



GRATA
INTERNATIONAL

TAX

www.gratanet.com

Today, at a time when tax legislation is subject to frequent and continuous changes, it is quite hard to monitor all tax legislation updates. At the same time, the vast scope of tax legislation, its complexity and ambiguity of its definitions can pose a challenge to companies and put their business at risk.

GRATA International can provide assistance and guide you through intricacies of tax legislation, identify existing and potential risks, and find solutions to mitigate them.

Our experts have expertise in various areas, such as subsoil use, investment projects, financial transactions, M&As, and corporate structuring. We monitor not only legislative changes but also current economic and political events in the country and worldwide. Undoubtedly, these events influence legislative changes and tracking them enables us to provide accurate, timely and effective advice.

GRATA International's tax team includes tax lawyers and auditors who have experience of working for tax authorities.

SERVICES



Withholding Tax Refund



VAT Refund from the State Budget



Corporate Taxation



Tax Support and Structure in M&A Transactions



Tax Investment Preferences and Tax Planning



International structuring of business



Performance of legal review on the taxation



Taxation of bank and financial transactions



Taxation of Subsoil Users



Taxation of non-residents



Taxation of individuals



Tax Due Diligence (Tax Audit) with the provision of a report and recommendations to minimize tax risks



Analysis of financial and economic activity of the company, identifying crisis states and their causes, development and support of financial recovery plan, bringing the perpetrators to justice for damages



Financial investigations, detection of fraud schemes and asset search



Representation and protection of interests during tax audits and disputes



Support of field tax audits (FTAs), preparation of responses to the requirements of the tax authorities.

EXPERIENCE

- Advice to Luxembourg and Dutch-based funds on the tax implications of their debt investments in the Republic of Armenia considering potential local and/or double tax treaty-based reductions;
- Advice to a major South Korean tobacco products manufacturer on the relevant tariff rates applicable towards the import of cigarettes in Armenia for evaluating the economic feasibility of the potential project;
- Successful representation of one of the major metal mining companies in Armenia before the Appeal Committee of Tax Body as well as the Administrative Court of Armenia in several cases in connection with the alleged incorrect tax filings;
- Advised the branch office of an internationally renowned construction company of Singapore in Azerbaijan on various tax matters including CIT, PIT, WHT and social security contributions; provided the branch with a tax optimization scheme; successfully registered the branch in the territories of the Republic of Azerbaijan liberated from occupation for enabling the branch to benefit from tax and other incentives granted to the residents of the liberated territories;
- Advised a large construction holding company of Kazakhstan on various taxation issues for a construction project to be implemented by the company in the territories of the Republic of Azerbaijan liberated from occupation; provided the company with a tax optimization scheme; advised the client on taxation aspects of donations;
- Advised a Dutch multinational technology company on permanent establishment, WHT, VAT, CIT and double taxation under Azerbaijani laws;
- Drafting of a legal opinion with the analysis of activities and the assessment of tax risks of recognizing a representative office of a foreign organization as a permanent representation for taxation purposes; proposing on minimization of described risk;
- Drafting a comparative analysis on the choice of optimal taxation system in view of the preferential regimes and zones with special taxation (High-Tech Park, free economic zone, etc.) for different companies, for example, when importing aircrafts, buying real estate in Belarus and its further leasing, etc;
- Drafting a comparative analysis of taxation in case of business restructuring: in case of company's spin-off with subsequent liquidation of the main company, in case of a withdrawal from the membership with payment of a share in mixed form (in kind and in cash);
- Representing one of the local companies in local courts in the transfer pricing related dispute;
- Advising different multinational companies on taxation of employee stock options;
- Advising foreign entities on permanent establishment risk;
- Tax structuring of the sale by the Chinese oil company of participatory interests (shares) in the Kazakhstani company to the purchaser from the Russian Federation;

“

“The team's significant knowledge, high degree of accountability, and willingness to go above and beyond were all on display when providing services...”

- Chambers Global Guide 2023

EXPERIENCE

- Advising Chinese bitcoin mining companies on tax matters in regards to relocation of mining farms to Azerbaijan, Kazakhstan, Russia, Mongolia;
- Tax consultation to the Chinese company on debt restructuring in the M&A transaction;
- Advising a US Company on Kazakh tax implications of operation of a virtual currency service platform on the territory of Astana International Financial Centre as well as other territories of Kazakhstan for a telecom company;
- Successful legal support of the Tobacco Production Company during a tax audit, as a result of which the company saved over USD 5 million;
- Representing interests of a Kazakh subsidiary of one of the largest producers of mineral fertilizers before Kazakh tax authorities in connection with the requirement to calculate and pay additional amounts of the withholding tax from payments for engineering services;
- Advising a major oil & gas company on questions related to entering Kyrgyz market and applicable taxation to the local subsidiary;
- Full tax Due Diligence of the large trade company;
- Advising Alstom Holding Company (French mine drilling company) on tax due diligence of its representative office in the Kyrgyz Republic, for the purpose of preparing for state tax inspection and eliminating possible risks of additional taxation;
- Representing one of the largest pharmaceutical distribution companies from Egypt in a complex fiscal litigation with the annulment of certain administrative acts for the establishment of financial obligations related to customs duties (customs taxes and VAT) in connection with some types of medicines;
- Advised one of the leading Ukrainian retail companies in relation to a tax audit process, including assistance with procedures during the audit, as well as subsequent tax challenge exercise. We also assisted on other tax matters, such as: restructuring of the retail business at local level, compliance with various regulatory obligations, implementation of electronic cashiers, tax aspects in relation to various supplier damages;
- Representing a leading German healthcare company, following extensive tax and legal due diligence, on the tax effects of the consolidation of its Moldova-based vehicles, including a representative office and a subsidiary, via transfer of assets and related personnel as well as day-to-day legal assistance;
- Prepared a legal memorandum on options of legal entities and their taxation obligations to operate in Mongolia in consideration of the country of shareholder/founder with analysis of double taxation avoidance treaties between the Governments, types of activities or operation, investment forms;



EXPERIENCE

- Advised and assisted on registration of Permanent establishment in Mongolia as taxpayer in accordance with taxation law and procedure;
- Prepared a legal memorandum on taxation of corporate income, personal, value-added and excise duties for Cyprus investor to start petroleum products import and production project in Mongolia;
- Successfully represented the interests of a major European manufacturer in a tax dispute that arose during the construction of a plant in the Sverdlovsk region;
- Preparation of national transfer pricing documentation for one of the world's largest manufacturers of ceramic products;
- Successfully represented the interests of one of the largest logistics companies in Russia in a tax dispute related to the accounting for severance pay upon dismissal by agreement of the parties;
- Represented the interests of Samara-Nafta CJSC (oil fields and oil production), an affiliate of the American Hess Corporation, in court and challenged the results of an on-site tax audit with an additional amount of USD 1 000 000 ;
- Successful advice and further representation of the oil-producing company in the arbitration courts of the Russian Federation on tax claims amount of 2 related to the application of a reduction coefficient in the calculation of the tax base for mineral extraction tax;
- As a result of the in-house tax audit procedure, a tax audit report was issued against the tax inspector, during which the amounts of tax arrears of about RUB 500 billion were recorded. Based on the results of consideration of the audit materials for each of the Acts, the tax authority decided that there was no tax officer (client) in the actions and that there were no arrears. The result of providing legal assistance was that the number of clients did not change, only about RUB 500 million, but ran away from significant criminal tax risks. The unique result of the project was that a positive result for the client was received on the study of the audit with the tax authority, without litigation, which is an extremely rare event when considering tax disputes. The significance of the project is also obtained in the fact that it contributes to the high profitability of tax practice under Article 54.1 of the Tax Code of the Russian Federation - an unreasonable tax benefit. The obvious victory under Article 54.1 of the Tax Code of the Russian Federation is extremely important for the formation of the practice of using the protection of the rights of taxpayers;
- Represented the general contractor of Gazprom-Arena, one of Russia's most famous construction projects, during a tax audit. The amount of tax claims was reduced from RUB 330m to RUB 30m.
- Supported a major logistics operator in a dispute with the tax authorities; the tax authority's claim for more than RUB 100 m (about EUR 1.5 m) was withdrawn. A criminal case under the tax evasion article was initiated. The criminal case was dropped.
- Defended the interests of a road maintenance and operation client and its employees during a field tax audit and other tax control measures. We succeeded in mitigating the tax authorities' financial claims, as well as in confirming the reality and validity of transactions that were the subject of claims.

EXPERIENCE



High levels of responsibility, professionalism, preparedness and availability were displayed by the GRATA International team.
- Chambers Global Guide 2023

- Advising KT&G on tax and customs regulation of tobacco products in Tajikistan;
- Advising Gemotesta Company on tax issues for the supply of medical reagents to Tajikistan;
- Advising Siemens on the tax liabilities of their employees in Tajikistan;
- Analysis, legal support and advising UK company on restructuring of the active business in the Caspian Region on tax legislation of Turkmenistan;
- Advising a company based in France on taxation within the framework of joint activities contract in the territory of Turkmenistan;
- Successful representation and defense of the leading USA based global soft drinks manufacturer in Tashkent city Administrative court against State Tax Committee in a 2 million tax evasion case;
- Advising Amazon on taxation of non-residents operating in Uzbekistan through online platforms without any physical servers in Uzbekistan;
- Advising a group of companies based in Israel, the USA and the UK on tax obligations and emergence of permanent establishment in Uzbekistan in relation to a long term EPC contract in the telecommunications industry;
- International FMCG company - consulting on tax structuring of the group's international business, application of double taxation avoidance rules;
- International retail company - consulting on entering the Ukrainian market: development of a business ownership structure and the distribution model in Ukraine to ensure tax efficiency;
- Ukrainian and international IT companies - consulting regarding the tax efficiency of activities on the Ukrainian market, including consulting regarding the use of special legal (tax) regimes in Ukraine (Diia City).

KEY CONTACTS



Khoren Nasibyan

Managing Partner
Yerevan, Armenia

T: +374 9819 0000
E: khnasibyan@gratanet.com



Ummi Jalilova

Partner
Baku, Azerbaijan

T: +994 51 855 5145
E: ujalilova@gratanet.com



Alexander Korsak

Partner
Minsk, Belarus

T: +375 293 73 55 00
E: akorsak@gratanet.com



Gulnur Nurkeyeva

Partner
Beijing, China

T: +86 10 85 098 768
E: gn@gratanet.com



Cleo Loizou

Head of the International
Business Department
Limassol, Cyprus

T: +357 25 35 2341
E: cloizou@gratanet.com



Sofia Roinishvili

Partner
Tbilisi, Georgia

T: +995 32 292 1878
E: sofia.roinishvili@gratanet.com



Assel Ilyassova

Partner
Almaty, Kazakhstan

T: +7 701 763 0714
E: ailyassova@gratanet.com



Ainura Takeyeva

Counsel
Aktau, Kazakhstan

T: +7 701 555 8761
E: atakeyeva@gratanet.com



Liya Akzhanova

Partner
Astana, Kokshetau, Kostanay,
Taldykorgan, Ust-Kamenogorsk,
Kazakhstan

T: +7 701 523 84 68
E: lakzhanova@gratanet.com



Maxim Burak

Partner
Astana, Kazakhstan

T: +7 701 786 2606
E: mburak@gratanet.com



Zaira Sarsenova

Partner
Atyrau, Kazakhstan

T: +7 701 768 0785
E: zsarsenova@gratanet.com



Elvira Maratova

Partner
Bishkek, Kyrgyzstan

T: +996 312 31 4050
E: emaratova@gratanet.com

KEY CONTACTS



Igor Popa

Senior Partner
Chisinau, Moldova

T: +49 69509565401
E: ipopa@gratanet.com



Bolormaa Volodya

Partner
Ulaanbaatar, Mongolia

T: +976 990 850 31
E: bvolodya@gratanet.com



Vyacheslav Khorovskiy

Managing Partner
Moscow, Russia

T: +7 495 660 1184
E: vkhorovskiy@gratanet.com



Igor Stepanov

Managing Partner
Rostov-on-Don, Russia

T: +7 928 229 9596
E: istepanov@gratanet.com



Dmitry Samigullin

Managing Partner
Samara, Russia

T: +7 927 692 0522
E: dsamigullin@gratanet.com



Vladimir Komarov

Managing Partner,
Attorney at law
Saint Petersburg, Russia

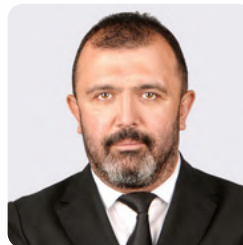
T: +7 812 384 4838
E: vkomarov@gratanet.com



Kamollidin Mukhamedov

Counsel
Dushanbe, Tajikistan

T: +992 44 620 4163
E: kmukhamedov@gratanet.com



Gökmen Başpınar

Senior Partner
Istanbul, Turkey

T: +90 212 465 66 99
E: gokmen.baspinar@gratanet.com



Ikbal Said Alauddin

Managing Partner
Ashgabat, Turkmenistan

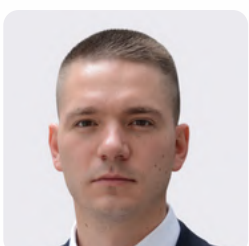
T: +993 6105 0586
E: isaidalauddin@gratanet.com



Issam Dahman

Managing partner
Dubai, UAE

T: +971 56 656 4745
E: idahman@gratanet.com



Valeriy Savva

Partner
Kyiv, Ukraine

T: +38 098 411 6611
E: vsavva@gratanet.com



Nodir Yuldashev

Partner
Tashkent, Uzbekistan

T: +9 9871 230 2422
E: nyuldashev@gratanet.com

GRATA INTERNATIONAL

ABOUT US

GRATA International is a dynamically developing international law firm which provides services for projects in the countries of the former Soviet Union and Eastern Europe

full coverage of the entire region with network of offices, highly qualified team of professionals suited for cross-border projects.



Firm's reputation and expertise are confirmed by testimonials from transnational clients and leading international ratings.

A wide network of office operating under one system and platform delivers great convenience for our clients.

Any office can act as a "one-stop-shop" for its clients and provide them with access to services in other cities and countries.


GRATA INTERNATIONAL FIRM FACTS

 **> 22**
countries of presence

 **> 31**
years of experience

 **> 250**
professionals

 **> 15**
practice areas


7 500+
clients

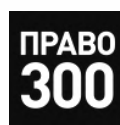

14 500+
projects

Recognition

GRATA International is regularly acclaimed by leading international rankings: Chambers Global, Chambers Asia-Pacific, Legal 500, IFLR1000, WWL, Asialaw Profiles, and is featured in Deals of the Year Awards by China Business Law Journal.

"The firm built up a convenient one-window interface to work with all jurisdictions it supports"

The Legal 500, 2022



Best Lawyers®

THE WORLD PRESENCE



 **Integrated Offices**

Azerbaijan
Baku

Belarus
Minsk

Georgia
Tbilisi

Kazakhstan
Aktau
Almaty
Atyrau
Astana etc.

Kyrgyzstan
Bishkek

Moldova
Chisinau

Mongolia
Ulaanbaatar

Russia
Moscow
Rostov-on-Don
St. Petersburg

Tajikistan
Dushanbe

Ukraine
Kyiv

Uzbekistan
Tashkent

 **Associate Offices**

Armenia
Yerevan

Cyprus
Limassol

Russia
Samara

Turkmenistan
Ashgabat

Turkey
Istanbul

UAE
Dubai

 **Representatives**

China
Hong Kong
Beijing

Germany
Frankfurt

Malaysia
Kuala Lumpur

Switzerland
Zurich

UK
London

USA
New York