

Ukraine

Overview of CbC reporting requirements

First reporting fiscal year: Ending in the period from 1 January to 31 December 2022 for Ukrainian resident MNEs. (Beginning in the period from 1 January to 31 December of year when the MCAA will be activated for non-resident MNEs)

Consolidated group revenue threshold: EUR 750 million

Filing deadline: 12 months following the end of the reporting fiscal year

Local filing required: Requirement suspended

Surrogate parent entity filing permitted: Yes

First review of the domestic legal framework: 2020/2021

Summary of recommendations

Area of implementation	Recommendations for improvement
Domestic legal and administrative framework	None.
Exchange of information framework	It is recommended that Ukraine take steps to have qualifying competent authority agreements in effect with jurisdictions of the Inclusive Framework that meet the confidentiality, consistency and appropriate use conditions and with which Ukraine has an international exchange of information agreement in effect that allows for the automatic exchange of tax information.
Appropriate use	None.

The domestic legal and administrative framework

Ukraine's 2020/2021 report recommended that Ukraine amend its legislation or otherwise take steps to ensure that the definition of MNE Group is in line with that required in the Action 13 standard. Ukraine has amended this definition and this recommendation is therefore removed.¹

Ukraine's 2020/2021 report recommended that Ukraine amend its legislation or otherwise takes steps to ensure that local filing is only required in the circumstances contained in the terms of reference. Ukraine has suspended local filing until further notice, and this recommendation is therefore removed.²

Ukraine's 2020/2021 report recommended that Ukraine clarify that the annual consolidated group revenue threshold calculation rule applies in line with the OECD guidance on currency fluctuations in respect of an MNE Group whose Ultimate Parent Entity is located in a jurisdiction other than Ukraine. Ukraine has issued guidance making this clarification and this recommendation is therefore removed.³

Ukraine's domestic legal and administrative framework meets all terms of reference.

The exchange of information framework

Ukraine has no bilateral relationships in place for the exchange of CbC reports nor processes to ensure that the exchange of information is conducted in a manner consistent with the terms of reference relating to the exchange of information framework.

It is recommended that Ukraine take steps to have qualifying competent authority agreements in effect with jurisdictions of the Inclusive Framework that meet the confidentiality, consistency and appropriate use conditions and with which Ukraine has an international exchange of information agreement in effect that allows for the automatic exchange of tax information. This recommendation remains in place since the 2017/2018 peer review.

Ukraine's 2018/2019 report recommended that Ukraine take steps to implement the necessary processes or written procedures to ensure that the exchange of information is conducted in a manner consistent with the terms of reference relating to the exchange of information framework. Further information has been received showing that these processes are in place and this recommendation is now removed.

Appropriate use of CbC reports

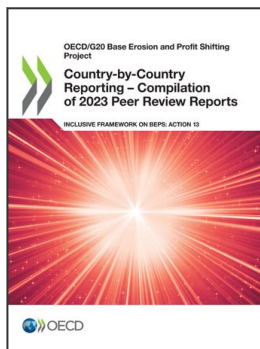
Ukraine's 2017/2018 report recommended that Ukraine take steps to ensure that the appropriate use condition is met ahead of the first exchanges of information. Ukraine has provided details of the controls it has in place to ensure the appropriate use of CbC reports, which comply with published Guidance on the Appropriate Use of Information Contained in CbC Reports.

Notes

¹ <https://zakon.rada.gov.ua/rada/show/en/2970-20#Text>.

² Idem.

³ Idem.



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