

## ПОДАТКОВЕ ПЛАНУВАННЯ В СИСТЕМІ ЗАБЕЗПЕЧЕННЯ ФІНАНСОВОЇ БЕЗПЕКИ

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У статті розглянуто сутність податкового планування, розкрито взаємозв'язок податкового планування і фінансової безпеки держави та господарюючого суб'єкта, обґрунтовано роль податкового планування в системі фінансової безпеки.

*Ключові слова:* податки, податкове планування, фінансова безпека, біфуркація.

**Statement of a problem.** The questions of taxation planning in the system of financial security both of the whole state and directly a taxpayer at present time have been assuming ever greater importance.

The wide range of threats to financial security both to a state and a managing subject is connected with the relations in the sphere of taxation. In Ukraine the tendency of steady rise of taxation crime could be traced.

At the same time, the ignorant and ineffective minimization of tax payments has the negative influence on financial security of a managing subject that leads to the worsening of financial conditions of an enterprise and, in the long run, to its bankruptcy. As the managing subject is the basement of economy, the security not only on micro-, but also on macro-level depends on its effective development.

The reasons of this process could be explained by two main factors: the shortcoming of taxation planning system in the managing subject itself, and the illegitimate actions of inspectors, operative officials and investigators (unfounded institution of criminal proceedings concerning tax crimes, investigatory mistakes and miscarriage of justice).

**Analysis of publications.** The problems of interconnection between taxation planning realized at an enterprise, the influence of taxation planning on the security of a managing subject and a state could be regarded as the questions, which are insufficiently developed in the domestic economics. As the basic published works we should mention the research works of V.I. Avdiyskiy, I.A. Blank, A.V. Bryzgalin, Yu.V. Gruntsevskiy, E.V. Yevstigneyev, N.F. Zaviyalov, Sh.R. Kurmashev, I.I. Kutcherov, R.S. Meleshev, S.G. Pepelyayev, V.K. Senchagov, D.N. Tikhonov and others. Most of the authors, researching the issues of interconnection between financial security and taxation, examine only particular subjects, concerning the taxation as a factor of financial security of a state, and the influence of taxation risks on the security of a managing subject.

**The objective of the article** is to develop theoretical grounds and practical recommendation on concerning the usage of taxation planning as a way to ensure financial security of a managing subject and a state.

**Statement of principal material.** Taxes as a financial category play an important part in the development and functioning of a state and the subject of management. Due to its controversial nature, based on the confiscating a part of money supply from a taxpayer in favour of the state, the objective of the subject in fiscal relation often become exactly the opposite. The state, using the fiscal function of taxes, actively collects them, the taxpayers are eager to reduce the amount of tax obligations to be paid. This leads to the bifurcation of the interests.

Financial security could be defined as a part of economic security, which is connected with the ensuring of such development of financial system, financial relations and processes in the economy. They create necessary conditions of social, economic and financial stability in the development of a country, maintaining the integrity and unity in the financial system, successful overcoming of internal and external threats in financial sphere. In this connection, one of the most

important sides of the problem of economic security of a state is the condition of financial system, which include, side by side with currency and monetary system, crediting and banking system, stock market, budget and taxation system, which allows to separate fiscal segment in the system of financial security.

On the level of enterprise the category of financial security is most fully considered in the work of I.A.Galkin, who underlines, that this is a synthesized notion, which integrates essential characteristics of the categories “economic security of an enterprise” and “finances of an enterprise” [1]. Moreover, financial security is defined as a main element of economic security system, which represents the system of quantitative and qualitative parameters of enterprise’s financial conditions, reflecting the level of its financial safety.

A managing subject is financially secured, if there are no external and internal threats to the fact of its existence. These factors could be formed also in the sphere of taxation. Thus, the threats, connected with the bankruptcy of a managing subject, lead to the loss of its property (actives) in the result of embezzlements, bargains with unfair counteragents, fines for breaking the contract terms, fines for breaking the legislation, including fiscal and criminal, and the threats not to fulfill the obligations of an enterprise in a due term, which lead to the appearing of the arrears, including to budget.

The interests of a managing subject are constantly present in the system of bifurcation, or divarication [2]. That is why the instruments (tools), ensuring financial security of one group of managing subjects could become a threat to the other group. Thus, tax minimization in Ukraine is a serious threat for economic and financial security of the country, because it leads to the deterioration of fiscal discipline, cutting of taxation revenue and growth of the number of crimes in the sphere of taxation. At the same time, for an enterprise tax minimization is a way to get ‘tax economy’ and to raise the efficiency of the business [3].

Economic activities of an enterprise in the sphere of taxation is connected with high fiscal risks. In this view, in the system of financial security a complex of measures, directly aimed at financial security of a managing subject could be defined. It means the conditions of protection from internal and external dangers and threats in the sphere of taxation (tax risks). This complex of measures for prediction, evaluation, management of tax risks form the system of tax security of a managing subject and represents a constituent part of the whole system of financial security.

Tax risk is a possibility for a taxpayer to have financial and other losses, connected with the process of payment and optimization of taxes, expressed in a monetary equivalent. Optimization of taxes is a source of tax risk and it is a tax risk that composes the essential element of taxation planning.

Taxation planning is one of the most important constituent part of a managing subject in the conditions of market economy [4]. It means the planning of financial and productive activities of an enterprise aiming at reducing fiscal payments. It can be realized in two ways: legal (optimizational) and illegal (evading tax payments).

In the process of taxation planning depending on the chosen way of tax minimization, on the instruments of taxation planning and their correspondence to the legislation, the usage of tax minimization methods could lead to different consequences.

Illegal taxation planning, being tax crime, is a threat to the financial security of a state [5]. The undermine of economic and financial security of a state occurs as a result of receiving less budget income; inequality between managing subject, which contradicts the principles of market competition, and breaks the principles of social justice, because unreliable taxpayers transfer additional tax burden on those who regularly carry out the tax obligations.

At the same time, the efficient system of legal taxation planning at enterprises is a necessary condition of adaptation to an increased level of competition with foreign companies, stipulated by the growth of integration in the world community, therefore, the factor of ensuring both own financial security of a managing subject and the security of a state.

Besides, taxation planning realized by legal methods fulfills the function of preventing the fiscal crime and decreasing the number of crimes, in this way positively influencing on financial security of a country.

One more important aspect, interconnecting these categories, is predetermined by the fact that economic tools of taxation planning, fiscal knowledge and skills for its realization could be used to fight for evasion the tax payment, ensuring the security of a country. Using method tools of taxation planning in order to reveal and investigate tax crimes is an obligatory component in the process of disclosing illegal tax schemes, which increase the effectiveness of the struggle against illegal tax minimization.

Consideration of taxation planning from the point of view of systemic approach allows to represent the system of taxation planning as an element of a higher order, as a sub-system in the system of ensuring economic and financial security. Owing to this approach, the realization of taxation planning based on the principles, demanded by financial security, is a necessary and evident condition of effective development of a managing subject.

The taxation situation is the key essential element in the system of taxation planning. The taxation situation is a possibility to optimize tax payment, based upon the applying of fiscal legislation. These are the primary elements of taxation planning, which form a particular method of optimization. The real using of the taxation situation in the given conditions by a firm has an essential meaning for tax security of business.

Scientific and method provisions of taxation planning suggest that an efficient system of taxation planning should be built on the grounds of efficient method of minimizing the tax payments. Many specialists agree that in order to achieve an effect from optimization it is necessary to apply the whole complex of taxation planning instruments. This complex of methods used for taxation planning could be divided into three groups.

The first group consists of general (general cognitive) methods, not depending on the character of the conducted research (analysis and synthesis, induction and deduction, modeling and formalization, etc.). In the course of taxation planning the key moment in the research of all aspects of financial and productive activities of a managing subject, taking into account the external and internal environment of its functioning. Besides the direct search of a particular tax situation, the planning as a kind of scientific and practical activity, includes scheming, evaluation of tax risk, analysis of the result of scheme applying.

The second group of methods includes ways and methods of general appliance, which means methods, using in many areas of economic knowledge, not only in taxation planning. These methods include the following: method of documentary control, economic analysis, economic and mathematical modeling, statistic methods, etc.

The third group is represented by methods, applied exclusively in taxation planning, ways and methods of tax minimization (optimization or tax evasion), or, in other words, tools of taxation planning.

The description of particular methods and schemes of optimization is widely represented in many theoretical and practical publications and special literature. Among legal methods the most efficient are methods and ways connected with accounting policy (methods of tax admission, methods of charging extra amortization, methods of reserving, privileges and special regimes, methods of delaying tax payment, methods of privileges and /or tax-free territories (offshore).

Information provisions of taxation planning includes any information, necessary for management decision-making to optimize tax payments. It could be contained, firstly, in the documents of managing subjects, and secondly, in the normative legislative basis, which regulates its activity and form external environment. This element of taxation planning system defines the sources of information, which could include the data of fiscal, accounting and management spheres. It should be noted that taxation information is represented in the most complete way in tax accounting, because this kind of accounting is directly intended for the objectives of taxation.

Beside the data, which are contained in the documents of a company, normative legislative basis, containing legislation concerning taxation, accounting, currency, baking, customs, international agreements, is of great importance for taxation planning.

The algorithm of taxation planning at an enterprise defined the sequence of actions when organizing planning, its theoretical, methodical and information provisions, and direct order of using the methods of optimization.

Organization provisions of taxation planning suggests the approaches to taxation planning of a managing subject, the structure of organization and taxation planning, the questions of building-in this activity in general process of management of an enterprise.

The process of taxation planning, based on the principles of economic security, should pass through: 1) strategic and middle-term planning (development of a business plan), 2) preparation of agreements, 3) accounting, 4) taxation, 5) budget accounting, 6) risk management.

Each part of the process of taxation planning should include the elements of tax security, such as:

1 the system of preventive measures of organizational character (methods of prevention of tax risks) in the course of strategic planning, taxation and accounting;

2 the system of reserving means (methods of compensating the losses) and limiting of tax risks, in the course of budgeting and risk-management.

The process of taxation planning concerns also the risk management. Only some of main instruments of risk management could be applied for tax risks. In order to make the tax risk management more efficient, a managing subject is recommended to use the money means reserving.

The size of the reserves for neutralizing the consequences of tax risk depends on the level of risk, defined on the basis of expert evaluations, statistic methods and total amount of possible extra charge to the budget in case of revealing tax evasion (unpaid collections and taxes, penalties, fines, calculated from optimizing bargain).

The key moment in the process of taxation planning, taking into account the demands of economic and financial security is a distinct differentiation of legal and illegal methods of tax minimization, strict maintenance of taxation planning limits and factual corresponding to the conditions of tax situation [6]. Tax evasion is connected with high tax risks which really threaten to the financial security of a managing subject. Besides, the expenses on the taking stock and minimizing such risks together with possible losses level the gains obtained in the result of any tax saving. In this connection, the system of taxation planning should be built un the grounds of process-based approach, taking into consideration the demands of tax security.

**Conclusions.** The issues of interconnection between taxation planning and financial security allow in practical activity of taxpayer to refuse from illegal taxation planning and to use exclusively the methods of taxation optimization. Conducting measures of revealing, evaluation and minimization of tax risks ensures the safety of an enterprise from external and internal threats in the sphere of taxation. For a state, the interconnection of the given categories gives certain advantages when using methods of taxation planning in the ensuring of state financial security in the process of revealing and investigating of tax crimes.

In other words, such interdependence of the categories acts as a foundation for the development of such an approach to the ensuring of financial security of the whole state and a separate managing subject, when the objectives of these subjects of economic and financial security on macro- and micro-levels are in the state of bifurcation, but ceased to be cardinally opposite any more.

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