



B Lab Statement on RDJ LLP's B Corp Certification

B Lab's independent Standards Advisory Council has rendered the following decision and guidance regarding eligibility for B Corp Certification for companies providing tax advisory services:

"Companies in the tax advisory industry are eligible for B Corp Certification if they are able to confirm that their tax philosophy, used to provide services and recommendations to clients, aligns with the company specific principles listed in B Lab's framework, specifically, 1) the tax advice provided appropriately reflects the actual amount of income generated by the client over time; and, 2) the tax advice provided to a client for a jurisdiction appropriately reflects the actual operations of the client in that jurisdiction."

RDJ LLP is required to disclose a summary of how it complies with the above requirements as a part of its B Corp Certification. For more information on the review process, please refer to B Lab's position statement on Companies that Provide Tax Advisory Services and B Corp Certification [here](#).

Summary of Company

RDJ is a leading corporate law firm located in Ireland that works with SME, MNE, Local and International clients. 5.1% of the firm's revenue is from Tax Advisory services of which 70% of that revenue is from tax advisory services provided to companies. The majority of the tax advisory work is to medium size Irish firms and their owners in relation to their domestic tax affairs. RDJ follows Law Society of Ireland rules and procedures for assessing and onboarding any potential new client, including Anti-Money Laundering procedures, Proof of ID, Proof of Address, checking International Sanction Lists, etc. Such procedures are subject to an annual audit by an independent body. The company's fee structure is charged on a per hour basis with an agreed upon rate with the client. In addition, the fees may be based on a fixed fee for an agreed scope of work, therefore, fees are not linked to the amount of tax which might be saved.

RDJ's Policies and Practices

In alignment with the requirements and principles stated in B Lab's position statement for companies that provide tax advisory services, RDJ has a philosophy statement for the tax advice that they provide to their clients and their own engagement with governments and tax regulators, which has been shared with all their employees. The philosophy statement reads as follows:



RDJ's Tax Philosophy Statement

RDJ's tax philosophy is to provide tax advisory services for its clients that fully comply with the regulations of the Law Society of Ireland and the Irish Tax Institute's Professional Code of Conduct. As part of that commitment and in recognition of the role that taxes play in an equitable and just society, RDJ uses its professional judgment to provide advice regarding tax positions with multiple potential interpretations, that accurately reflects the income and operations of the client in Ireland. RDJ does not advise clients to take a tax position unless it has a reasonable basis for being sustained and accepted by the Irish Revenue Commissioners. Should a client take a tax position contrary to this advice, RDJ reserves the right to cease working for the client. In accordance with this philosophy, RDJ will engage with the Law Society of Ireland, Irish Tax Institute and the Revenue Commissioners, on a collaborative basis and will limit our advocacy activities with these bodies to:

- *Working for specific clients in need of regulatory compliance assistance*
- *Serving as members of industry representative bodies which engage with said bodies, such as the Tax Administration Liaison Committee, the taxation committee of the American Chamber of Commerce in Ireland, etc.*

RDJ maintains compliance with this policy through regular training with its staff and partners and as part of the annual review process of all related documentations, related to the Q9000 quality audit process



Company policies and practices for risk mitigation

The tax team at RDJ currently consists of five members, three of which are senior partners who frequently discuss and share information on (i) client acceptance policies and (ii) the nature of advice provided by the team. The team has a strict policy of not promoting aggressive tax planning schemes and has no history of devising such schemes. The RDJ tax team also monitors its duties under the Mandatory Disclosure Regime which places an obligation on promoters, marketers and users of 'disclosable transactions' to notify the Revenue about such transactions. A 'discloseable transaction' is any transaction not specifically excluded by the legislation that meets all of the following conditions:

- It may result in a person receiving a tax advantage
- The tax advantage is, or might be expected to be, one of the main benefits of the transaction.
- And the transaction matches any one of the specified descriptions set out in the legislation.

The team is committed to disclosing to the Revenue Commissioners if any activity undertaken for a client qualifies for such mandatory disclosure. In an effort to prevent potential conflicts of interests, RDJ has a Client Care and File Management policy which outlines best practices for these situations.

In addition to the company's internal policies, the RDJ tax team are members of the Irish Tax Institute. The standards with which a member is expected to comply includes policies on Tax Evasion, Conflict of Interest, Regulatory and Reporting Obligations and more which is further explained in the [Irish Tax Institute's Code of Professional Conduct](#) document. The company also abides by the [Law Society's rules on professional conduct](#).

The firm's activities, including the tax teams, are subject to two types of external audit:

- An annual audit as part of the Q9000 quality mark to ensure that all activities are fully compliant with Law Society rules and regulations.
- An audit by the Law Society itself every 3-4 years to monitor compliance.



Government affairs and lobbying

As previously mentioned, the RDJ tax team are members of the Irish Tax Institute which holds members to standards related to Tax Evasion, Conflict of Interest, Regulatory and Reporting Obligations. RDJ employees do not engage directly with lobbying for reforming/developing tax legislation. However, the following RDJ employees from the tax team are involved with professional bodies that carry out representative work on behalf of their members:

- Mark Barrett is a member and past chairman of Main TALC (the “Tax Administration Liaison Committee” between Revenue and professional accountancy bodies, the Law Society and The Irish Tax Institute). Mark Barrett is also a member of the tax committee of the American Chamber of Commerce Ireland.
- Mark Ludlow is a member of TALC Audit (via the ITI).
- John Cuddigan is a member of TALC Technical (via The Law Society).

RDJ has never faced any litigation or penalties by any Government agencies in their country of operation for tax advisory services. All activities are conducted to ensure they are in compliance with all rules and regulations of the Law Society and Institute of Taxation in Ireland.

B Lab’s Public Complaints Process

Any party may submit a complaint about a current B Corp through [B Lab's Public Complaint Process](#). Grounds for complaint include:

1. Intentional misrepresentation of practices, policies, and/or claimed outcomes during the [certification process](#), or
2. Breach of the core values articulated in our [Declaration of Interdependence](#) within the B Corp Community.