to contingencies due to an inadequate determination of taxes, including the cases where they act as withholding agents. This service allows to identify potential contingencies before a tax audit, allowing to react early and reduce possible problems, including fines and interests.

#### **Monthly Tax Obligations**

We assist in determining the monthly settlement taxes, both on the company's own account and on the cases the company acts as a withholding or collection agent, verifying the correct application of the tax criteria and the appropriate documentary support.

#### **Support during Tax Audits**

We provide support to adequately respond to requirements during Tax Audits performed by the Tax Administrations. We study the requirements and analyze the documentation to be presented in order to evaluate its consistency. We also support in the preparation of replies to the Tax Administration requirements.

#### **Tax Outsourcing**

We prepare the calculations and tax forms of the various taxes, we present the affidavit and other information, we reply to information requirements on settled taxes and we send the accounting books and records to the Tax Administration. Also, we prepare the Deferred IT and IT provisions to be recorded for accounting purposes.

#### **Tax Due Diligence**

As part of the comprehensive analysis of companies, we assess, detect and quantify the amount of unregistered tax liabilities, with the purpose of disclosing the tax status of your possible investment.



Tax

Technology



Our products allow to get greater control and monitor 100% of your data, optimizing the determination of taxes.

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

### **TaxTech Applications**

Our TaxTech applications perform validation analyses on the e-books for Purchases, Sales, Daily, Wholesale, Kardex and Fixed Assets, which allows the company to:

- Declare correct information and get ahead of electronic audits.
- Obtain an online report of the status of the tax determination, at any time.
- Have flexibility in the preparation of electronic books in case the system does not generate them automatically.

### **Process Automation with RPA**

Robotic Process Automation (RPA) focused on reducing operating time, providing benefits such as:

- Efficient use of resources: Software robots operate 24 hours at digital speed.
- Quality and Flexibility: eliminates the risk of human error.
- Scalability: Software robots scale instantly for fluctuating workloads.

### **Review of accounting records, income and expenses - TCAT**

Tax Code Analysis Tool (TCAT) gives an overview of the classification of each General Ledger Account from a direct and indirect tax perspective that allows:

- A precise tax classification at the transactional level.
- Account analyses with simple report design.
- Faster and more accurate tax reconciliations.
- Identification of the cause of problems regarding the tax logic of systems and transactions.

### **Tax Outsourcing with technology**

Tax compliance can be a substantial risk that generates a significant burden on time and capabilities, to complement ERP systems with various manual activities.

In these processes, companies are exposed to the payment of excess taxes and risks of fines. To do this, we incorporate into outsourcing the use of technological tools for tax determination, preparation and presentation of affidavits and electronic books with a significant reduction in risks.

#### **For more information**

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# Global Mobility Services



Our global service delivery model is a combination of standard processes and technology implementation, which helps to achieve a consistent service around the world.

#### For more information

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Our services integrate advisory on labor, tax, immigration and social security matters for employees on the move or internationally assigned. KPMG's international network of firms provides us with international support.

#### **Tax advice on international assignments:**

**Interviews at departure in the country of origin and at arrival to destination:** Individualized interviews to address the implications derived from the international assignment of the employee.

**Preparation of annual tax returns of international employees:** Preparation of annual tax returns both, in the country of origin and the country of destination for employees in international assignments.

#### **Inscription to the Taxpayer Registration Office (RUC):**

Support to the employee in obtaining a tax identification number, as well as a user name and password, in order to be able to file tax returns.

#### **Additional Services:**

**Monthly tax report:** calculation and preparation of monthly tax report in the destination country, in those cases in which the salaries of the employees in assignment do not go through the local payroll at destination.

**Mirror Payroll:** Support in the preparation of the mirror payroll of those employees on assignment, in case the remuneration of the assigned is reported on the payroll of the destination country.

**Gross Up:** Preparation and calculation of the remuneration/benefits that have been agreed on net amount to gross amount.

**Hypothetical Tax:** Determination of the hypothetical or net tax, the employee would receive in their country of origin if had not moved abroad.

**Tax Equalization:** Annual determination of tax equalization of abroad assigned employees, in accordance with the corporate policy conditions.

**Social Security:** Support to withdraw the social security funds in the country of destination of the assigned employee, if applicable.





“As part of an international network, we have solid human and technological resources which go beyond borders. This allows us to help our clients to solve the challenges they face in a globalized world.”



Juan Carlos Vidal  
Partner



# Transfer Pricing



We assist our clients in the planning, implementation and documentation of transfer prices in intra group transactions.

#### For more information

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**Juan Carlos Vidal**  
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In a business environment in which tax authorities substantially increase their collection efforts, it is necessary for companies to have sound transfer pricing policies that are efficiently implemented and finally documented in accordance with the transfer pricing rules from each country.

Our professionals are focused on generating value for our clients through the following services:

#### Planning

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

Also, we make market value estimates for related party transactions, including purchases or sales of goods, services, intangibles, assets or financial transactions, as well as the selection of optimal structures from a fiscal perspective and the evaluation of supply chains.

#### Implementation

We advise on implementing adequate processes, controls and technology for the administration and monitoring of transfer pricing. In this way, it can reduce compliance costs, increase the transparency of results in transactions with related parties, improve the accuracy and timeliness of financial reports, and minimize risks.

#### Compliance and documentation

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

We also assist in the preparation of the Benefit Test and provide advice on the supporting documentation related to intragroup services.

#### Controversies

We help resolve disputes or transfer pricing issues, either in processes of inspection by the Tax Administration or litigation in other instances.

Additionally, we advise on the achievement of Advance Pricing Agreements (APA's) and correlative price adjustments in Mutual Agreement Procedures (MAP).





Roberto Casanova-Regis  
Partner

*“Companies face increasing pressure to properly manage their risk profile, while trying to obtain return on their investments. The new economic and fiscal challenges affect the markets, generating needs for strategies which are at the same time flexible and fair with the contribution capacity.”*

*“Our experience and multidisciplinary teams allow us to identify the tax consulting needs of our clients, seeking for our recommendations to allow them to adequately fulfill their tax obligations, aligned to an ethical, social and economic perspective.”*

Luis Valle  
Partner



# Local and International Tax Advisory



We offer tax advisory services aimed at clarifying doubts, detecting and solving contingencies and developing tax strategies in an efficient and timely manner for the local and international market.

#### For more information

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**Edgar Vera**  
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We provide tax advisory services to local and foreign entities, focused on solving doubts, detecting and solving tax issues, reducing contingencies on business decisions made regarding transactions and structures derived from business activity.

Also, we provide support in tax audits by developing efficient strategies in a timely manner, prior to possible tax procedures before the Tax Administration, the Tax Court or Judicial Court.

#### Tax Advisory

We provide tax advice to local and international corporations in all tax aspects necessary for the efficient development of business activities, regarding the correct application of taxes, agreements to avoid double international taxation, special regimes, among others, always based on adequate understanding of the development of their businesses.

#### Tax Planning

Our team has developed strategies that efficiently manage the fiscal cost of various operations, taking advantage of the savings opportunities allowed by the local and international tax law, as well as by the application of international agreements. We also assist in the analysis of the tax impact of new business expansion projects.

#### Support during Tax Audits

We work to provide support and advice when facing Tax Audits. We assist in preparing answers to the requirements and assessing the supporting documentations that need to be presented during these processes, as well as assisting in the closing of the requirements and meetings with the Tax Administration.

#### Tax Procedures

We represent companies in administrative claims, appeals and judicial processes regarding tax disputes.





*“The tax pressure on individuals and their earnings at their home country and abroad have increased in recent years. In KPMG, we are committed to provide professional advice in a personalized way with the transparency, trust and reserve that our clients require. We are committed to achieving your goals and objectives.”*



Edgar Vera  
Director



# Taxation of Individuals



The current development of economic activities demand a close interaction between individuals and tax advisors.

The search for various mechanisms of investment of personal assets through more profitable and complex structures, require adequate tax advice to measure and determine the applicable taxes.

We provide specialized tax advice in order to anticipate the tax impacts of your investments and returns, in a sustainable and efficient manner in the fulfillment and payment of your personal tax obligations.

**As part of our services offer, you will find, among others:**

- Tax structuring for individuals.
- Tax analysis on the treatment of trusts and other local and foreign structures (Trust).
- Income Tax applicable to individuals on capital income.
- Determination of foreign source income from investments.
- International Tax Transparency Regime (CFC Rules).
- Advice and support in the analysis of philanthropic activities.

Our offer of services is based on a solid knowledge of the structure and operation of the tax regulations that impact on the taxation of individuals, as well as on the regimes that seek to determine the final beneficiaries of corporations or encourage the repatriation of this assets to the country through tax amnesty schemes.

For our individual tax advisory service we have teams that not only have adequate technical specialization in terms of adequate compliance with the tax regulations that regulate the imposition of taxes on assets or profits, but also grant the necessary confidentiality and security regarding the proper handling of the information of our clients.

**For more information**

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Liliana Tsuboyama  
Partner

*“Our experience and knowledge of current trends in labor institutions as well as the multidisciplinary perspective of our practice, allow us to empathically serve our clients and provide them the most appropriate alternatives for their businesses.”*

*“The service in labor matters we provide to our clients is aimed to avoid or reduce contingencies, propose alternatives with less impact on costs and customize the solution to your needs and the characteristics of your economic activity.”*

Jaime Guzquén  
Partner



# Labor & Immigration



We offer legal advice in the hiring of national and foreign personnel, compensation, employment relationship organization, among others. The labor advice covers local and global corporate operations.

#### For more information

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We provide comprehensive and preventive advice on labor matters. We review compliance with labor obligations and assist our clients by proposing the most efficient alternatives for human capital management and administration of labor costs.

#### Labor Diagnosis

We assess the level of compliance with labor obligations and Occupational Safety and Health (OSH), measuring its 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, hiring and organization structures for labor relations, which entail more efficient management of human capital and better administration of labor costs.

#### Labor Consulting

We provide 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.

We have a team of professionals from the legal, administrative and economic areas that allow us to provide advice with a differentiated value.

#### Representation in Labor Processes

The validity and implementation of the New Labor Procedure Law has defined a new procedural framework with hearings conducted orally, for which we have the corresponding competence.

Likewise, we provide advice in case of labor inspections of the National Superintendence of Labor Inspection (SUNAFIL).

#### Training

We provide in-house training on all labor matters that are required from us, including those required bylaw.



# Legal Services



Our solid knowledge of the law and the proximity to our clients allow us to provide a high quality service focused on the needs of the businesses in the most efficient and fast way possible.

#### For more information

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Our objective is to provide high value advisory services in corporate, commercial, contractual and civil law that cover the main needs of our national and foreign clients for the development of their business activities.

#### Legal Advisory

We provide advice on corporate matters, which includes the constitution, dissolution or liquidation of companies, branches and other legal entities, amendments to the corporate bylaws, capital increases and decreases, cessation and appointment of representatives, granting and revocation of powers, among others.

Likewise, we provide legal assistance in the design, negotiation, conclusion, execution and termination of all types of civil, mercantile, financial contracts, agreements and covenants, as well as in the issuance of legal opinions on the scope and interpretation of contractual clauses.

Our service also includes legal assistance in determining alternatives, design and execution of corporate reorganization processes (transformations, mergers, divisions, simple reorganizations).

#### Services related to business transactions

We advise on the structuring and implementation of processes for the acquisition or transfer of companies, establishment of business relationships and sale of businesses.

We also carry out Due Diligence, in which we analyze the main aspects to consider to carry out various operations, as well as comprehensive assistance in the drafting and negotiation of sales agreements and other related contracts

#### Legal diagnostic services

We provide a legal diagnosis that allows understanding the legal situation in certain areas, as well as evaluating the level of compliance with current regulations, policies, procedures and other internal provisions.





Your tax decisions

impact everybody

Faced with the complexity of the Peruvian tax system and its interaction with international tax systems, KPMG offers a range of tax advisory services established on an approach based on the understanding of our clients' businesses, to develop an appropriate solutions for each one.

# KPMG Peru Services



## Audit

- IFRS and its implications
- Audit of financial statements
- Limited (Interim) Reviews of Financial Statements
- Application of previously agreed procedures
- Comfort letter for bond issuance prospects in foreign markets and others
- Other assurance services



## Tax & Legal

- Tax Compliance
- Tax Technology
- Global Mobility Services
- Transfer Pricing
- Local and International Advisory
- Taxation of Individuals
- Labor & Immigration
- Legal Services



## Advisory

- Risk Consulting
- Internal Audit, Risk and Compliance Services
- Accounting Consulting
- Financial Risk Management
- Forensic Services
- Validation of the effectiveness of controls for SOX purposes
- Contracts compliance assurance with third parties
- Business consulting
- Business Management Consulting
- Information Technology Consulting
- Business intelligence
- Transactions, Corporate Finance and Infrastructure
- Corporate Finance
- Fusions and acquisitions
- Restructuring
- Financial Due Diligence
- Global infrastructure



# Contact us



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