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EY Tax and Legal Practice
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EY advises on the first Advance Pricing Agreement in Ukraine

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EY is acting as a taxpayer's advisor in the first Advance Pricing Agreement (hereinafter – "APA") negotiations process in Ukraine. Following the results of the given procedure, it is expected for the first APA to be concluded in Ukraine for transfer pricing purposes.

One of the leading companies in the Ukrainian agricultural sector is intending to conclude unilateral APA. The taxpayer submitted a formal application with the State Fiscal Service of Ukraine (hereinafter – "SFS") following preliminary discussions with the representatives of the SFS, conducted calculations and feasibility study.

An APA is a contract, concluded for a limited period of time (at the moment – for up to 5 years) between a large taxpayer and the SFS, and allows an interested party to obtain compliance certainty with respect to transfer pricing facts, transfer pricing methodology, and arm's length range of results.

Entering into an APA is a multiple step process. Once a formal application is received, the SFS conducts preliminary evaluation and discussions between the representatives of the SFS and the taxpayer take place. Consequently, the SFS informs if it is willing to consider the APA proposal further.

Igor Chufarov, Partner, and Oleksandr Fedosieienko, Manager, are providing APA support in EY.

We will continue monitoring the developments and will inform you on the progress of APA procedure.

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