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**Consultancy Activities in the Management of
Economic Entities in Romania**

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Abstract: The management activity of an entity is a planned activity, precalculated and which concerns both the immediate and long- term economic processes. The latter lead to the extensive development of the entity. Within the managerial process, in which the economic- financial forecasts play an important role, we distinguish with priority the activities of organization and planning of the economic- financial activity of the entities. In order to achieve the proposed goals, an important role is played by the consulting activity, structured on various fields of specialization and expertise. In this way we meet technical consultants on various engineering specialties, tax consultants for the environment subject to taxes and taxes due to the state budget and not only, explaining the financial- fiscal legislation, applying the tax code and related laws. long-term, while certain specialties can be met only in certain phases of the management process. Let's not forget that the financial activity of the entities also depends on the formation of the Consolidated State Budget. Another important activity in the managerial activity, is the activity of the auditors, both internal and financial, who through their expertise and through the expertise of the different internal processes of the entity, can advise and guide the managers in the decision-making process.

Keywords: consulting; expertise; management; planning; taxes

The term management comes from the Latin- “manum agere- to lead by hand” and is “the art of doing something with other people” (according to the definition given by Mary Follett).

Another definition of management, still relevant today, we find in Frederick W. Taylor who in his book “Shop Management” published in 1903, defined it as follows: “to know exactly what people want to do and you he watched, so that they could do it in the best and cheapest way.”

Henri Fayol in his article “Administration Industrielle et Generale”, published in 1916, identifies five main functions of management:

1. planning;
2. organizing;
3. imposing;
4. coordination;
5. control.

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In this article he identifies 14 basic principles of management, many of them being relevant, among which we mention:

- division of work;
- authority and responsibility;
- discipline;
- remuneration;
- command;
- equity;
- initiative;
- team spirit;
- etc.

Management as a science means “studying the management process in order to systematize and generalize concepts, laws, principles, rules, the design of new systems, methods and techniques to contribute to increasing the efficiency of activities to achieve objectives”

From a functional point of view, the term management implies an activity, a process or an action. At the same time, the term means all current actions regarding the management and administration of entities and which implies the existence of a group of people targeting organizational actions and / or leadership.

Management is the organizational function that can lead to the efficient conduct of all activities and which aims to obtain maximum results using the best available resources.

Mainly, a manager has the following resources:

- time;
- talent;
- economic- financial resources;
- umane.

In short, the manager is the person whose main activity is to carry out the managerial process.

We currently distinguish the following management functions:

- forecast, which represents the totality of the actions used in establishing the targets that the entity must reach, both in the short term and in the medium and long term.
- organizing, which represents the totality of the actions that make up the leader and led systems, as well as the system of connections between them.
- coordination, which represents the totality of the processes through which they are put in agreement, the decisions of the manager and the actions of the subordinated personnel, using the communication as a concrete way of accomplishing this function.
- training, which represents the totality of managerial actions having the role of influencing the way of working of the subordinates, in order to reach the proposed goal and to cover the needs that motivate them.
- of control- evaluation, which represents the totality of the actions through which are evaluated operatively and postoperatively, the results of the entity, of its internal connections as well as of each employee. to these deviations. The classification and especially the non- compliance with the norms, norms and standards applicable to the respective field are studied.

Managers are put in the situation to manage various activities, economic, technological or other processes and each of them has its specifics. As the manager, whether general or not, cannot have all the knowledge in all the fields necessary for the assumed objective, he is put in the situation to call on specialists in these fields. They can be both employees of the entity and external collaborators. to advise the manager, to offer his own expertise, on his own segment of activity, so that the decisions appropriate to the proposed goal can be made. Most of the times, the expertise of various specialists in unrelated fields of activity are intertwined.

Technological projects require technical expertise in the field of engineering. They are thus considered, for example, design and execution activities, compliance with various technical norms and regulations, analysis of the composition of raw materials, materials, semi- finished products or finished products. evaluated their physico- chemical qualities, properties regarding the resistance of materials, behavior to the action of external or internal forces, resistance to compression, boiling or combustion point. Explanation of the various phases of design and execution and the list can go on.

The need to consult specialists on technical engineering issues may be necessary both before the start of a project and during its execution or after its completion. For example, the design, execution and operation of a technical installation involves the provision of data to the manager in order to make certain decisions. The manager is the one who combines both data and information from the “technical part” of the project and and those, say economic, or otherwise, and organize on the basis of a plan the achievement of the set goal.

Of course, a very important part of a project is the beginning part, the research phase or in other words the phase in which the feasibility study of the respective project is ordered. In this phase are consulted both technical specialists and engineers of different specialties, as well as and specialists in the economic field, for example, accounting experts, tax consultants, legal advisers and so on.

The sustainability of a project presupposes the anticipated knowledge of all the fixed costs and the most accurate anticipation of the variable ones

The category of fixed costs also includes the expenditure with the salaries of the directly productive workers and implicitly of the afferent salary taxes- considering the fiscal stability during the reference period. which can have it in the final costs of the finished product, are of great significance. In this sense, an important role is played by tax consultants and accounting experts.

Tax consultants, as specialists, offer specialized, complete, individualized services, based on the data and facts that they find and understand themselves, while verifying them and thus offering specific and solidly argued solutions for each situation.

One of the activities that tax consultants can carry out is the certification of taxpayers’ tax returns. This certification is done in accordance with og 71/2001 and in compliance with the norms and regulations issued by the Romanian Chamber of Tax Consultants. At the same time, tax consultants can prepare, at the request of the interested persons (natural and legal persons) various fiscal expertise, in order to establish the reality and legality of the fiscal obligations, and in case there are fiscal divergences between the economic entity and various state institutions (ANAF, MFP, POLICE, PARQUET, etc.) they can represent the entity, providing all the necessary specialized assistance.

Regarding the activity of fiscal consultants, we should mention that the judicial and extrajudicial expertise, required by state institutions, are subject to the procedures provided by the code of civil procedure, the code of criminal procedure, Government Ordinance no. 2/2000 on the organization of judicial and extrajudicial technical expertise, approved by law 156/2002, with subsequent amendments

and completions. The certification of fiscal declarations, besides the fact that it leads to the reduction of fiscal risk, offers to the associates, respectively to the shareholders, an extra security regarding the fiscal debt, to the security of the tax obligations within the provisions of the law. This guarantee allows adequate decisions to be made. functioning of the entity.

One of the indissoluble fields of taxation is the field of accounting. In this sense, the relationship between taxation and accounting is one of reciprocity. Taxes, of whatever nature, are highlighted in accounting, by registering them on liability accounts, and the calculation of these taxes, their amount and legality belong to the taxation.

The field of accounting is especially the prerogative of **expert accountants and certified accountants**. Accounting is a vast field, with specific rules, norms and laws. The inclusion within these accounting laws and their application norms, of the applicable and of course personalized accounting policies, as well as of other provisions with national and international character and incidence, represents the object of activity of the expert accountants and of the authorized accountants. , professional and personalized, offered by them are of real use, both to management and to the entity as a whole.

It should be noted that the activity of accounting experts and certified accountants is under the supervision and guidance of the Body of Expert Accountants and Certified Accountants of Romania (CECCAR) and is provided by Government Ordinance 65/1994, which refers to the organization of accounting expertise and certified accountants.

It is worth noting that more and more accounting experts become tax consultants, respectively judicial tax experts. They thus have a double competence, and the advice provided in these conditions is of the highest class.

Internal auditors. The internal audit activity is a regulated activity both internationally, through the International Standards for the Professional Practice of Internal Audit (Internal Audit Standards) by IIA (Institute of Internal Auditors), and nationally, in this sense an important role having CAFR (Romanian Chamber of Financial Auditors).

Among the objectives of the internal auditors, we mention:

- improving the managerial process;
- evaluation of risk management;
- evaluation of the effectiveness of the internal control activity;
- counseling activities.

About the internal audit activity, it can be stated that it represents a control of controls, and this is an activity of analysis, diagnosis and evaluation of internal activities based on the analysis of existing risks in the entity, being a real support for the entity's management. of such attempts.

The internal auditors offer professional solutions for the improvement of the internal control, so that the management can take the most adequate decisions, in order to fulfill the assumed objectives. For this purpose, the auditor has at his disposal the professional standards in the field.

The assistance and consultancy offered by the internal auditors is addressed both to the entity's management and to its entire staff, in order to minimize the risks associated with complying with the basic norms and regulations or related to the effectiveness of the entity's object of activity.

The need to benefit from the specialized assistance of internal auditors is more pressing if there are suspicions of fraud of the entity or disappearance of some assets or parts thereof. In other words, the main objective of the internal auditor is to help the entity to perfect its own risk management system.

It should be mentioned that the audit missions that have as objective the granting of consultancy, are carried out according to the “Internal Audit Charter” and can be of the following types:

- formal;
- informal;
- special.

All missions must be carried out in accordance with International Standards on Internal Auditing.

Financial auditors. A financial audit provides a high level of assurance independent of an organization’s financial position and results. Shareholders and external users will be assured that the financial statements are presented correctly, providing a true, clear and complete picture of the organization’s performance.

The financial accounting audit consists in collecting audit evidence regarding the financial statements of an entity and in using this evidence to assess their compliance with the pre- established criteria.

The financial audit is performed by competent, independent professionals, authorized in this regard and who are called upon to provide reasonable assurance on the financial statements with pre-established criteria. This assurance is provided to information users through an opinion expressed in the audit reports.

The financial auditor’s opinion shows whether the financial statements are presented correctly in all material respects and whether they provide a true and fair view in accordance with the reporting framework.

Because during the audit tests are also tested the internal controls, the information provided to the manager is an additional guarantee that things work in the desired parameters, in the respective entity.

The final stage of an audit and assurance mission ends with the audit report, which presents the final conclusions, obtained as a result of careful and responsible examination of the financial information of an entity, a report that proves to be so useful to beneficiaries’ financial statements.

The financial audit activity is a complex activity, having its own standards and norms, with well-established objectives. Among the norms - national and international- that govern the financial audit activity, we mention:

- Law 31/1990 on commercial companies;
- Law 82/1990 on accounting;
- OMFP 1802/2014 for the approval of the Accounting Regulations regarding the individual annual financial statements and the consolidated annual financial statements;
- OUG 75/1999 regarding the financial audit activity;
- Law 162/2017 on the statutory audit of the annual financial statements and of the consolidated annual financial statements;
- International Financial Reporting Standards (IFRS)
- International Auditing Standards (ISA).

In our country, the financial audit activity is regulated, supervised and coordinated by two institutions:

- A.S.P.A.A.S (Authority for Public Supervision of Statutory Audit Activity);
- C.A.F.R. (Romanian Chamber of Financial Auditors).

Legal advisers. All acts and actions that are taken at the level of economic entity or that concern the entity have, among other characteristics, a legal one.

The conclusion of contracts and documents between the entity and its partners, be they customers, suppliers of goods or service providers or other creditors, must comply with a form and a certain fund. the other branches of law.

The role of legal advisers and the importance of their work make them among the first, if not the first, specialists consulted. Thus, from the constitutive acts of the entity, their amending acts (additional acts) and everything legal (contracts, notifications, transactions, etc.) and representation before the state authorities and third parties, are in charge of legal advisers.

The profession of legal advisor is exercised in accordance with the provisions of law 514/2003 - regarding the organization and exercise of the profession of legal advisor and the provisions of the statute of the profession.

The activity of legal advisers is an independent professional activity and we find out about their rights and duties from the “Statute of the legal counsel profession”:

“Art. 37 In order to ensure professional secrecy, the documents and works of a professional nature on the legal advisor, at his domicile and at the place where he exercises his profession are inviolable.

Art. 40: Duties of the legal advisor:

- (1) The legal advisor defends the rights and legitimate interests of the institution, legal person, authority or entity for which he exercises the profession, ensures legal advice and representation, endorses and countersigns the legal documents issued by them;
- (2) The legal advisor provides consultancy, his opinion being consultative. The legal advisor formulates his point of view according to the legal provisions and his professional creed. The legal advisor manifests independence in the relationship with the management bodies of the legal person where he exercises the profession, as well as with any other persons within it; the point of view formulated by the legal advisor in connection with the legal aspect of a situation cannot be changed or modified by any person, the legal advisor maintaining his legal opinion initially formulated, regardless of the circumstances. In exercising the profession, the legal advisor may not be subjected to any pressure from the legal person where he exercises his profession or from any other legal person of public or private law. The legal advisor, in the exercise of the profession, is subject only to the Constitution, the law, the status of the profession and the rules of professional ethics;
- (3) The legal advisor shall approve and sign legal documents, the positive or negative opinion, as well as his signature being applied only for the strictly legal aspects of the respective document.

The legal advisor does not rule on the economic, technical or other aspects included in the document endorsed or signed by him.

Legal advisers are obliged to respect the solemnity of court hearings and not to use insulting expressions towards the panel of judges, towards other legal advisers, lawyers or towards the parties to the trial.

Art. 53: Protection of the professional, economic and social rights of the legal advisor:

(1) According to art. 23 of Law no. 514/2003, in his professional activity the legal advisor enjoys the protection of the law, under the conditions provided by Law no. 51/1995 for the organization and exercise of the lawyer profession, republished, with the subsequent modifications and completions;

(2) The search of the legal adviser, of the domicile or of his place of work or the seizure of documents or of goods from him can be done only by the prosecutor based on a mandate issued by the judge.

Consulting Conclusions

I mentioned above some of the specialists who can provide consulting and who can make their own expertise available to the entity. Of course, we only talked about a small part of the activities specific to the respective specialists.

The final goal of all those who provide consultancy is for the advised entity to reach its established targets, at the highest possible level of quality and performance in compliance with certain rules.

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