Tax Advisory Services on Cross-Border Investments and Structures

Today’s businesses, regardless of size, not only look to the domestic market for growth but also consider cross-border and international operations. Consequently, companies need qualified and experienced tax advice to avoid the pitfalls of international taxation and minimize the tax burden of any cross-border transaction or operation.

The tax specialists of Esche Schümann Commichau come from a longstanding tradition of advising foreign companies to navigate the ever-growing number of tax law provisions, regulations, notice requirements, directives and international tax treaties that need to be considered when setting up or operating a (foreign-owned) subsidiary or business unit in Germany. Together with our corporate lawyers our team advises clients on all aspects regarding strategies to optimize their group structure, including thin capitalization rules, transfer pricing, relevant procedural requirements, withholding tax requirements and other issues that may arise in cross-border reorganizations.

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Our full-service tax department also ensures compliance with regard to all day-to-day tax matters in Germany, including value-added tax on intra-group services, and the taxation of dispatched employees. Further, we represent clients in all procedures before the tax authorities and tax courts.

In addition, Esche Schümann Commichau advises on efficient structures for its clients regarding outbound investments. We develop tax-efficient corporate and finance structures that comply with specific requirements under the German Foreign Tax Act. Tax planning, for example in regard to the allocation of functions within a company group, is not only relevant for intra-group transfer pricing but also when it comes to minimizing exit taxation risks. In each case, we provide tailor-made, client-specific solutions rather than relying on standard tax planning tools. Where necessary, we cooperate with foreign tax advisors introduced either by the client or, if requested, by Esche Schümann Commichau. In the latter case, we draw on our extensive network of long-standing relationships and cooperations with foreign tax advisory firms.

Our international tax practice includes:

► Planning tax-efficient cross-border finances.
► Establishing subsidiaries in Germany, the European Union and in other countries.
► Planning, compliance and documentation assistance in relation to value-added tax.
► Transfer pricing assistance, including documentation and economic analysis.
► Tax planning for import/export transactions, trans-border license and technology transfers, joint ventures, M&A, real estate.
► Preparing financial statements for German subsidiaries.
► Developing concepts for the restructuring of a group’s business activities.
► Tax planning and advice regarding income tax and wage withholding tax for expatriates.

The Team

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