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使命:
以专业为客户增添价值,
做受人尊敬的财税顾问

愿景:
成为财税服务行业的持续
领跑者, 做百年企业

价值观:
永远以客户为中心, 专正
快

MISSION:
To add value to our
clients and to be respected
tax advisers.

VISION:
To be a sustainable leader
in the financial services
industry for 100 years.

VALUES:
Always being customer-
centered;
Being professional,
honest and efficient.



Shanghai



Qingdao

P1 您需要注意的财税新政...

Tax regulations that you should pay attention to...

1. 为进一步帮助企业特别是中小微企业应对风险、渡过难关, 减轻企业和低收入参保人员今年的缴费负担, 人力资源社会保障部、财政部、税务总局发布《关于延长阶段性减免企业社会保险费政策实施期限等问题的通知》(人社部发〔2020〕49号), 文件规定:

(1) 各省、自治区、直辖市及新疆生产建设兵团(以下统称省)对中小微企业三项社会保险单位缴费部分免征的政策, 延长执行到2020年12月底。各省(除湖北省外)对大型企业等其他参保单位(不含机关事业单位, 下同)三项社会保险单位缴费部分减半征收的政策, 延长执行到2020年6月底。湖北省对大型企业等其他参保单位三项社会保险单位缴费部分免征的政策, 继续执行到2020年6月底。

(2) 受疫情影响生产经营出现严重困难的企业, 可继续缓缴社会保险费

1. The Ministry of Human Resources and Social Security (MHRSS), the Ministry of Finance and the State Administration of Taxation issued the "Notice on Extending the Implementation of the Phased Relief Policy in Respect of Corporate Social Insurance Premiums" (MHRSS[2020]No.49) to help businesses, especially small and medium-sized and low profit enterprises cope with risks and difficulties and reduce the burden of enterprises and low-income insured individuals this year, which provided that:

(1) The policies offered by provinces, autonomous regions, municipalities directly under the Central Government and Xinjiang Production and Construction Corps (hereinafter referred to as provinces) to exempt the burdens of the small-and-medium-sized and low profit enterprises in respect of the three social securities shall be extended to the end of December 2020. The policies offered by the provinces (excluding Hubei Province) to half-exempt the burdens of other insurance participating entities such as large-scale enterprises and (excluding government departments and public institutions) in respect of the three social securities shall be extended to the end of June 2020. The policies offered by Hubei Province to exempt the burdens of other insurance participating entities such as large-scale enterprises in respect of the three social securities shall continue to be effective up to the end of June 2020.

至 2020 年 12 月底，缓缴期间免收滞纳金。

(3) 各省 2020 年社会保险个人缴费基数下限可继续执行 2019 年个人缴费基数下限标准，个人缴费基数上限按规定正常调整。

(4) 以个人身份参加企业职工基本养老保险的个体工商户和各类灵活就业人员，2020 年缴纳基本养老保险费确有困难的，可自愿暂缓缴费。2021 年可继续缴费，缴费年限累计计算；对 2020 年未缴费月度，可于 2021 年底前进行补缴，缴费基数在 2021 年当地个人缴费基数上下限范围内自主选择。

2. 为助力企业纾困，《山东省人民政府关于贯彻落实国务院〈政府工作报告〉若干措施的通知》（鲁政发〔2020〕10 号）规定：交通运输、餐饮、住宿、旅游、展览、电影放映六类行业纳税人和增值税小规模纳税人免征城镇土地使用税、房产税的执行期限，延长至 2020 年 12 月 31 日。

3. 为促进外贸稳定发展，《关于延长港口建设费和船舶油污损害赔偿基金减免政策执行期限的公告》（财政部交通运输部公告 2020 年第 30 号）规定：免征进出口货物港口建设费和减半征收船舶油污损害赔偿基金政策执行期限延长至 2020 年 12 月 31 日 24 时。

(2) Enterprises with serious difficulties in production and operation caused by COVID-19 may continue to defer payment of social insurance premiums till the end of December 2020, with the overdue penalty exempted during the period.

(3) In 2020, provinces can continue to implement the 2019 lower limit of individual contribution base, while the upper limit of individual contribution base shall be adjusted normally as per the regulation.

(4) Individual businessmen participating in the capacity of individuals in corporate employee's basic old-age insurances and various flexible employment individuals who have difficulties in paying contributions to the insurances in 2020 may voluntarily have the payment suspended and resume payment in 2021, with the years of payment accumulated. Contributions for the default months in 2020 may be paid in arrears by the end of 2021 and the individual contribution base may be selected at the insurance participants' discretion.

2. The "Notice of Shandong People's Government on Implementing Measures of the State Council 'Government Work Report'" (LUZHENGFA[2020]No.10) was released in order to assist the enterprise to overcome difficulties. It stipulates: The period of exemption from urban land use tax and real estate tax for taxpayers in the six sectors including transportation, catering, accommodation, tourism, exhibition and film projection as well as small-scale VAT payers will be extended to December 31, 2020.

3. In order to promote the development of foreign trade, the "Notice on the Extension of the Period of the Policy on Reduction and Exemption of Port Construction Fees and Ship Oil Pollution Damage Compensation Funds" (Public Circular of the Ministry of Finance and Ministry of Transport No. 30, 2020) provides: The implementation of the policy of exempting port construction fees for import and export cargoes and half-exemption of the fund for compensation for oil pollution damage from ships has been extended to 24:00 on December 31, 2020.

2020年6月19日19:00至20:00,百福润财税通过直播的方式举办了2020年第5期老板沙龙活动,沙龙主题为“企业注册主体类型选择及筹划”。

本期老板沙龙由百福润财税资深商务顾问郝富云老师主讲,郝老师在百福润财税有10年工作经验,曾服务过上百家国内外的企业,在公司设立、股权等变更事项、公司注册方面有丰富的经验。

郝老师从民事主体的分类、不同主体类型的优劣势、不同维度下公司类型的划分及筹划、公司注册登记事项筹划等四个方面进行了分享。

一、老板在创业时候,可以选择的主体类型有:个体工商户、个人独资企业、合伙企业、公司4种。

(1)从风险角度分析:个体工商户、个人独资企业、合伙企业的出资人/合伙人(有限合伙人除外)承担无限责任,风险很大;公司的股东以认缴的出资额为限承担有限责任,风险可控。

(2)从税收角度分析:个体工商户、个人独资企业、合伙企业不缴纳企业所得税,其出资人/合伙人按照生产经营所得5%-35%的超额累进税率缴纳个人所得税。公司需要缴纳企业所得税(税率一般为25%),当自然人股东取得分红时,要缴纳20%的个人所得税;存在双重征税问题。

二、满足如下条件(简记为“335”)的小型微利企业可以享受企业所得税优惠:

The 5th Brighture salon for 2020 was held through live broadcast from 19:00 to 20:00 on June 19 under the theme of “Type selection and planning of enterprise registration”.

The resource person for this event was Sherry Xi, senior business advisor of Brighture, who has provided services to hundreds of domestic and overseas businesses in the ten years' work period in Brighture and has profound experience in company registration/deregistration and change of equity.

The lecture was composed of four topics, namely, classification of civil subjects, advantages and disadvantages of different subject types, classification and planning of company types under different dimensions, and planning of company registration items

A. When starting a business, there are four major types that can be chosen: individual household business, sole proprietorship, partnership, and company.

(1) Risk analysis: The individual household business, sole proprietorships and investors / partners (except limited partners) of partnerships shall bear unlimited liability, which is very risky, while the shareholders of a company shall bear limited liabilities to the extent of the capital subscribed, and their risks are controllable.

(2) Analysis from the perspective of taxation: The individual household business, sole proprietorships and partnerships shall not pay corporate income tax, and the investors/partners shall pay individual income tax at a progressive rate of 5-35% based on the production and operation income; while a company needs to pay corporate income tax (generally at a rate of 25%), and when a natural person shareholder is paid dividend, he shall pay individual income tax of 20%, which constitutes a double taxation eligible for corporate income tax incentives.

- ① 年度应纳税所得额 300 万以内；
- ② 人数 300 人以内；
- ③ 资产总额 5000 万以内。

企业应纳税所得额在 100 万以内的部分，实际税负率为 5%，在 100 万至 300 万之间的部分，实际税负率为 10%。

当企业要超出小型微利企业条件时，可以采用“拆分法”等方式筹划，确保企业满足小型微利企业条件，享受税收优惠。

三、当老板选择设立公司时，可提前筹划：公司的注册地址，注册资本，经营范围，股权架构，以实现合理合法降低税负，同时防控风险，掌握企业控制权。

百福润财税作为专业的服务机构，可以根据企业的发展战略、业务模式、组织架构协助创业者选择最适合的主体类型，同时协助创业者筹划企业各登记事项，做创业者的成长伙伴。

B. Small and low-profit businesses that meet the following conditions (abbreviated as "335") are

- ① Annual taxable income is not more than RMB 3 Million;
- ② Total staff is not more than 300;
- ③ Total asset is within RMB 50 million.

Actual tax rate of 5% is applicable to the part of the taxable income within 1 million, and actual tax rate of 10% is applicable to the part of the taxable income between 1 million and 3 million,

When a business is about to grow beyond the conditions for small and low-profit enterprises, a method of "split-up" may be adopted to meet the conditions for small low-profit enterprises, so as to continue enjoying tax incentives.

C. When an entrepreneur elects to set up a company, he should make a plan in advance regarding the registered address, registered capital, business scope and equity structure of the company, so as to duly reduce tax burdens, prevent and control risks and control the enterprise.

As a professional service agency, BRIGHTURE can assist entrepreneurs to choose the most suitable business type according to the development strategy, business model and organizational structure, and at the same time assist them to plan the registration of enterprises. Let's be the partner of entrepreneurs.

Key
Dates

线上沙龙：百福润财税 2020 年第 6 期

主题：出口企业全流程风险防控及需要关注的重点问题

时间：2020 年 7 月 31 日星期五 19:00 至 20:00

Online Salon: the 6th Brighture
Salon in 2020

Topic: Key issues in respect of risk prevention and control in the whole process of export enterprises

Time: 19:00 to 20:00, July 31, 2020
(Friday)

Brighture's answers to hot topics

Q: 我司股东从公司借款 2 年一直未归还, 这部分长期未归还借款我们是否需要缴纳税款?

A: 根据《财政部、国家税务总局关于规范个人投资者个人所得税征收管理的通知》(财税〔2003〕158号), 企业借给投资者个人的借款, 在规定的时间内(年度终了后或超过一年)未归还, 也未用于本企业生产经营活动的, **可视为企业对投资者的红利分配, 依照“利息、股息、红利所得”项目计征个人所得税。** 对于这种长期不归还的个人借款, 应尽快催收, 并在每年年底前, 清理个人借款, 避免个税风险。

Q: 企业计提未支付的应付母公司的利息支出可以税前扣除吗?

A: 根据财税[2008]121 号, 企业实际支付给关联方的利息支出, 不超过规定比例和税法及其实施条例有关规定计算的部分, 准予扣除, 超过部分不得在发生当期和以后年度扣除。 **因此, 如果预提了没有实际支付, 不可以税前扣除。**

Q: A shareholder of our company borrowed money from the company for 2 years, but it has not been repaid. Do we need to pay tax on this long outstanding loan?

A: According to the “Notice of the Ministry of Finance and the State Administration of Taxation on Regulating the Collection and Administration of Individual Income Tax for Individual Investors” (CAISHUI [2003] No. 158), where the loan lent by an enterprise to an individual investor is not returned within the prescribed time limit (after the end of the year or more than one year) and has not been used in the production and business operation of the enterprise, **it may be regarded as the distribution of dividends by the enterprise to the investors and therefore individual income tax shall be levied under "interest, dividend and bonus income".**

This kind of outstanding personal loan should be recovered as soon as possible. In addition, personal loans should be recovered before the end of each year to avoid individual income tax risk.

Q: Can the company deduct before tax the interest expense (provided but not yet paid) payable to the parent company?

A: According to CAISHUI[2008]No.121, the part of interest expense actually paid by an enterprise to an affiliated party that does not exceed the prescribed proportion and the amount calculated according to the relevant provisions of the tax Law and its implementing regulations is permitted to be deducted, and the excess part may not be deducted in the current and subsequent years. **Therefore, if the interest is accrued but not actually paid, it cannot be deducted before tax.**

P5

百福润财税同仁
司龄:

- 张璐 (日本部, 中级会计师)
-入司 12 周年

Work Anniversary at Brighture:

- Jessie Zhang (Japanese Dept. Intermediate Accountant)
-12 years

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