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TAX TREATMENT OF FOREIGN ECONOMIC ACTIVITY OF UKRAINIAN ENTERPRISES IN TIME OF WAR

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ОСОБЛИВОСТІ ОПОДАТКУВАННЯ ЗОВНІШНЬОЕКОНОМІЧНОЇ ДІЯЛЬНОСТІ УКРАЇНСЬКИХ ПІДПРИЄМСТВ ПІД ЧАС ВІЙНИ

The main feature of the functioning of the current world economy is the intensive development of international economic relations, one of the integral elements of which is foreign economic activity. It determines the fundamental objectives of country's economic policy, acts as a source of stimulation of innovations, the development of European integration processes, increasing competitiveness, and also helps to attract foreign investment. Despite the significant amount of scientific publications on this topic, today not enough attention is paid to the analysis of the legal framework that regulates the general principles of economic activity of foreign economic activity subjects and its taxation. With the help of the continuous work of entrepreneurs, the integration of Ukrainian goods into the international market takes place, which in turn deepens socio-economic, scientific-technological, innovative, cultural and educational ties between Ukraine and the world, gives them the features of sustainability and orientation to international standards. The dependence of foreign economic activity on the foreign trade policies of the countries participating in export-import operations and the norms of international regulation requires a comprehensive, systematic approach both to the disclosure of the essence, procedures, and mechanisms of the operations themselves, and to the study of the influence of the institutional environment and the environment of the counterparty countries. The article is devoted to the problem of effective implementation of foreign economic activity during the state of martial law in Ukraine. The key aspects of the implementation of export-import transactions within the conditions of an unstable political situation and a constant change in the legal and regulatory framework for the activities of entities engaged in foreign economic activity are analyzed. Its optimization and efficient functioning is one of the ways of supporting and stabilizing the country's economy. Achieving the specified goal is possible through the application of a rational foreign economic policy, which will be revealed through effective and flexible management methods, as well as a change in the tax burden. Despite the significant amount of scientific publications on this topic, today not enough attention is paid to the analysis of the legal framework that regulates the general principles of economic activity of foreign economic activity subjects and its taxation.

Розвиток ринкових відносин в Україні, який супроводжується зростанням відкритості економіки країни, становленням потужного недержавного сектору, товарним наповненням внутрішніх ринків, неминуче веде до активізації зовнішньоекономічних відносин суб'єктів підприємницької діяльності України з іноземними партнерами. Саме вони визначають головні напрями економічної політики країни, виступають джерелом стимулювання інновацій, розвитку євроінтеграційних процесів, підвищення конкурентоспроможності, а також сприяє залученню іноземних інвестицій. За допомогою безперервної роботи підприємств відбувається інтеграція українських товарів на міжнародний ринок, що в свою чергу поглиблює соціально-економічні, науково-технологічні, інноваційні, культурно-освітні зв'язки між Україною та світом, надає їм рис сталості та орієнтації на міжнародні стандарти. Залежність зовнішньоеконо-

мічної діяльності від зовнішньоторговельних політик країн учасників експортно-імпортних операцій та норм міжнародного регулювання вимагає комплексного, системного підходу як до розкриття сутності, процедур, механізмів самих операцій, так і до вивчення впливу інституційного середовища та середовища країн-контрагентів. Статтю присвячено проблематиці ефективного здійснення зовнішньоекономічної діяльності під час воєнного стану в Україні. Проаналізовано ключові аспекти реалізації експортно-імпортних операцій в умовах нестабільної політичної ситуації та постійної зміни нормативно-правової бази щодо діяльності суб'єктів зовнішньоекономічної діяльності. Її оптимізація та ефективне функціонування є одним із способів підтримки та стабілізації економіки країни. Досягнення зазначеної мети можливе при застосуванні раціональної зовнішньоекономічної політики, яка розкриватиметься через ефективні та гнучкі методи управління, а також зміну податкового навантаження. Не зважаючи на значний обсяг наукових публікацій з даної тематики, на сьогодні недостатньо уваги приділено аналізу нормативно-правової бази, що регламентує загальні засади господарської діяльності суб'єктів зовнішньоекономічної діяльності та її оподаткування.

Key words: foreign economic activity, taxes, export, import, currency supervision, customs payments.

Ключові слова: зовнішньоекономічна діяльність, податки, експорт, імпорт, валютний нагляд, митні платежі.

PROBLEM STATEMENT

The transformation of the national economy to the conditions of martial law in Ukraine involves the solution of important economic problems, among which one of the first places is occupied by foreign economic activity. Its optimization and efficient functioning is one of the ways to support and stabilize the country's economy. Achieving this goal is possible with the application of a rational foreign economic policy that will be revealed through effective and adaptable methods of management, changes in the tax burden. Despite the significant number of scientific publications on this subject, to date, insufficient attention has been paid to the analysis of the legal and regulatory framework governing the general principles of economic activity of entities engaged in foreign economic activity and its taxation.

ANALYSIS OF PUBLICATIONS

Many scientists, were engaged in the study of foreign economic activity, such as I.A. Hutsiul, V.G. Shcherbak, A.M. Vychevych, O.P. Hrebelynyk, G.S. Gurina, M.G. Lutskyi, T.L. Mostenska et al. But now there is not enough information that would reflect an in-depth analysis of the regulatory and legal framework for ensuring foreign economic activity in the conditions of war in Ukraine.

PURPOSE OF THE ARTICLE

Purpose of the article is to study the changes in the legal and regulatory framework governing the activities of entities engaged in foreign economic activity during the state of martial law in Ukraine.

PRESENTATION OF BASIC MATERIAL OF THE STUDY

Foreign economic activity is primarily identified with the implementation of export-import transactions, because they account for the largest share of all transactions in the studied area of the economy. According to official data from the Ministry of Economy of Ukraine, at the beginning of March 2022, the export of Ukrainian goods (works or services) decreased from 5.3 billion USD to 2.7 billion USD. The largest decrease is observed in the export of metal, which in most cases is associated with the destruction of

production facilities. Export of agricultural products fell by 75%, namely corn, wheat, sunflower oil and soybeans. But there are some positions the export volume of which remained unchanged, namely cable products, wood facing sheets. Blocking the export of goods through the ports of the Black Sea disrupts the work of not only enterprises engaged in foreign economic activity, but also the economy of our state as a whole. According to the data of the Ministry of Agrarian Policy and Food of Ukraine and the Unified Automated Information System "Delivery Control", the vast majority of export of goods are carried out by rail, because its volumes increased by 238%. From March 01 to May 09, 61% of grain and vegetable oil exports were transported by rail, while only 29% were transported by sea.

Due to the introduction of martial law in Ukraine, in parallel with export import also fell by two thirds. In February, goods (works, services) worth 5.9 billion USD were imported, and already in March this figure was only 1.8 billion USD. First of all, gas, oil and coal remain the most important import target for our country.

Recently, the National Bank of Ukraine reduced the deadlines for monetary settlements in relation to export-import transactions, which is the most important aspect of the further functioning of entities engaged in foreign economic activity. At the same time, certain exceptions were provided for which these restrictions do not apply.

Based on clause 21 of the "Regulation on Safeguards and Procedures for Certain Transactions in Foreign Currency", approved by the Resolution of the Board of the National Bank of Ukraine No. 5 dated January 02, 2019, the deadline for settlements on export-import transactions prior to outset of hostilities was 365 calendar days [8]. But for foreign economic commodity transactions carried out from April 05, 2022, the deadlines for settlements of 90 calendar days are applied, based on clause 13 of the approved Resolution of the NBU No. 18 dated February 24, 2022, "On Operation of Banking System under Martial Law" [9].

Thus, the deadlines for settlements on commodity export-import transactions have been significantly reduced. Exceptions to the Resolution No. 18 are:

— export-import transactions of goods (including pending settlements for the transaction) the amount of which (in equivalent to the official UAH exchange rate to

foreign currencies established by the National Bank of Ukraine on the date of the transaction) is less than the amount specified in accordance with Article 20 of the Law of Ukraine "On Preventing and Counteracting to Legalization (Laundering) of the Proceeds from Crime, Financing of Terrorism and Financing of Proliferation of Weapons of Mass Destruction" No. 361-IX dated December 06, 2019 (400,000 UAH), except for the splitting of transactions for the export of goods or splitting of foreign exchange transactions;

- restrictions, exceptions and features for certain goods and branches of the economy in accordance with Article 13 of the Law of Ukraine "On Currency and Currency Transactions" No. 2437-VIII dated June 21, 2018 [3].

The considered restrictions also do not apply to the transactions defined in the Resolution of the Board of the National Bank of Ukraine "On the Establishment of Exceptions and Features of the Introduction of Deadlines for Settlements on Transactions for the Export and Import of Goods, and Amendments to Certain Laws and Regulations" No. 67 dated May 14, 2019, namely:

- medical services imported to provide treatment (including examination and diagnostics) abroad for Ukrainian citizens with diseases in accordance with the list of orphan diseases associated with a reduction in life expectancy or disability approved by the Ministry of Health of Ukraine;

- services, works (except for transport and insurance), intellectual property rights and (or) other non-property exported rights;

- goods and services that are purchased in accordance with agreements concluded by the Public Organization "National Olympic Committee of Ukraine" and ensure the participation of national teams of Ukraine, official delegations of Ukraine in the Olympic Games, Youth Olympic Games, European Games, as well as other international sports events organized by the International Olympic Committee, European Olympic Committee, Association of National Olympic Committees;

- goods (works and services) for defense purposes purchased through international specialized organizations and their representative offices;

- military and dual-use goods according to approved end-user certificates or contract terms, the end recipient of which can be the Ministry of Defense of Ukraine, military units of the Armed Forces of Ukraine, law enforcement agencies, military units engaged in the fight against terrorism, as well as involved in the implementation of measures to ensure national security and defense, deterrence armed aggression of the Russian Federation, purchased during the state of martial law in Ukraine;

- goods and services procured on the basis of contracts between the Ministry of Health of Ukraine and specialized organizations engaged in the procurement of medicines, medical devices, therapeutic appliances and other medical products and services concluded by a centralized procurement organization, namely by a state enterprise, one of whose founders is the Ministry of Health of Ukraine;

- goods imported as part of the implementation of government contracts in accordance with the approved key indicators of the defense order for 2020 and 2021;

- goods, the import of which is carried out by state customers in the field of defense in the framework of the implementation of state contracts for the purchase of goods (works and services);

- goods used for the manufacture of spacecrafts, the ground segment of space systems and their assemblies, systems and components, as well as the development, production, re-equipment, repair, modification, maintenance of aviation equipment and engines for entities engaged in space activity;

- goods exported / imported in accordance with production sharing agreements;

- tourism products (services) imported according to foreign economic contracts in the tourism industry [5].

On May 03, 2022, the Federation of Employers of Ukraine, with the support of the Ministry of Economy of Ukraine, applied to the National Bank of Ukraine with a request to increase the deadlines for export-import transactions from 90 calendar days to 180 calendar days, because engineering and logistical processes are undergoing significant changes due to the introduction of martial law with the territory of Ukraine. As a result, the National Bank of Ukraine decided to increase the deadlines for settlements on export-import transactions from 90 to 120 calendar days. The corresponding decision is aimed at expanding the opportunities for export and import of goods by Ukrainian businesses within the conditions of supply chain disruption due to the war. The relevant changes were made by the Resolution of the Board of the National Bank of Ukraine No. 113 dated June 07, 2022, "On Amendments to the Resolution of the Board of the National Bank of Ukraine No. 18 dated February 24, 2022", that came into force on June 08.

According to clause 16 of Regulation No. 5, payment from a non-resident for commodity transactions of a resident must be credited exclusively to the bank account of the latter opened in Ukraine [8]. Currency supervision of compliance with deadlines for settlements on export-import transactions is carried out by the National Bank of Ukraine and the State Tax Service of Ukraine, as well as by agents of currency supervision. They determine the compliance with the currency legislation of the transactions carried out, but without interference in the activities of economic entities.

According to the Instruction "On the Procedure for the Currency Supervision of Residents' Compliance with Settlement Deadlines in Goods Export and Import Transactions" approved by the Resolution of the Board of the National Bank of Ukraine No. 7 dated January 02, 2019, when carrying out import transactions, the date of commencement of currency supervision must be considered:

- the date of debiting funds from the client's account, that is, the date of the first payment;

- the date of debiting funds by the bank in favor of a non-resident, if the settlement is made using a letter of credit;

- the date of the bank's payment in favor of a non-resident, if the settlement is made using credit funds that are not credited to the current account of a resident [1].

Based on Instruction No. 7, when importing goods, currency supervision over compliance with the deadlines for settlements by the National Bank of Ukraine, the State Tax Service of Ukraine, as well as currency supervision agents ends:

- if the amount of pending settlements does not exceed 400,000 UAH;

- upon receipt of information on the execution of cargo customs declarations (IM-40, IM-41, IM-51, IM-72, IM-75, IM-76);

- if the resident provides documents confirming the customs clearance of the goods (in the event that the execution of the customs declaration is not provided for by the current legislation);

- with the provision by a resident of supporting documents for the performance of work or the provision of services by a non-resident;

- after the payment is credited to the bank account of a resident from a non-resident, if there are supporting documents for the sale of goods, the provision of works or services outside of Ukraine (in cases of import of products without their subsequent importation into the territory of Ukraine) [1].

Based on Instruction No. 7, when performing export transactions, currency supervision over compliance with the deadlines for settlements by the National Bank of Ukraine, the State Tax Service of Ukraine, as well as currency supervision agents ends if:

— a cargo customs declaration (EK-10 or EK-11) is executed;

— an act is signed confirming the delivery of goods to a non-resident (in the event that the execution of a customs declaration is not provided for by the current legislation) [1].

For non-compliance with the legally established deadline for the receipt of proceeds, entities engaged in foreign economic activity are charged a default interest for each calendar day of delay in the amount of 0.3% of the amount of non-received funds under a foreign economic contract in national or foreign currencies. According to the Law of Ukraine "On Currency and Currency Transactions" No. 2437-VIII dated June 21, 2018, the total amount of the accrued default interest cannot exceed the amount of non-received funds under such contract. The only exception can be force majeure circumstances arising from the implementation of export-import transactions. Confirmation of force majeure circumstances, namely the fact of their beginning and end, is a certificate from the authorized governing body of the country in whose territory they arose.

To date, such a governing body is the Ukrainian Chamber of Commerce and Industry. According to Letter No. 2024/02.0-7.1 dated February 28, 2022, posted on the official website of the Ukrainian Chamber of Commerce and Industry, military aggression within the territory of Ukraine from February 24, 2022 is considered extraordinary, unavoidable and objective circumstances for business entities and / or individuals under the contract, separate tax and / or other obligations the fulfillment of which occurred in accordance with the terms of the contract, agreement, legislative or other regulations and the fulfillment of which became impossible in the set deadline due to the occurrence of such force majeure circumstances (force majeure) [2]. Also on the official website of the Ukrainian Chamber of Commerce and Industry there is a "universal" certificate, which can be used by any entities engaged in foreign economic activity to confirm force majeure circumstances. It is relevant until the repeal of martial law in the country.

To date, the procedure for obtaining a certificate has been simplified as much as possible and requires only downloading this Letter-Certificate to your own electronic media and adding to the message about the impossibility of fulfilling your obligations under the conditions of the contract for further delays. If necessary, on an individual basis, you can apply to the Ukrainian Chamber of Commerce and Industry to obtain a Force Majeure Certificate (force majeure circumstances), if the entity engaged in foreign economic activity with whom the contract is concluded needs it.

Many European countries provide Ukraine with not only military support, but also trade support, which is directly related to foreign economic activity. So, on April 27, 2022, the European Parliament abolished for a period of 1 year the import duty, including industrial duty, agricultural duty and quotas, entry price system, anti-dumping duty and protective duty. Due to this, the possibility of further functioning, increase in production volumes and integration into the internal market of the European Union of industrial and agricultural enterprises, namely entities engaged in foreign economic activity, that survived enemy attacks was provided. On April 26, 2022, an agreement was signed between Ukraine and the United Kingdom of Great Britain and Northern Ireland on the abolition of import duties, as well as tariff quotas for a period of 1 year (with a possible extension by agreement of the parties), that allows increasing the export of higher value added goods, in the future this makes it possible to increase the flow of foreign exchange earnings to the budget of Ukraine. Canada extended the initiative of the UK and the European Union and also confirmed the abolition of all duties on Ukrainian products for a period of 12 months.

Agreements were reached between Ukraine and Poland on trade facilitation. The issue at hand is about the work of sanitary and veterinary services, whose workers will be transferred to the Ukrainian-Polish border. At the same time, control procedures can also be carried out at the final destination of the goods, that will significantly reduce the time it takes to cross the border.

The Cabinet of Ministers of Ukraine, in accordance with the Resolution No. 426 of April 09, 2022, "On Application of Ban on Import of Goods from the Russian Federation", the import of goods from the aggressor country into the customs territory of Ukraine was prohibited [7]. At the same time, if goods originating from the Russian Federation are imported into Ukraine from other states, then it is necessary to be guided by the main provisions of the Resolution of the Cabinet of Ministers of Ukraine No. 1147 dated December 30, 2015 "On the Prohibition of the Import into the Customs Territory of Ukraine of Goods Originating from the Russian Federation", that will become invalid only from January 01, 2023 [6].

Since the introduction of martial law in Ukraine at the legislative level, the Tax Code has undergone the greatest changes based on the Law of Ukraine 2142-IX dated March 24, 2022, "On Amendments to the Tax Code of Ukraine and Other Legal Acts of Ukraine Concerning the Improvement of Legislation for the Period of Martial Law". Since individuals and payers of the single tax of 1 — 3 groups are exempted from taxation by import duties until the termination (cancellation) of martial law on the territory of Ukraine, the changes primarily affected the customs clearance of vehicles, namely cars, bodies for them, trailers and semi-trailers, motorcycles, vehicles intended for the transport of 10 or more people, vehicles for the transport of goods imported by citizens into the customs territory of Ukraine for free circulation, but these provisions do not apply to goods from aggressor countries in relation to our country [4]. Preliminarily, the customs payment amounted to 10% of the declared value of the car, and due to the temporary cancellation only from April 2022 to May 2022 the budget received less than 13.6 billion UAH.

On May 30, 2022, D. Shmyhal registered in the Verkhovna Rada of Ukraine the draft law No. 7418 "On Amendments to the Tax Code of Ukraine and Other Legislative Acts of Ukraine on the Revision of Certain Tax Benefits". According to officials, in the conditions of martial law, when Ukraine must consolidate all revenues to fight the aggressor, the introduction of benefits for the import of goods that are not essential goods and at the same time budget-forming must be reassessed and revised.

Taking this into consideration, the draft law proposes to resume taxation, that was abolished by Law No. 2142 [4]:

— for goods imported by payers of the single tax of the first, second and third groups (according to customs statistics, the average monthly loss of budget revenues is about 3.0 billion UAH of VAT and import duties);

— for enterprises that do not pay import duties (according to customs statistics, the average monthly loss of budget revenues is about 0.5 billion UAH of import duties);

— for vehicles imported by citizens (as a result of the exemption from taxation of import duty, excise tax and VAT, the budget did not receive approximately 13 billion UAH; more than 119 thousand cars were imported; cases of importing premium cars are not uncommon).

At the same time, it is proposed to amend the Law "On Contributions for Compulsory State Pension Insurance" to exempt from paying contributions for compulsory state insurance those who acquire ownership of cars equipped exclusively with electric motors (one or more).

On the basis of the Law of Ukraine [4], in order to provide the population with the necessary goods and avoid shortages during martial law, the import duty and VAT on goods imported into the customs territory of Ukraine by

enterprises for free circulation are also abolished, with the exception of ethyl alcohol, as well as other alcoholic distillates, alcoholic beverages, beer (except kvass of live fermentation), tobacco, tobacco products, industrial tobacco substitutes, liquids used in electronic cigarettes. Socially significant food products, medical devices, medicines, the prices for which were set in accordance with the Law of Ukraine No. 5007 dated June 21, 2021, "On Prices and Pricing", are also temporarily exempted from import duty taxation.

From July 1, 2022, the Verkhovna Rada returned customs duties and VAT taxation on imported goods and on the import of cars, namely:

- goods imported by single tax payers of the first, second and third groups;
- enterprises that do not pay import duty;
- vehicles imported by citizens.

It is expected that the return of the duty will allow to replenish the budget by at least 3.5 billion UAH every month.

Due to a significant reduction in the volume of customs payments, the country's leadership decided to simplify the rules for filing customs declarations:

- importation of goods into the customs territory of our state can be carried out on the basis of a previously submitted customs declaration;
- it is not obligatory to present it to the customs authority if the previous paragraph is fulfilled.

Particular attention was paid to customs checks of entities engaged in foreign economic activity. For the period of martial law in Ukraine, all documentary checks of compliance with the requirements of the current customs legislation are not carried out, and those previously started are stopped, without further formation of the Certificate of Inspection.

In connection with changes to the Budget Code of Ukraine for 2022, from May 01, 2022, manufacturers and importers must pay 5% excise tax on the volume of sales of tobacco products and tobacco by retail trade entities, as well as industrial tobacco substitutes and liquids used in electronic cigarettes, this tax was previously paid for by retail trade entities. At the same time, the latter until December 2022 (inclusive) will operate on the terms legally established before April 01, 2022, by payers of 5% excise tax on the retail sale of tobacco products, tobacco and industrial tobacco substitutes manufactured before April 01, 2022, (including by foreign manufacturers) and not sold to end consumers until April 01, 2022. In order to avoid double display of information in the forms of financial statements, excise tax on sales by retail trade entities:

- is implemented in accordance with the procedure and conditions that were in force until April 01, 2022, and is paid by retail trade entities based on the volume of excisable goods sold (last reporting period is December 2022);
- from tobacco products, tobacco and industrial tobacco substitutes, liquids used in electronic cigarettes is paid by manufacturers and importers when they are sold (from May 01, 2022);
- tobacco products, tobacco, as well as industrial tobacco substitutes produced before April 01, 2022, (including by foreign manufacturers) and not sold to end consumers until April 01, 2022, temporarily until January 01, 2023.

On May 28, 2022, the Cabinet of Ministers of Ukraine approved a draft law on amendments to the Customs Code of Ukraine, necessary to ensure the international application of NCTS and expand the implementation of the provisions of the EU customs legislation. Now this draft law will be submitted for consideration to the Verkhovna Rada of Ukraine. The proposed changes to the Customs Code are extremely important for Ukrainian business, in particular to speed up the passage of goods through the customs border and their customs clearance, that became a particularly urgent need during the war after February 24. In addition,

such changes are necessary to ensure the international application of NCTS and the subsequent harmonization of the Customs Code of Ukraine with the EU Customs Code. Ukraine is already completing the NCTS testing for compliance with the provisions of the Convention on a Common Transit Procedure. By the end of 2022, Ukraine should successfully pass the Assessment Mission and join the Convention on a Common Transit Procedure and the Convention on the Simplification of Formalities in Trade in Goods.

The adopted government decision defines the key goals for the further implementation of the EU customs legislation in Ukraine, namely:

- the possibility of using transit declarations by Ukrainian enterprises using NCTS without the need to issue any additional transit documents within 36 countries of the world, which will speed up the passage of goods through customs borders;
- expanding the range of enterprises that will have access to customs simplifications similar to European ones;
- introduction of a European decision-making system for granting authorizations for simplification and other decisions upon the application of the enterprise (introduction of the "right to be heard" to reduce contentious issues);
- introduction of the European model of preliminary decisions on the classification and country of origin of goods (decisions on binding information);
- introduction of the European practice of guaranteeing the payment of customs duties with the possibility of exemption from guaranteeing for enterprises moving any goods, and not just goods on a certain list (as an element of customs simplification);
- formation of the basis of partnership relations between customs and business, due to which it will be possible to speed up customs clearance.

The draft law was developed by the Ministry of Finance jointly with the State Customs Service with the support of the Reform Support Team Project Management Office under the Ministry of Finance and the EU4PFM program.

During the state of martial law, restrictions also affected export. Thus, the Resolution of the Cabinet of Ministers of Ukraine No. 207 dated March 05, 2022, "On Amendments to Annexes 1 and 5 of the Resolution of the Cabinet of Ministers of Ukraine No. 1424 dated December 29, 2021" expanded the list of goods whose export and import are subject to quotas and licensing for 2022. The list of goods prohibited for export was supplemented with the following items: live cattle, frozen meat of cattle, meat and edible meat by-products (salted, in brine, dried, smoked), rye, oats, buckwheat, millet, sugar, and salt, suitable for human consumption. The export of such goods as wheat and a mixture of wheat and rye, corn, meat, and eggs of domestic chickens is possible only with the appropriate license. Export licensing is carried out by the Ministry of Economy of Ukraine and regional state administrations focusing on the main provisions of the Law of Ukraine No. 959-XII dated April 16, 1991, "On Foreign Economic Activity". Under the conditions of martial law, the procedure for obtaining a license for the export of agricultural products is greatly simplified, because 3 documents must be submitted electronically to the Ministry of Economy (until February 24, 2022, there were 5), namely an application, an application letter and a foreign economic contract. The license request is processed within 24 hours.

The issue of imposing fines for violation of the law in the field of foreign economic activity acquires relevance. It has already been said that in case of violation of the deadlines for carrying out currency settlements, a default interest is charged for each day of delay. In accordance with clause 69 of subsection 10 of section XX "Transitional Provisions" of the Tax Code of Ukraine, taxpayers during the state of martial law and within 6 months after its termination or cancellation are exempted from liability for failure to

comply with the deadlines for paying taxes and fees, reporting, registration of tax or excise tax invoices, adjustment calculations, submission of electronic documents containing information on the actual balances of fuel and ethyl alcohol, as well as the volume of their circulation.

When carrying out foreign economic activity from May 27, 2022, entrepreneurs must be subject to the norms of the Law of Ukraine "On Amendments to Certain Laws of Ukraine on Uninterrupted Production and Supply of Agricultural Products during Martial Law", that regulates the list of agrochemicals and pesticides that are not subject to state registration under the state of martial law and within 90 days from the date of its termination or cancellation, as well as the content and procedure for using the Phytosanitary Certificate (including for re-export).

The Finance Minister Serhii Marchenko put forward proposals to return tax rates to pre-war levels in order to stabilize the state budget in Ukraine. Currently, a proposal is being considered for the return of VAT rates on import and on import duties, in order to resume the normal operation of the tax and customs systems, for budget comparison. Rates have been lowered in order to start the work of entrepreneurs, and now it is necessary to help the state that finances the army. Tax incentives for single tax entrepreneurs who from March 15, 2022, received an increase in the income limit from 10 million UAH up to 10 billion UAH and the single tax rate of 2 are not planned to be canceled now.

As of July 1, 2022, Ukraine exports about 30% of the pre-war volume of agricultural products. Today's deliveries are by road, rail and Danube ports. It is possible to significantly increase the volume of supply only after the Black Sea trade routes are unblocked.

CONCLUSIONS

Foreign economic relations are a significant lever for accelerating the social and economic development of the country. It is for this that the leadership of Ukraine is constantly working on simplifying the conditions for taxation of export-import transactions in order to launch the work of entities engaged in foreign economic activity. In our opinion, the key problems hindering the development of foreign economic activity are the unstable military and political situation in Ukraine and the constant changes in the legal and regulatory framework. With the help of the continuous work of entrepreneurs, Ukrainian goods are integrated into the international market, which deepens the social and economic, academic and technological, innovative, and cultural and educational ties between Ukraine and the world, gives them the features of constancy and orientation to international standards.

Література:

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