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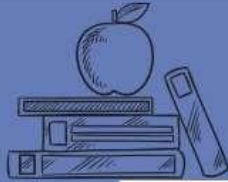
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IMPACT OF REGULATION OF FOREIGN ECONOMIC ACTIVITIES ON DOCUMENTATION AND TAXATION OF EXPORT-IMPORT TRANSACTIONS

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Annotation

The specifics of export-import trade operations, the importance of licensing and quotas for foreign economic activity were determined. Normative acts regulating operations of foreign economic activity were characterized. The peculiarities of drawing up export contracts, terms of the contract, forms and the procedure for concluding a foreign economic contract were revealed. The system of documentation of export trade operations was studied. The specifics of taxation of trade operations of a business entity carrying out export operations and directions of optimization processes that become objects of state control were determined.

Key words: *foreign economic activity, export operations, import operations, accounting, documentation of operations, taxation, optimization of taxation.*

JEL classification: *F53, H21, M41, M48.*

Introduction

For enterprises, entering foreign markets is an important step, as international markets open up the world of the latest technologies, modern organization of production, and the possibility of new sources of production resources. The more enterprises are engaged in foreign economic activity, the greater will be the foreign trade turnover of both the business entity and the country's economy. Foreign economic activity is an important factor in the integration of the Ukrainian economy into the European one, contributes to the increase of competitiveness, the emergence of new trade partners, and the growth of tax revenues to the budget. The state is trying to provide favorable conditions to subjects of foreign economic activity, but its spread requires more specialists who know the theory and practice of foreign economic activity, the regulatory regulation of export-import operations, the peculiarities of documentation and taxation, which is due to certain accounting operations or tax calculations. The effectiveness of foreign economic activity forms the level of international competitiveness of products of national enterprises, as well as labor and investment resources on world markets.

Literature review

The investigated issues are the subject of scientific interest of such economists as, in particular, Manaenko I.M., Prosyanyk I.V., who investigated the peculiarities of the foreign economic activity of domestic enterprises in the conditions of European integration and the priority directions of such cooperation, as well as realized the dynamics of export volumes and identified the main advantages and problems of European integration of Ukraine [1]. Prokhar N.V., Milka A.L., Oryshchenko M.M. paid attention to the analysis of regulatory and legal regulation of import operations and the procedure for documenting import operations, optimization of taxation of operations on the import of goods using the EUR.1 certificate [2]. The study of L.V. Gutsalenko, U.O. Marchuk [3] is devoted to the peculiarities of the development of Ukraine's foreign economic activity, the characteristics of the norms of the main normative acts and standards. However, despite the significant scientific achievements of scientists in the study of the specified problem, the issues of the impact of regulatory regulation and the peculiarities of foreign economic activity on the processes of accounting and taxation remain relevant.

Research methodology

To determine the peculiarities of foreign economic activity in Ukraine and its normative regulation, which affect on the organization of the accounting process and taxation of export-import operations.

Presentation of the main research material

In Ukraine, foreign economic activity is regulated by the Law of Ukraine "About Foreign Economic Activity" dated April 16, 1991 No. 959-XII, as well as Chapter 37 of Section 7 of the Economic Code [4;5]. The supreme body that regulates foreign economic activity is the Verkhovna Rada of Ukraine. The list of goods, the export and import of which are carried out by subjects of foreign economic activity, is established by the Cabinet of Ministers of Ukraine in the presence of a license to carry out such activity. Information regarding the introduction of the licensing or quota regime is published in official publications in accordance with the procedure established by the Law of Ukraine "On Licensing Types of Economic Activities" dated 03/02/2015 No. 222-VIII. The list of subjects of foreign economic activity is provided to the Economic Code and the Law of Ukraine "On Foreign Economic Activity".

Pursuant to the Economic Code, the subjects of foreign economic activity are: citizens of Ukraine, foreigners and stateless persons who carry out economic activities and are registered in accordance with the law as entrepreneurs; economic organizations - legal entities created in accordance with the Civil Code of Ukraine, state, communal and other enterprises created in accordance with this Code, as well as other legal entities that carry out economic activities and are registered in accordance with the procedure established by law; state customers in the field of defense [5].

A broader list is provided in the Law of Ukraine "On Foreign Economic Activity", which specifies the range of legal entities, which include those registered in Ukraine and having a permanent location on the territory of Ukraine (enterprises, organizations and associations of all types, including joint-stock and other types of business companies, associations, unions, concerns, consortia, trading houses, brokerage and consulting firms, cooperatives, credit and financial institutions, international associations, organizations and others), including legal entities whose property and/or capital is fully owned by foreign economic entities [4].

Besides the above-mentioned normative acts, the Customs Code of Ukraine establishes customs regulation of this activity and a unified customs tariff. Export operations in Ukraine are regulated by many legislative and regulatory acts (Table 1).

Subjects of foreign economic activity may conclude a contract of any form, if this is permitted by the legislation of Ukraine. When concluding a contract, determining its main terms, the parties must apply the requirements of the Civil Code of Ukraine, the Economic Code of Ukraine and other legislative and regulatory acts of Ukraine regarding a specific type of contract. For certain types of such contracts, legislative acts provide for special procedures for their conclusion, execution, and termination. The form and procedure for concluding a foreign economic agreement (contract), the rights and obligations of its parties are regulated by the Law of Ukraine "On Private International Law" and other laws [5].

In order for foreign economic agreements to comply with the established norms of national legislation, the Cabinet of Ministers of Ukraine may introduce their state registration. The types of contracts that are subject to this registration and the procedure for their execution are regulated by legislative and regulatory documents.

**Table 1.1. Regulatory and legal documents
 on the regulation of export operations**

№	Name of the regulatory document	Regulatory body	Publication date	Direction of adjustment
1	About ensuring the large-scale expansion of the export of goods (works, services) of Ukrainian origin through insurance, guarantees and cheaper lending [6]	Verkhovna Rada of Ukraine	20.12.2016	Regulates export activities
2	About currency and currency operations [7]	Verkhovna Rada of Ukraine	21.06.2018	Regulates currency transactions

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№	Name of the regulatory document	Regulatory body	Publication date	Direction of adjustment
3	Tax Code of Ukraine [8]	Verkhovna Rada of Ukraine	02.12.2010	Regulates relations arising in the field of tax and fee collection
4	Customs Code of Ukraine [9]	Verkhovna Rada of Ukraine	13.03.2012	Regulates the activities of customs authorities and the implementation of customs affairs in Ukraine
5	Some issues of carrying out measures of official control of goods imported into the customs territory of Ukraine (including for the purpose of transit) [10]	Cabinet of Ministers of Ukraine	26.06.2020	Regulates the list of goods whose imports are controlled
6	About approval of lists of goods whose export and import are subject to licensing, and quotas for 2022 [11]	Cabinet of Ministers of Ukraine	29.12.2021	Regulates the list of licensed products
7	About the licensing procedure for the export of goods [12]	Ministry of Economy of Ukraine	09.09.2009	Regulates the procedure for licensing the export of goods
8	About the approval of the Procedure for filling out and issuing a certificate of transportation (origin) of goods EUR.1 or EUR-MED by customs [13]	Ministry of Economy of Ukraine	02.03.2021	Regulates the issuance of the EUR.1 or EUR-MED certificate

The subject of foreign economic activity, which draws up the text of the relevant contract, can use the rules and recommendations of international organizations, bodies, if this is not prohibited by the laws of Ukraine. A vivid example of the application of such rules is the international rules of Incoterm. This agreement is drawn up either by the entity itself or by its representative in written or electronic form, unless otherwise provided for in an international agreement or the legislation of Ukraine. The conclusion of a contract in electronic form is regulated by the Laws of Ukraine "On electronic commerce" and "On electronic trust services" [14; 15].

According to the Civil Code of Ukraine, the content of the contract consists of conditions (clauses) determined upon by them, and conditions that are mandatory in accordance with acts of civil legislation. And also, according to it, the contract will be considered concluded if the parties have agreed to all the essential terms of the contract, which are shown in fig. 1.

All subjects of the economy carry out a significant number of economic transactions, which must be confirmed by certain documents. Export operations are documented in foreign and national currency and are controlled by foreign and national legislation, sometimes they can be written in a foreign language, there is no clear form specified by the legislation.

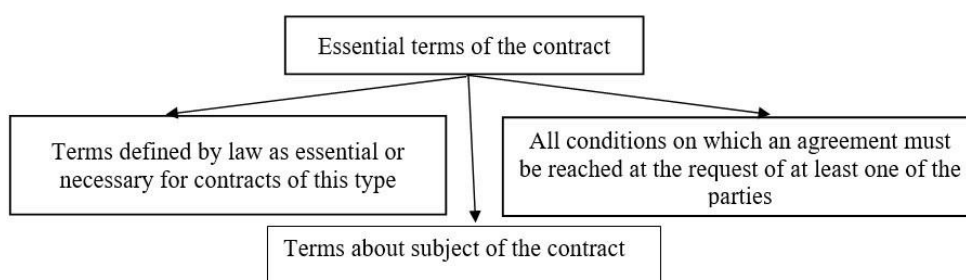


Figure 1. Essential terms of the contract

Documentation is regulated by Art. 9 of the Law of Ukraine "On Accounting and Financial Reporting in Ukraine" [16], the Regulation on Documentary Support of Accounting Records [17], as well as a number of normative legal acts that determine the procedure for drawing up and filling out documents at enterprises that carry out foreign trade activity. Business transactions are recorded in accounting only on the basis of primary documents that correspond to the specifics of foreign economic activity.

The classification of foreign economic documents is shown in fig. 2.

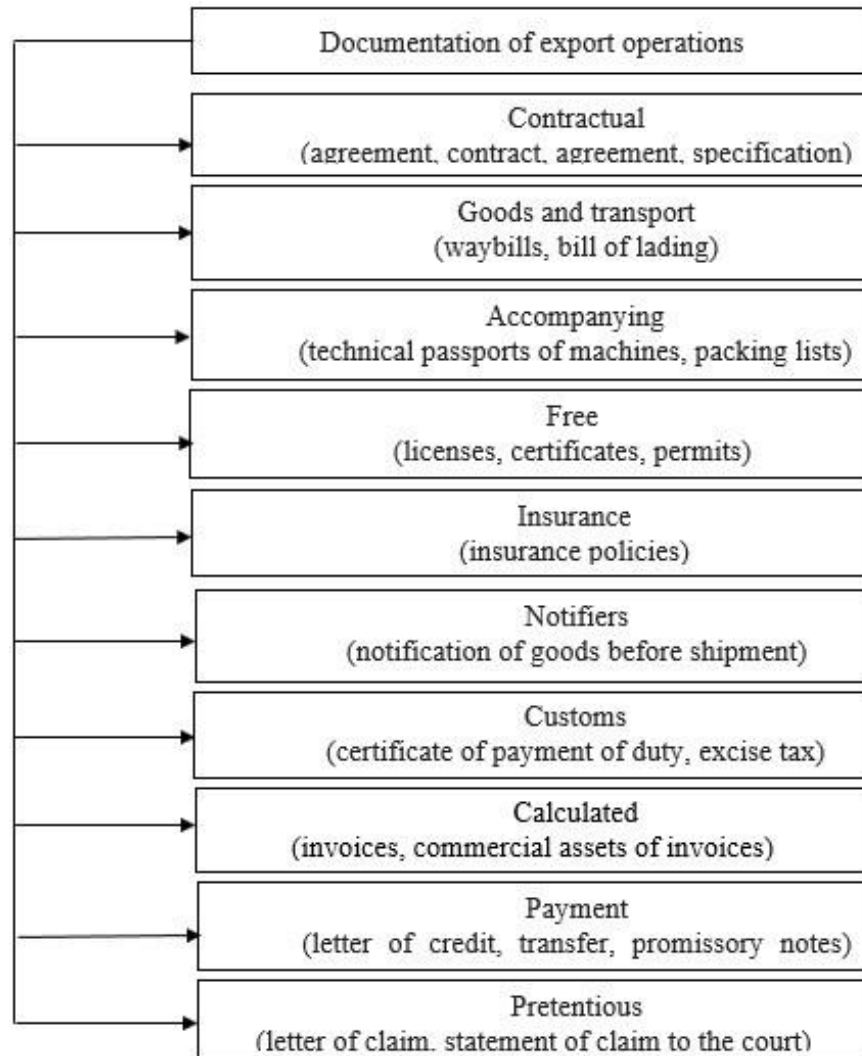


Figure 2. Classification of documentation of export operations

To carry out any operations, the subject of foreign economic activity must register with the customs authority, which will ensure customs clearance when exporting goods.

The requirements for placing goods under the customs regime for export are prescribed in the Customs Code of Ukraine and are shown in fig. 3.

To carry out an export operation, you must submit to the customs office: a customs declaration; transport invoices (CMR, railway transfer, air freight, bill of lading, waybill, packing lists); invoices; a certificate on the declaration of currency values, income and property belonging to a resident of Ukraine and located abroad, or a certificate on the absence of currency values outside of Ukraine; license of the Ministry of Economy of Ukraine for goods subject to licensing.

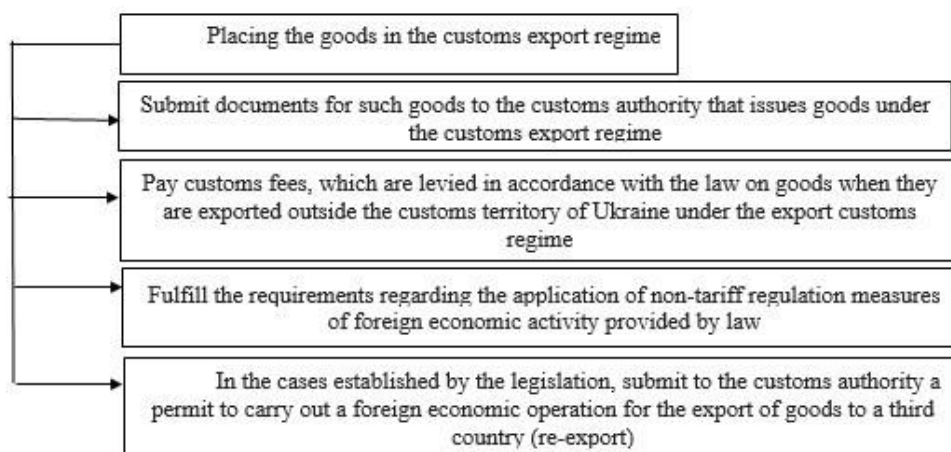


Figure 3. Requirements for placing goods in the customs export regime

The customs declaration for declaring goods (except for those sent across the customs border of Ukraine in international postal and express shipments) is filled out in the cases indicated in fig. 4.

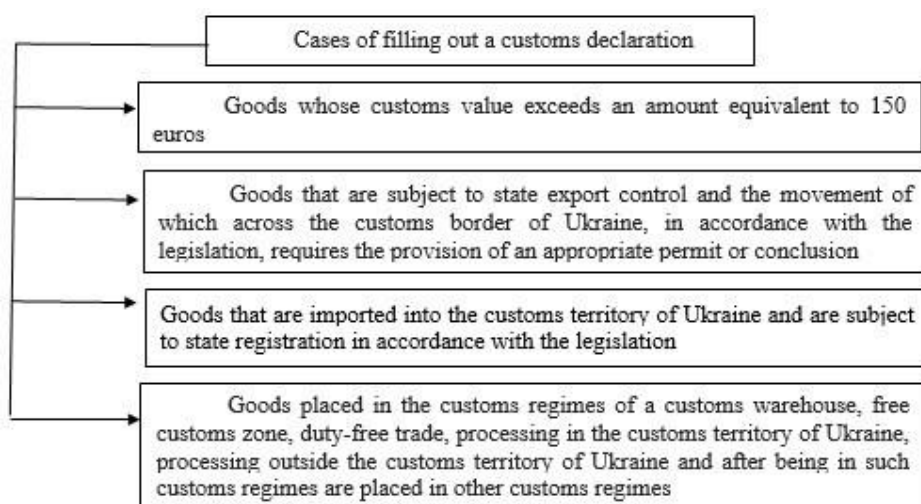


Figure 4. List of goods for which a customs declaration is filled out

Taxation of export operations is carried out in accordance with current tax legislation, in particular, the determination of the tax base is regulated by Article 188 of the Civil Code, which states that the tax base of supply operations cannot be lower than their purchase price, normal price, book value [8]. In the customs regime, export transactions are carried out at a zero VAT rate. The Tax Code also regulates the recognition of tax liabilities for export operations. Optimization processes are associated with an attempt to use the benefits provided by tax legislation, but this requires certain approaches, creativity and knowledge of accounting and tax legislation. Examples of benefits prescribed in the legislation are tax breaks for certain types of business, the application of a simplified taxation system and the payment of VAT at a preferential rate. Optimization of taxation consists in the use of legal methods in order to reduce the tax burden.

Conclusions

Thus, foreign economic activity is regulated by a significant number of regulatory acts that consider the issue of permits, documentation and taxation of export-import operations. Foreign economic operations are based on contracts of a certain format and primary documents, among which there

are special, i.e. characteristic only for export-import operations. Taxation of foreign economic activity is regulated by the Tax Code of Ukraine and contains certain preferential regimes, which enable business entities to use certain privileges. Despite efforts to help improve the efficiency of economic entities, in some cases, optimization processes are perceived as ways of avoiding paying taxes in full, which contributes to the development of the shadow sector of the economy, but in recent years, Ukraine has been actively fighting for the legalization of all economic processes, and the promotion of development of small business.

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