

JAN - MAR 2024

Vol. 64



# His Excellency Helal Saeed Almarri Director General, Department of Economy and Tourism, Dubai Chief Guest at the Kreston World & EMEA Conference held in Dubai



**His Excellency Helal Saeed Almarri** Director General, Department of Economy and Tourism, Dubai



Senior Manager - Consulting **Imperatives of New** 

**Pradeep Balakrishnan** 

**Age Corporate Business Planning** 



Ravishanker V Senior Manager - Taxation

**UAE Corporate Tax: Accounting Profits and Taxable Income** 



**Pushpakaran Parambath** Senior Partner Kreston Menon Corporate Services

**Expo City Dubai** [Expo City Free Zone] & **KEZAD Metal Park** 

Dubai's success is a result of the continuous, collaborative efforts between the public and private sectors. Together, we are working within a unified framework to realise the objectives of the Dubai Economic Agenda D33. Our focus is not only on maintaining the current momentum but also on further strengthening an environment that enables businesses to thrive. **99** 

# **EDITOR'S NOTE**



### **Greetings from Kreston Menon!**

At a time of geo-political headwinds, supply chain disruptions and economic uncertainties, the UAE continues to record steady growth in economy, business and tourism.

According to HE Abdulla bin Touq Al Marri, Minister of Economy of the UAE, the non-oil economy currently accounts for 73 per cent of the UAE's gross domestic product, which is a "historic first for the country". It is commendable that almost three quarters of the UAE economy is now driven by activities other than the hydrocarbons sector. The Minister also mentioned that health technology, agriculture, financial services and artificial intelligence have been identified as focus sectors to accelerate growth.

As per the latest government data, Dubai's economy expanded by an annual 3.3 per cent in the first nine

months of 2023, tourism and transportation sectors being the major contributors. The accommodation and food services industry surged by 11.1 per cent and the transportation sector by 10.9 per cent.

His Highness Sheikh Hamdan bin Mohammed Al Maktoum, Crown Prince of Dubai and Chairman of the Executive Council of Dubai, attributes this success to the harmonious collaboration among all of Dubai's economic stakeholders, including its public and private sectors.

Speaking at the Kreston World & EMEA Conference in Dubai, the Chief Guest H.E. Helal Saeed Almarri, Director General, Department of Economy and Tourism (DET Dubai), stated that Dubai's innovative "sandboxing approach" with forward-looking regulations facilitating the early adoption of disruptive tech in crucial sectors has been the main contributors to the growth story of the Emirate. This sustained growth is driven by initiatives such as the Dubai Economic Agenda 2033, Urban Planning 2040 and the Clean Energy Strategy 2050.

While the Emirate retains its position as the third top global leisure tourism destination, it also takes pride in being first in business tourism and health tourism as well as the largest hub for remote working.

In his article 'Imperatives of new age corporate business planning' Pradeep Balakrishnan, Senior Manager - Kreston ME Consulting, details the importance of embracing agility, data-driven decision-making, innovation, customer-centricity, sustainability and collaboration to stay relevant in an era of technological advancements, market disruptions and changing consumer preferences.

It is crucial for businesses to adhere to accounting standards accepted in the UAE to accurately determine their taxable income. In this edition of Kreston Menon News, Ravishankar, Senior Manager - Taxation, explains the provisions outlined in the UAE CT Law on proper treatment of adjustments such as unrealized gains or losses, exemptions, reliefs, and deductions.

My colleague and incorporation expert, Pushpakaran K Parambath showcases Expo City Dubai which is the latest addition to the array of Free Trade Zones in Dubai. The Free Zone is an integral part of Dubai 2040 Master Plan which emphasizes the need of sustainable development, greener and healthy communities. He also highlights the facilities offered by the recently launched Metal Park by KEZAD, which will have state-of-the-art facilities to support storage and handling, processing, and fabrication activities.

Kreston Menon reiterates our commitment to support investors to establish and thrive in the UAE by leveraging the vibrant business environment conducive to innovation, collaboration, and prosperity.





# Kreston World & EMEA Conference 2023: A Recap

Kreston World & EMEA Conference was hosted in Dubai, from December 4 to 7, 2023 at the JW Marriott Marquis. The first ever Kreston World Conference held in the Middle East, kicked off with an inspiring opening remark from Rich Howard - Chairman of the Kreston Board and address by Liza Robbins, Chief Executive of Kreston Global.

A captivating Fireside Chat unfolded at the inaugural session of the Kreston World & EMEA Conference 2023 featuring the Chief Guest, His Excellency Helal Saeed Almarri, Director General of the Dubai Department of Economy and Tourism. Kreston Members were assured of seamless support of Dubai Government for the expansion and investment plans of their clients during this dynamic conversation which was facilitated by Sudhir Kumar, Director of Kreston Global Board and Senior Partner at Kreston Menon.

Raju Menon addressed the delegates on behalf of Kreston Menon, the host firm of the conference. The interactive sessions of the conference revolved around the theme, 'The Kreston Way,' where member firms explored possibilities to collaborate to develop an international strategy for their firms to serve their clients better.

On the sidelines of the World Conference, Kreston facilitated the Kreston Middle East Conclave with leaders from Kreston Middle East firms set the tone for an incredible collaboration journey in the Middle East region. The essence of collaborative discussions at the conclave was to act as a single brand and service provider for their clients throughout the Middle East.

The conference brought together nearly 300 attendees of professionals, thought leaders, and innovators from the Kreston Global network. From insightful panel discussions to interactive workshops, every moment was an opportunity to share knowledge and expertise.



# Kreston World & EMEA Conference 2023 in Dubai















# **Kreston Middle East Conclave 2023**

Kreston Middle East Conclave was held at JW Marriott Marquis, Dubai on 3 December 2023. The agenda of the first inperson Kreston Middle East Group meeting was to discuss business opportunities and to identify possibilities for meaningful collaboration between the Middle East firms.

The event was addressed by Rich Howard – Chairman, Liza Robbins - Chief Executive, Virginia Cook - Chief Marketing Officer and Jenny Reed - Director of Quality and Professional Standards of Kreston Global. Kreston Board Directors pledged their support to the region and commended the synergy between the Kreston Middle East firms.

Kreston Global Regional Chairs expressed eagerness to collaborate with the Middle East firms to support the expansion and growth plans of their clients.







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#### **WHY PLAN?**

A boxing legend famously said, "Everyone has a plan until they get punched in the mouth." Covid-19 taught us that best drawn up corporate business plans do not protect businesses against all eventualities or guarantee business success. In fact, during the recent pandemic, businesses that committed significant resources to major projects according to well laid out plans without effective contingency planning, are the ones which got hit most. So, if plans are infallible, why plan at all? In fact, it is post pandemic that many large corporates have accelerated efforts to create more robust digital focused business plans that are strategically realigned to core priorities and integrated with scenario planning for risk mitigation. Words like agility, resilience, adaptability etc. are heard more commonly in board rooms post Covid. Obviously, corporate plans need to be all of that and more to be relevant in the ever-evolving business scenario.

# **PLAN VS PLANNING**

"In planning for battle, I have always found that plans are useless, but planning is indispensable." This, from a well known military strategist and former US president is so truly relevant in the current context. Plans are built upon premises and when they shift around, plans become irrelevant or unfit for purpose. There are corporates that undertake business planning as a yearly chore and treats it as a task with a clear start and end date. On the contrary, it is when continuous planning takes over the place of the annual cycle that true rewards from planning are derived.

Focus must be to foster an organisational culture which embraces business planning as an integral part of doing business.

#### **NINE PLAN IMPERATIVES TO BE FUTURE READY**

#### **AGILE AND FLEXIBLE**

One of the major challenges of a CFO is to keep corporate business plans relevant for whole of the plan period. This cannot be achieved with traditional rigid, long-term plans which were getting obsolete even before pandemic. Disruptive modern technologies, market shifts etc. mandate that plans be agile to accommodate them as they emerge and stay fit for purpose. Agile planning allows businesses to adjust strategies, allocate resources and seize opportunities swiftly, ensuring sustained relevance and competitiveness. Developing a culture that fosters flexibility will enable them to respond promptly to market shifts, emerging trends and unforeseen challenges. Business planning framework needs to provide for periodic reforecasting of business performance thus providing continuous visibility into the expected future performance. Further, budgets need to be prepared such that rephasing can be done as and when required.

# **DATA DRIVEN; TECHNOLOGY ENABLED**

With tools available for some time now such as big data, machine learning etc., corporate planning already leans heavily on data driven insights. As more use cases are created for Artificial intelligence and these get embedded into currently available tools, predictive models will get more impactful. Needless to mention, investments made to predict customer behaviour, demand patterns etc. would be a huge competitive advantage. This will facilitate optimising supply chains, improving efficiencies, minimising risks and foster innovation while driving sustainable growth and profitability. Harnessing the power of analytics, artificial

intelligence and machine learning, businesses can derive actionable intelligence from vast volumes of data and keep plans agile. It is critical to have relevant data to be available on demand for decision makers. Atomate repetitive tasks, improve communication and collaboration thus gaining insights from data. Investments in appropriate technology stack can help businesses to operate more efficiently, scale up and gain a competitive advantage.

# **CUSTOMER CENTRICITY**

Enough has been said about keeping customer at the centre of everything. While most of this might have been lip service in the past, customer centricity has become an imperative. With digital aggregators creating virtual marketplaces out of every imaginable segment, choice available for customers have burgeoned and loyalty as we knew it is a thing of the past. Further, constantly evolving customer preferences are reshaping markets and industries. Varying demographics and shifting purchasing power trends in different geographies pose interesting challenges to businesses. With verticals getting disrupted one after the other with digital technologies, customers are getting used to and increasingly demand omni channel engagement. Harness customer data and feedback at all touch points to anticipate customer needs and stay ahead of competition. Corporate planning must embed this understanding and cater to the modern consumer's preferences.

#### **COLLABORATIVE PLANNING**

In a hyperconnected world, collaboration is key to success. New age corporate planning emphasizes the importance of forging strategic partnerships, alliances and ecosystems. By collaborating with external stakeholders, including suppliers, distributors and even competitors, companies can access complementary resources, expertise and market reach. Strategic partnerships enable corporations to innovate faster, enter new markets and create value for stakeholders. Since traditional organizational structures hinder agility, creating cross-functional teams, encouraging collaboration and breaking down silos between departments is the key. While breaking down silos require persistence, corporates need to encourage internal knowledge sharing, use digital tools for collaboration and communication thus fostering collaboration and shared goals.

#### PROFIT VS PURPOSE- THE BALANCING ACT

Profitability is essential, but purpose matters too. Imperatives of new age corporate business planning extend beyond financial metrics to encompass sustainability and CSR. In an era marked by heightened environmental awareness and social consciousness, businesses are increasingly expected to operate responsibly. Integrating sustainability goals into corporate planning not only mitigates environmental impact but also enhances brand reputation, attracts socially conscious consumers, talent and mitigates regulatory risks. Embracing CSR as a core component of business strategy is not just a moral imperative but also a strategic necessity in the new age. Corporate structures for goal setting, achievement and reward systems need to incorporate ESG elements as well.

#### SPEED AND SIMPLICITY

The pace of change also demands agility. Simplify

processes, reduce bureaucracy and empower employees to act swiftly. Prioritize speed over perfection does help. Flatter organisation structures manage culture change faster with seamless communication. Streamline and simplify processes by identifying bottlenecks and unnecessary steps. Encourage a culture of experimentation and risk-taking.

# **ANTICIPATE AND ADAPT TO DISRUPTIONS**

The next normal will bring both challenges and opportunities. Be proactive in identifying trends and adapting your business model. Constant monitoring of industry trends, technological advancements and market shifts is required to anticipate disruptions. Flexibility and adaptability against disruptions are critical to be built into plans. Business continuity planning needs to be an integral part of corporate business plans providing scenario planning to address potential disruptions.

# ATTRACT, RETAIN, UPSKILL THE RIGHT TALENT

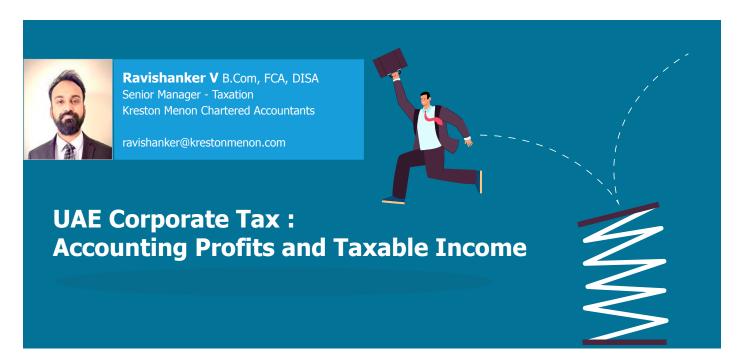
Attracting and retaining skilled finance talent ranks high among CFO priorities. Identify skill gaps within your workforce, offer training programs and mentorship and encourage employees to learn continuously and adapt to changing roles. Invest in Talent Development and Reskilling programs. Finance team needs to partner with business leaders to confirm their understanding of various business drivers, trends, KPIs etc. and share actionable business intelligence to assist in achieving plan targets.

#### **EMBRACE CONTINUOUS LEARNING & INNOVATION**

Establish a culture within the organisation for continuous learning and innovation. Setting up cross-functional innovation teams to explore new ideas and technologies will scale up organisational ability to learn and innovate. Encourage experimentation, celebrate failures as learning opportunities and seek innovative ideas from diverse sources. This culture is an essential foundation for business resilience and adaptability.

#### **TO CONCLUDE**

Amidst technological advancements, market disruptions changing consumer preferences, traditional approaches to corporate business planning are being disrupted and redefined. Embracing agility, driven decision-making, innovation, customer-centricity, sustainability and collaboration among others are essential for staying competitive and relevant in today's dynamic business environment. Fundamental shift in approach and mindset is required to internalise the imperatives of new age corporate business planning. By embracing these imperatives, companies can chart a course towards longterm success, resilience and prosperity in the new age of corporate planning. These imperatives are not standalone actions but interconnected principles. While quantifying the impact of these imperatives can be complex, relevant KPIs can be developed to track progress consistently. Involve your leadership team, communicate the vision and engage employees at all levels. Regularly assess progress and adjust your strategies as needed. Remember that challenges are opportunities for growth. Use expert advice, address challenges systematically, involve stakeholders and celebrate small victories along the way.



While the fundamental aim of measuring profit aligns across commercial accounting practices and tax regulations, different countries apply distinct tax and accounting rules. Some nations closely link accounting income with taxable income, while others have self-contained tax laws. In the UAE, accounting net profit forms the basis for determining taxable income for corporate tax purposes. The UAE Corporate Tax Law ('UAE CT Law') provides that the Taxable Income of each Taxable Person shall be determined separately, on the basis of properly prepared, standalone Financial Statements for financial reporting purposes in accordance with the Accounting Standards accepted in the UAE for Corporate Tax purposes.

# **Accounting Standards and Accounting Profit**

Accounting profit, also known as financial profit or bookkeeping profit, represents a Company's net income derived from its operational and non-operational activities. It is calculated by subtracting total expenses from total revenue and serves as a key metric for assessing profitability and comparing financial health with industry peers.

#### **Accounting Standards**

According to Article 20(1) of the UAE CT Law, Taxable Persons are obligated to prepare financial statements in compliance with the applicable accounting standards within the country. As International Financial Reporting Standards (IFRS) are in effect in the UAE, taxable persons must adhere to IFRS guidelines for their financial reporting. Ministerial Decision No. 114 of 2023 specifies that the only Accounting Standards accepted in the UAE for Corporate Tax purposes are the International Financial Reporting Standards ("IFRS") and the International Financial Reporting Standard for Small and Mediumsized Entities ("IFRS for SMEs"). Taxable Persons may use IFRS for SMEs if they derive Revenue not exceeding AED 50,000,000 in a Tax Period.

#### **Basis of accounting**

IFRS stipulates that financial statements should be prepared using the accrual basis of accounting. However, Article 20(5)(a) authorizes the Minister to establish circumstances

and conditions under which financial statements may be prepared using the cash basis of accounting. Taxable Persons can apply to the Federal Tax Authority (FTA) for transitioning from accrual basis to cash basis accounting. Upon approval by the FTA, these changes will take effect from the commencement of the tax period in which the application is submitted or from a future tax period.

In accordance with Article (2) of Ministerial decision No. 114 of 2023, a Taxable Person may prepare Financial Statements using the Cash Basis of Accounting if:

- Their Revenue does not exceed AED 3 million within the relevant Tax Period; or
- In exceptional circumstances and pursuant to an application submitted by the Taxable Person to the FTA.

# **Audited financial statements**

Ministerial Decision No. 82 of 2023 has been published specifying that a Taxable Person deriving Revenue exceeding AED 50,000,000 (Fifty Million United Arab Emirates Dirhams) during the relevant Tax Period as well as a Qualifying Free Zone Person shall prepare and maintain audited financial statements.

# **Relief for Small Businesses**

Article 21 of the UAE CT Law offers tax relief for small businesses, allowing tax resident entities with Revenue not exceeding AED 3,000,000 in a relevant Tax Period and all previous Tax Periods that end on or before 31 December 2026 to elect for Small Business Relief thereby deeming that the entity has not derived any taxable income.

#### **Adjustments to accounting profits**

As per Article 20 of the UAE CT Law, the Taxable Income for the tax period is the net profit or loss reported in the financial statements, after making adjustments as necessary, for the following items:

#### **Unrealized gains or losses**

Taxable Persons who prepare their financial statements on an accrual basis will have an option to avail realisation basis treatment of unrealized accounting gains or losses for tax computation. If the Taxable Person decides to avail the benefit of taxing unrealised gains and losses on realisation basis, they are obliged to choose between the following options:

Option 1 - the taxpayer can elect to recognize gains and losses for all assets and liabilities only when they are realized.

Option 2 - the taxpayer can elect for the realization basis to apply only to assets and liabilities held on capital account. Gains and losses on other assets and liabilities would be included in taxable income on a current basis.

#### **Exempt Income**

Exempt income under Article 22 encompasses dividends, qualified participation relief dividends, select foreign permanent establishment income, and specific non-resident income related to operating ships and aircraft.

# **Qualifying Group Exemptions**

No gain or loss needs to be considered in determining the Taxable Income in relation to the transfer of one or more assets or liabilities between two Taxable Persons that are members of the same Qualifying Group i.e two or more Taxable Persons who satisfy specified conditions including, but not limited to, common shareholding of 75%.

# **Business Restructuring Relief**

No gain or loss needs to be taken into account in determining Taxable Income in relation to business restructuring transactions, subject to specified conditions.

# **General expenditure deduction**

In accordance with Article 28, Expenditure incurred wholly and exclusively for the purposes of the Taxable Person's Business that is not capital in nature shall be deductible in the Tax Period in which it is incurred, subject to the provisions of this Decree-Law. Accordingly, the Taxable

Person needs to ensure that the expenditure is carefully evaluated to ensure the business purpose of such expenditure and the capital or revenue nature thereof. Further, if any expenditure serves multiple purposes, a deduction is allowed for the identified business purpose of such expenditure or a reasonable portion of such expenditure determined based on a fair and reasonable basis.

### Interest expenditure

The general interest deduction limitation rule, according to Article 30, restricts interest expenditure deduction to 30% of Earnings Before Interest, Tax, Depreciation, and Amortization (EBITDA). This limitation doesn't apply to banks, certain financial institutions, insurance businesses, and individuals. Ministerial Decision No. 126 of 2023 further extends the exemption from this rule to Taxable Persons whose Net Interest Expenditure does not exceed AED 12,000,000 (Twelve Million Dirhams)

Article 31 also prescribes specific non-deduction for interest expenditure on loan obtained from Related Parties, used for certain specific purposes laid down in the UAE CT Law.

#### **Entertainment expenditure**

Article 32 lays down special rules governing entertainment expenses, limiting deductions to 50% of the cost. These expenses encompass spending for entertaining customers, shareholders, suppliers, or business partners, including meals, accommodation, transportation, admission fees, facilities, equipment, and other expenses of similar nature.

#### Non-deductible expenditure

Article 33 specifies expenditure that are not deductible for the purposes of computation of Taxable Income. This includes:

Fines, penalties, and Donations, grants, other amounts awarded and gifts to Bribes or other as compensation for non-qualifying illicit payments damages or breach of entities contract Dividends, share of profits Payments to a natural Corporate person who is a Taxable or benefits of similar Person or a partner in an Tax payable nature paid to the owner unincorporated partnership of the Taxable Person Any other expenditure Recoverable Value Tax levied outside as specified in Cabinet Added Tax the UAE **Decisions** 

# Transactions with Related Parties and Connected Persons

Article 34 of the UAE CT Law stipulates that transactions and arrangements between Related Parties must meet the arm's length standard. Further, Article 36 of the UAE CT Law specifies that a payment or benefit provided by a Taxable Person to its Connected Person shall be deductible only if and to the extent the payment or benefit corresponds with the Market Value of the service, benefit or otherwise provided by the Connected Person and is incurred wholly and exclusively for the purposes of the Taxable Person's Business.

Accordingly, necessary adjustments may have to be made to the taxable income if the transactions with related parties and connected persons are not carried out in line with the Arm's Length Principle.

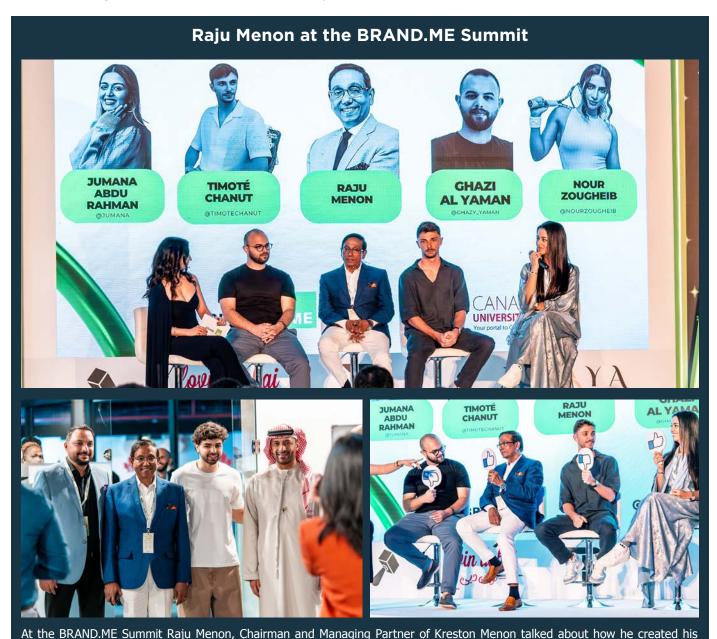
#### Loss relief

Chapter 11 of the UAE CT Law specifies that a Tax Loss can be offset against the Taxable Income of subsequent

Tax Periods to arrive at the Taxable Income for those subsequent Tax Periods. Specific rules have been made in relation to conditions to be satisfied for such set off and transfer of losses within the group.

#### **Conclusion**

In conclusion, adherence to accounting standards accepted in the UAE is crucial for businesses to accurately determine their taxable income. While there may be differences between commercial accounting practices and tax rules globally, the UAE aims for alignment to international standards, promoting efficiency and reducing compliance costs. Understanding the provisions outlined in the UAE CT Law ensures proper treatment of adjustments such as unrealized gains or losses, exemptions, reliefs, and deductions. Additionally, the flexibility provided for changes in accounting methods underscores the importance of compliance with the law over conflicting accounting standards.



brand, Kreston Menon and how the corporate brand enhanced his personal brand. A snapshot from the panel discussion on the Importance of Personal Branding moderated by Nour Zoucheib with panelists Raju Menon, Jumana Rahman, Timote Chanut, and Ghazi Al Yaman.





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#### **Expo City Dubai [Expo City Free Zone]**

Expo City Dubai is the latest addition to the array of Free Trade Zones in Dubai. The City was granted its free zone status in June 2022 through an official decree and resolutions. The Free Zone is an integral part of Dubai 2040 Master Plan which emphasizes the need of sustainable development, greener and healthy communities. Located at the Expo 2020 venue, it symbolizes the spirit of innovation and global collaboration. It is a people centric city of the future committed. Expo City is not just a hub for business but also boasts infrastructure that supports world-class events, making it an attractive destination for global entrepreneurs.

# Free zone offers the following licenses to potential investors

- Commercial License specific activity(s)
- General Trading License
- Freelance Permit
- Holding Company License
- Industrial License
- Logistics License
- Service License

#### **Infrastructure**

Expo City Dubai is a dynamic free zone, driving business growth by enabling entities to work smarter, faster, and efficiently.

#### **Available infrastructure includes**

- 135,000 sqm+ grade A office spaces
- Designed with efficient and flexible floor plans.
- Space available from 92 sqm to large bespok requirements
- LEED Platinum and Gold certified buildings
- Unique views of Expo landmarks

ECD offers clients a tailored and agile approach to setting up business within the City, ensuring an enjoyable and seamless client experience. Once registered, clients will be provided with fully integrated access to all Government and ECD Free Zone services both virtually through the Expo City Dubai Portal and physically through the Client Relations Centre located within the Expo City Sustainability District.

#### **KEZAD Introduces new Metal Park**

Covering a total land area of 450,000 square meters, the park will have state-of-the-art facilities to support storage and handling, processing, and fabrication activities. The prime objective of this initiative is to create a revolutionary industrial city specifically for metal business to optimize operational costs. Metal Park will be equipped with state-of-the-art facilities to support storage and handling, processing, and fabrication activities, in addition to offering access to research and development amenities, rental office space, and associated financial services all in one location. In addition to industry-related infrastructure, the upcoming Metal Park will offer customers a unique solution featuring production planning capabilities, easy entry, and exit policies, and access to finance and human resources services.

#### **Support initiatives in the Park**

Steel Processing - located in KEZAD mainland, service providers can leverage 48,000 sqm metal processing space to provide efficient, reliable, and cost-effective services to their clients.

Warehousing & Logistics - 500,000 MT indoor and outdoor storage within mainland and free-zone with access to Abu Dhabi Port, Etihad railway and Emirates Bypass Road.

Fabrication Center - with total of 100 fabrication centres (indoor & outdoor) located in UAE mainland, the fabrication members can serve the steel industry in an efficient way.

Support Services - Whilst members focus on providing service & products to their customers, Metal Park provides members with labour, maintenance, laboratory, packing plus much more.

# **KRESTON GLOBAL BOARD MEETING**

Held at Kreston Menon HQ, Dubai











# How we help?

- ☑ Obtain external approvals
- ☑ Identify your business activity & jurisdictions
- ☑ Drafting MOA & notarization
- ✓ Selection of ... appropriate legal structure
- ☑ Obtain tenancy contract & bank account opening
- ☑ Documents processing
- Approval process and obtain trade license

# Your **PARTNER** to the **FUTURE**

CORPORATE SERVICES

#### **BUSINESS SETUP**

**UAE Mainland** Freezones Offshore Foreign Jurisdictions

#### **POST INCORPORATION**

Retainership Services Re-Structuring Re-Domiciliation Trademark Registration



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