



ZAMFIRESCU RACOTI PREDOIU
TAX ADVISORS

You need
strategic moves
to support your
business

We offer
integrated tax and
legal services to
shape your
competitive
strategy

TAX ADVISORY PRACTICE



ONE MOVE AHEAD

Introduction

Zamfirescu Racoti Predoiu Tax SRL is a tax advisory firm affiliated with Zamfirescu Racoti Predoiu Law Partnership



Ioana Sandru, Tax Partner

The current economic downturn has generated liquidity shortages, shattered investor confidence as well as aggressive initiatives of the state authorities to increase budgetary revenues. In this climate companies face an increased pressure to preserve and increase cash flow, manage and fund working capital, reform and redesign their internal processes and organizational structure in order to enhance the efficiency and effectiveness of their activities.

We strongly believe that effective tax advice and planning can give companies a competitive advantage, since the interpretation and enforcement of tax laws without professional guidance can decrease a company's profitability and drain the time of its managers.

In order to help our clients build an effective tax strategy Zamfirescu Racoti Predoiu Tax SRL offers its clients a comprehensive portfolio of tax services which range from tax planning, assistance to clients during tax authorities' audits, assistance and representation of clients in relation to tax disputes and litigation, assistance in relation to acquisitions of companies, mergers, spin-offs and reorganizations, tax reviews, revision of tax clauses from commercial agreements etc.

Our tax consultants work closely together with our attorneys from different groups of practice in order to provide integrated tax and legal solutions meant to enable our clients to meet their commercial objectives and find the right tax solutions tailored to their business needs.

A handwritten signature in black ink that reads "Ioana Sandru". The signature is written in a cursive style and is placed on a light grey rectangular background.

Ioana Sandru

Services

Ongoing tax assistance

Assessing the impact of changes in tax legislation upon the business model of clients and suggesting approaches to clients in order to enjoy the tax benefits and/or minimize the tax risks derived from such changes;

Providing pro-active tax advice in relation to clients' day-to-day activities.

Assistance with specific projects

Analysis of specific tax issues raised during the implementation of a project, including assistance in relation to international and cross-border taxes;

Identification of tax efficient legal structures for the Romanian project companies, including the analysis of alternative jurisdictions in which to locate the holding companies;

Implementation assistance (including submission of appropriate documentation to the tax authorities on behalf of clients).

Assistance prior to tax audits

Assistance in preparing our clients for tax audits, by performing an overall analysis of the clients' tax position and identifying exposures to tax risks;

Analysis of the supporting documents possessed by clients and their internal procedures in order to help clients to minimize the tax exposures identified and also to take advantage of potential tax savings;

Assistance in implementing the tax saving opportunities identified.



Assistance during tax audits

Assisting clients in holding discussions with the tax inspectors in order to defend the clients' approach with respect to specific tax issues;

Identification of relevant domestic and international jurisprudence, such as decisions issued by domestic courts and the European Court of Justice for the settlement of similar tax disputes, opinions and binding tax rulings issued by the Romanian tax authorities in similar cases;

Review of documents requested during a tax audit before clients provide them to the tax inspectors;

Assistance in drafting the explanatory notes and opinions requested by the tax inspectors during and upon the finalization of the tax audit;

Review of the draft tax audit report issued by the tax inspectors in order to identify the assessed tax liabilities which may be eliminated via discussions with the tax inspectors;

Preparing correspondence with the Romanian Ministry of Finance and attending meetings with Ministry representatives.

Assistance and representation of clients in relation to contestations and appeals

Elaborating litigation documents/contestations against tax assessment decisions issued by the Romanian tax authorities;

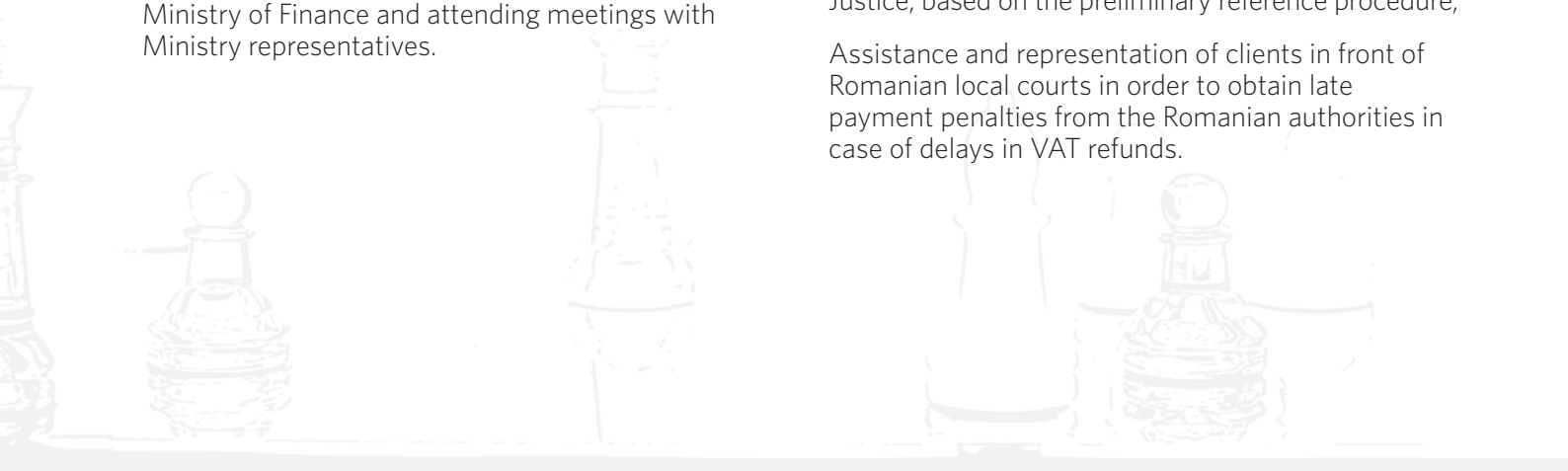
Elaborating appeal documents in case the contestations filed by clients are rejected;

Assisting clients in taking measures to suspend enforced collection of liabilities assessed by the Romanian tax authorities in cases where clients contest the tax assessment decisions;

Assistance in the elaboration of contentious claims and representation of clients in front of the Romanian local courts, at all degrees of jurisdiction, including at the level of the High Court of Cassation and Justice;

Assistance in the elaboration of contentious claims that support the tax position of clients on the basis of EU tax law and representation of clients with the aim of convincing the local courts to request the interpretation of the case to the European Court of Justice, based on the preliminary reference procedure;

Assistance and representation of clients in front of Romanian local courts in order to obtain late payment penalties from the Romanian authorities in case of delays in VAT refunds.



Services

Assistance in relation to mergers and spin-offs

Preparation of a pre-implementation study to identify the most tax efficient scenario in order to carry out the merger or spin-off and to quantify the corresponding tax burden;

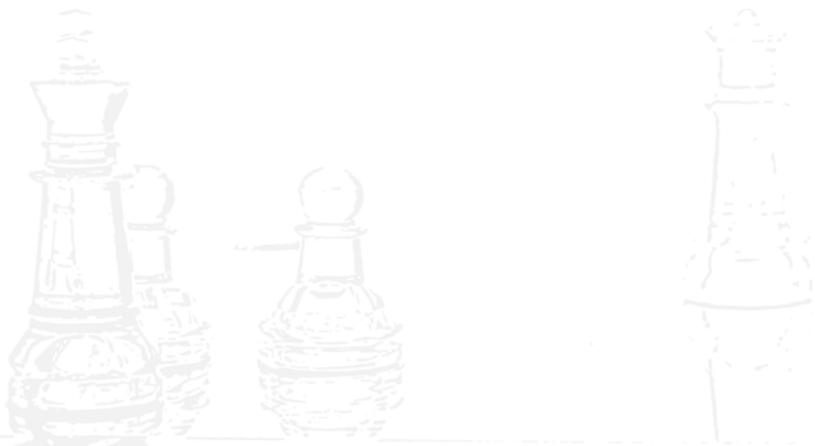
Preparation of the merger or spin-off project in accordance with the requirements of the Romanian law;

Advice and assistance concerning tax compliance matters related to the merger or spin-off (e.g. filing of returns and payment of taxes before and after the merger or spin-off).

Amendment of commercial agreements to optimize the taxation treatment of various local or cross-border transactions

Minimization of withholding tax on payments made to non-residents (e.g. interest, royalties, commissions);

Ensuring corporate tax deductibility of business expenses and a favorable VAT treatment for cross-border transactions.





Tax due diligence and transaction assistance

Carrying out the tax due diligence of the target to identify areas of tax exposure;

Assisting the client in negotiations with its counterparty and in elaborating the sale-purchase agreement;

Identifying opportunities to reduce tax on transaction costs and assistance in choosing an appropriate location for the holding company;

Advising on potential tax savings and assisting with tax compliance, while the target is held as investment;

Identification of opportunities to mitigate capital gains tax on exit and help the target company to maximize the return to its shareholders.

Assistance in relation to binding tax rulings

Assisting clients in drafting requests for binding tax rulings that present the envisaged operations and provide for detailed and well-grounded arguments to defend a certain tax treatment;

Participation at meetings with the representatives of the National Agency for Tax Administration in relation to the requests for binding tax rulings.

Assistance in relation to advance pricing arrangements

Assisting clients in determining the most appropriate transfer pricing methods for the related party transactions that they carry out;

Comprehensive assistance in proceedings related to advance pricing arrangements (APA), including assistance in preparing the transfer pricing documentation needed in order to apply for an APA.

Assistance during proceedings carried out with the tax authorities

Assistance in receiving reimbursements of overpaid withholding tax; assistance in drafting letters and complaints to the tax offices; Participation at meetings with representatives of the tax offices.





Key Contacts

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