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# Checking the Russian counterparty before the transaction

In Russia, on the participant of legal relations is entrusted serious risks associated with the manifestation of due diligence and prudence, which are often a condition for the subsequent protection of rights before state bodies and courts, including in disputing transactions.

## When it is necessary to collection of actual information on the counterparty?

- before the transaction is concluded;
- before deciding on corporate participation;
- when choosing ways to protect their rights and interests.

Traditionally, it is necessary to check the legal capacity of the company, as well as markers, which may indicate the reliability of the counterparty or the doubtfulness of the deal with it.

## Verification of the legal capacity of the company

- checking of the powers of the director and other management - whether they are included in the register of disqualified persons, are not included in the list of "mass directors";
- checking the personal bankruptcy of managers;
- the existence of a procedure to exclude a person from the register by the registration authority;
- bans of the court and other authorities to commit acts and other facts.

## Verification of company reliability

- Corporate history. The time and place of the creation of the company, the changes in regions, the use of "mass registration" addresses, the history of reorganization and the change of participants in the company - all of this can tell a lot.
- Financial indicators. If the organization complies with reporting obligations, it is possible to understand its financial position, solvency, and tax burden (an important indicator when Russian tax authorities decide to conduct a tax audit).
- Conflict history. To date, with a high degree of reliability, it is possible to establish a list of litigation involving the company.
- Executive proceedings against the company. Analysis is subject to the stage and nature of penalties, the period of the debt and its size, as well as the dynamics of performance of the claims presented to the company.
- Participation in public procurement and tenders can positively characterize the counterparty, as often the condition for participation in such auctions are certain indicators of business stability.
- Mention in the media.

Various state and non-state information services enable Usconsalt (an associated office of GRATA International in Novosibirsk) to obtain information about the reliability of the counterparty without requesting documents from him.

#### **What we use:**

Contur.Focus (paid resource) - allows you to check the corporate history, interdependence of individuals, financial indicators, bankruptcy, enforcement proceedings and much more.

Casebook (paid resource) - analogue Contur.Focus.

Kad.arbitr - with the help of the files of arbitration cases it is possible to trace the whole history of judicial conflicts with the participation of organizations, allows you to check the bankruptcy of companies and individuals.

Caselook - system for the analysis of judicial practice in the cases of arbitration courts and courts of general jurisdiction.

USRLE and other registers of the Federal Tax Service - allow to verify the legal capacity of the company, to obtain the statutory documents of the company.

Data bank of executive production and the Register of Investigation for Executive Proceedings.

Bulletin of state registration - verification of reports on the reorganization and liquidation of companies.

EFRSB - information on procedural actions in the conduct of bankruptcy proceedings and tenders for the sale of the debtor's property.

Zakupki.gov - information about conducting tenders and state purchases.

EGRN - register of registered rights to immovable property and encumbrances on it.

As a result of the conclusion on the verification of the counterparty, you will receive a dossier on the company and reasoned conclusions about whether to enter into a contractual (or partnership) relationship with it or seek alternative options, and possibly take additional measures to protect your business interests, such as: advance payment, securing obligations in various ways or obtaining other possible guarantees.

*Analysts of Usconsalt (associate office of GRATA International in Novosibirsk) will help to identify all the "markers" and determine their significance.*

## **Байршил**

