

October  
2016

# PAN-CHINA VGD NEWSLETTER

## 天健 VGD 财税新讯



## Luxembourg / 卢森堡

---

### Is Luxembourg still attractive under the increased substance requirements, remaining compliant under BEPS/OECD?

在遵循经合组织的税基侵蚀和利润转移项目（BEPS/OECD）的前提下，随着实质要求的提高，卢森堡能否保持投资吸引力？

The 2017 tax reform announced in February (after the Lux-leaks) confirmed, that the tax system will be compliant with the European and international rules.

The Luxembourg current IP tax regime will be abolished as from 1 July 2016. The IP regime, including improvements made to such IP, will be maintained for income tax purposes for a transitional period starting on 1 July 2016 and expiring on 30 June 2021. The regime will be replaced by the OECD's/BEPS approved 'Nexus approach'. The Luxembourg working group will examine various subjects for corporate entities, which will be announced in the future, including a tax-exempt reserve for investments.

2月份发布的2017年税制改革（卢森堡泄密事件后）明确表示，卢森堡的税收制度会与欧洲及国际规定一致。

卢森堡现有的知识产权税制度将于2016年7月1日起取消。但在计征所得税时，该税制及其相关修订，在2016年7月1日至2021年6月30日的过渡期内仍然有效。取而代之的是BEPS/OECD的“联接方法”。卢森堡的税务工作组将对各个方面进行测试，测试结果将于未来宣布，其中包括投资免税准备金等。

## Corporate tax news

### 企业所得税新闻

- ▶ • The corporate income tax rate will be reduced from the current 21% to 19% in 2017 and 18% in 2018. Therefore the effective rate, including corporate income tax, municipal business tax (Luxembourg city) and the contribution to the unemployment fund, will decrease from 29.22% in 2016 to 27.08% in 2017 and 26.01% in 2018. A special rate (15%) is announced for young innovative companies whose annual taxable income does not exceed EUR 25,000.

- ▶ • For the SOPARFIs or Holding companies there will be an increase of the minimum net wealth tax.

Till 2015 these companies paid a minimum corporate income tax of EUR 3,210, which was replaced from 2016 by a minimum wealth tax of the same amount. In 2017 the minimum wealth tax will be increased to EUR 4,815.

企业所得税率将在 2017 年由 21% 下降到 19%，在 2018 年下降到 18%。因此实际税率，包括企业所得税，市营业税（仅卢森堡市）和失业保障基金，将由 2016 年的 29.22% 于 2017 年下降到 27.08%，于 2018 年下降到 26.01%。年应纳税所得额不超过 25,000 欧元的成长型创新企业则可享受 15% 的特殊税率。



卢森堡参股公司或控股公司将会缴纳更多的最低财富净值税。

到 2015 年为止，这类公司都支付 3,210 欧元的最低所得税，该税款在 2016 年则由等额的最低财富净值税取代。在 2017 年最低财富净值税将上调至 4,815 欧元。

This rate is applicable to all corporate entities having their statutory seat or central administration in Luxembourg and that own fixed financial assets, transferable securities, and cash at banks (including receivables due by affiliated companies) exceeding 90% of their total assets and which is greater than EUR 350,000.

If the aforementioned threshold is not met, the amount of minimum net wealth tax will depend, from 2016, on the total of the balance-sheet at the closing of the preceding financial year. Ranging from EUR 500 to EUR 20,000 (increased by the solidarity surtax), depending on a company's total assets, which is applicable to all other corporations having their statutory seat or central administration in Luxembourg (i.e. it is applicable to all corporations not falling within the scope of the EUR 3,000 CIT noted above), as follows:

此税率适合于所有法定注册地址或主要管理机构在卢森堡的公司，且该等公司的固定金融资产、可转让证券与银行存款（包括关联方应收款项）的金额占公司总资产 90% 以上且总额大于 35 万欧元。

如果上述的标准未达到，2016 年起，最低净财产税将按照上一财政年度结束时的总资产决定。数额为 500 到 20,000 欧元不等（另外加上统一附加税），根据公司总资产的多少，此税额适合于其他所有法定注册或主要管理机构在卢森堡的公司。（即，此税额适用于除以上提及的需付所得税 3,000 欧元以外的所有公司）。



Total assets (EUR)	Minimum wealthtax (EUR)
Up to 350,000	535
350,001 to 2,000,000	1,605
2,000,001 to 10,000,000	5,350
10,000,001 to 15,000,000	10,700
15,000,001 to 20,000,000	16,050
20,000,001 to 30,000,000	21,400
30,000,001 and above	32,100

  

总资产 ( 欧元 )	最低财产税 ( 欧元 )
350,000 以下	535
350,001 到 2,000,000	1,605
2,000,001 到 10,000,000	5,350
10,000,001 到 15,000,000	10,700
15,000,001 到 20,000,000	16,050
20,000,001 到 30,000,000	21,400
30,000,001 以上	32,100

A new IF tax of 0,05% has been introduced for the bracket of net taxable wealth greater than 500,000,000,00.

对于应税资产大于 5 亿欧元的部分，卢森堡引入了 IF 税新税率 0.05%。

The current IF tax of 0,5% is preserved for the bracket of net taxable wealth inferior or equal to 500,000,000,00.

IF 税的现行税率 0.5% 继续适用于小于或等于 5 亿欧元的应税资产。

This tax makes it crucial to prepare the year end closing before 31 December.

这个税项对准备 12 月 31 日的结帐尤其重要。

- ▶ • A really important new measure for Luxembourg is that the utilization of carried-forward losses will be restricted as from 2017. Losses realized as from tax year 2017 will be carried forward for a limited period of 17 years and could be set off against only 75% of the profits realized in a tax year.

卢森堡新出台了一项重大措施，即 2017 年起将限制结转亏损。由 2017 纳税年度产生的亏损只能在 17 年内予以结转并且只能抵销一个纳税年度内 75% 的利润。

- ▶ • Tax credits for investments will be increased as follows:

投资税收抵免比率会有如下增加：

-The complementary tax credit for investments will be increased from 12% to 13%; 附加投资税收抵免比率将由 12% 上调至 13% ;

- The global tax credit for investments will be increased from 7% to 8%;  
- 整体投资税收抵免比率将由 7% 上调至 8% ;

- As to investments in fixed assets authorised to apply a special depreciation rate, the rate of 8% for the first bracket will be increased to 9%.  
- 对于适用特殊折旧率的固定资产投资，第一级的比率将由 8% 上调至 9%。

- ▶ • To facilitate the transfer of family-owned companies, capital gains derived from immovable property (land or buildings) belonging to the divested business would be exempt if certain conditions are met.

为了方便家族企业转让，在转让业务时涉及不动产（土地或房屋建筑物）转让而产生收益的，在符合一定条件下，可以免税。

## Additional measures for Individual taxation

### 个人所得税的附加措施

- ▶ • Married couples would be permitted to opt to be taxed separately and equality of tax treatment will be introduced between cross-border workers and residents living in Luxembourg with respect to the applicable tax classes and tax allowances (if applicable).  
已婚夫妇可以选择单独纳税，另外，跨境工作人员与卢森堡居民在税收类别和免税额度（如适用）上享有平等的税收待遇。
- ▶ • The maximum individual tax rate will be increased progressively from 40% to 41% or 42% (for taxable income above EUR 150,000 or EUR 200,000).  
个人所得税的最高税率将由 40% 上调至 41% 或者 42%（适用于应税收入高于 150,000 欧元或 200,000 欧元）。
- ▶ • A modulation of the benefit in kind for company cars depending on the carbon emissions and a tax allowance for zero-emission vehicles including bikes, as well as, a new tax reduction will be introduced.  
对公司用车按照碳排放量调整相关实物福利，针对包括自行车在内的零排放车辆给予税收补贴，以及出台一项新的减税政策。

- ▶ • Various tax advantages will be considered as most important:

- The face value of meal vouchers for employees “chèques repas” will be increased from EUR 8.40 to EUR 10.80.

- The tax credits for single parent households will be increased up to EUR1,500.

- The tax credits for employees and pensions will be modulated depending on the revenues.

- The tax deduction for home saving schemes will be increased from EUR 672 to EUR 1,344 for taxpayers under 40.

- The monthly maintenance allowance amount which does not reduce the tax credits for single parent households (“Crédit d’impôt monoparental”) will be increased.

- The lump sum allowance for extra-ordinary charges currently amounts to EUR 3,600 per tax year. As from 2017, it will amount to EUR 5,400 per tax year.

- Premiums for voluntary pension schemes (3rd pillar) will be deductible up to €3,200 per year irrespective of the subscriber’s age

以下税收优惠为最关键的部分：

- 雇员餐券的面值由 8.40 欧元上调至 10.80 欧元；

- 单亲家庭的税收抵免额度将上调至 1,500 欧元；

- 雇员的税收抵免额和养老金将根据收入进行调整；

- 对于 40 岁以下的纳税人，其家庭储蓄计划的减税额度由 672 欧元上调至 1,344 欧元；

- 月度赡养津贴将有所提升，该津贴不影响单亲家庭的税收抵免额度；

-- 非常规性费用的一次性补贴金额为每年 3,600 欧元，2017 年起，每年为 5,400 欧元；

- 不考虑投保人年龄，自愿退休计划的保费（第三支柱）每年最多可减扣 3,200 欧元。

- ▶ • The withholding tax on interest income will increase from 10% to 20% for Luxembourg resident individuals

卢森堡居民个人利息收入的预提税利率将从 10% 上调至 20%。



- ▶ • The capital gain from a real estate transaction involving one's private wealth, under the condition that the property was held for more than 2 years, will fall to 25% of the global tax rate for the period from July 1, 2016 to December 31, 2017.
- ▶ • The taxation of speculative profits would however always apply following the normal regime, thus subject to the marginal rate.

## Conclusion

### 结论

The tax environment in Luxembourg is changing, thus affecting corporate entities in the way those are operating.

We are happy to assist you cope with the shifting environment and adapt your current structures to the new requirements emerging from the change.

涉及私人财产的房地产转让，且该房地产已被持有 2 年以上，其资产收益在 2016 年 7 月 1 日到 2017 年 12 月 31 日期间按照 25% 征税。

然而，投机利润应当按照名义税率制度征税，因此适用边际税率。

卢森堡的税收环境正在不断改变，从而也影响到企业运行的方式。

我们很乐意帮助你应对不断改变的大环境，并让你的结构模式适应新的改变。

*Contributed by*  
Lut Laget, VGD Luxembourg  
lut.laget@vgd.eu

# Slovakia / 斯洛伐克

## Subsidies for creating jobs

### 创造就业补贴

Under certain conditions, employers can obtain non-repayable financial contributions from the competent Central Office of Labour, Social Affairs and Family to promote the employment of unemployed citizens. These financial contributions are governed by the Act No. 5/2004 Coll. on Employment Services.

根据《就业服务法》，在满足一定条件下，雇主可以无偿获取中央劳动、社会及家庭办公室拨付的财务补贴，用于促进就业。

### 1. Contribution to the employment of disadvantaged job seekers

#### 雇佣弱势求职者的补贴

##### ► Bratislava Region 布拉迪斯拉发地区

Maximum EUR 290.33 / monthly (totally: EUR 3,483.96 per 12 months).

每月最高 290.33 欧元 ( 12 个月共计 3,483.96 欧元 )

##### ► Other regions 其他地区

Maximum EUR 348.40 / monthly (totally: EUR 4,180.80 per 12 months) – in districts with lower unemployment rate than the average in the Slovak Republic in the previous year;

Maximum EUR 464.54 / monthly (totally: EUR 5,574.48 per 12 months) – in districts with higher unemployment rate than the average in the Slovak Republic

上一年失业率低于国内平均水平的地区—每月最高 348.40 欧元 ( 12 个月共计 4,180.80 欧元 )

上一年失业率高於国内平均水平的地区—每月最高 464.54 欧元 ( 12 个月共计 5,574.48 欧元 )。

► **Target group 目标群**

Citizens unemployed for at least three (3) months classified as disadvantaged job seekers (e.g. school graduates younger than 26 years; persons over 50 years, persons unemployed for at least 12 months, etc.).

失业三个月以上的公民被视为弱势求职者（例如：26岁以下的毕业生；年龄在50岁以上，或失业超过12个月的求职者等。）

Period of subsidization: Maximum twelve (12) months.

补贴期：最长12个月。

Period of compulsory maintenance of subsidized jobs: At least six (6) months beyond the period of subsidization.

补贴工作强制维持期：补贴期后6个月以上。

## 2. Contribution to the employee's first regularly paid job

### 雇员首份固定工作补贴

► **Bratislava Region 布拉迪斯拉发地区**

Maximum EUR 257.70 / monthly (totally: EUR 3,092.40 per 12 months).  
每月最高 257.70 欧元（12个月共计 3,092.40 欧元）。

► **Other regions 其他地区**

Maximum EUR 429.50 / monthly (totally: EUR 5,154.00 per 12 months)  
– in districts with lower unemployment rate than the average in the Slovak Republic in the previous year;

Maximum EUR 515.40 / monthly (totally: EUR 6,184.80 per 12 months)  
– in districts with higher unemployment rate than the average in the Slovak Republic in the previous year.

上一年失业率低于国内平均水平的地区——每月最高 429.50 欧元（12个月共计 5,154.00 欧元）；  
上一年失业率高於国内平均水平的地区——每月最高 515.40 欧元（12个月共计 6,184.80 欧元）。

### ► Target group 目标群

Citizens under 25, unemployed for at least three (3) months, who have not yet had regularly paid jobs;

25 岁以下，失业超过 3 个月且没有固定工作的公民；

Citizens under 29, unemployed for at least three (6) months, who have not yet had regularly paid jobs.

29 岁以下，失业超过 6 个月且没有固定工作公民。

Period of subsidization: Maximum twelve (12) months.

补贴期：最长 12 个月。

Period of compulsory maintenance of subsidized jobs: At least six (6) months beyond the period of subsidization.

补贴工作强制维持期：补贴期后 6 个月以上。

### 3. Contribution to employee training

#### 雇员培训补贴

Maximum EUR 58.06 (two times for the period of subsidization) to personal protective equipment, working equipment, and working tools;

最高 58.06 欧元的个人防护设备、工作设备和劳动工具补贴（补贴期间两次）。

Maximum EUR 273.77 / monthly (totally: EUR 2,463.93 per 9 months) contribution to cover part of labour costs per employee;

每名雇员每月最高 273.77 欧元（9 个月共计 2,463.93 欧元）的劳动成本补贴；

Maximum EUR 68.44 / mentored employee / month to mentoring.

每名辅导员工每月最高 68.44 欧元的辅导补贴。

The training time shall be minimum three (3) months and maximum six (6) months. The contribution shall be paid as a lump sum at the end of training.

培训时间最短 3 个月，最长 6 个月。补贴在培训结束后一次性支付。

The financial contribution shall be provided to employers who will create part-time jobs at least for nine (9) months.

雇主提供兼职就业机会有时长达 9 个月以上（含），可获得财务补贴。

#### ► Target group 目标群

Citizens under 25, unemployed for at least three (3) months;

25 岁以下且失业超过 3 个月的公民；

Citizens under 29, unemployed for at least three (6) months.

29 岁以下且失业超过 6 个月的公民；

Period of subsidization: Maximum nine (9) months.

补贴期：最长 9 个月。

Period of compulsory maintenance of subsidized jobs: Zero (0) months.

补贴工作强制维持期：无需。

Job: Only part-time jobs.

工作：仅限兼职。

## 4. Contribution to the employment of long-term unemployed

### 长期失业补贴

► Bratislava Region: N/A 布拉迪斯拉发地区：不适用

► Other regions 其他地区

Maximum EUR 438.04 / monthly (totally: EUR 5,256.48 per 12 months) – citizens unemployed from twelve (12) to twenty four (24) months inclusive;

失业 12 到 24 个月的公民——每月最高 438.04 欧元 ( 12 个月共计 5,256.48 欧元 ) ;

Maximum EUR 520.17 / monthly (totally: EUR 7,802.55 per 15 months) – citizens unemployed for more than twenty four (24) months;

失业 24 个月以上的公民——每月最高 520.17 欧元 ( 15 个月共计 7,802.55 欧元 ) ;

Maximum EUR 136.88 / monthly – the contribution to mentors maximum during the first three (3) months from the date of employment.

从工作日起最多 3 个月的辅导补贴——每月最高 136.88 欧元。

► Period of subsidization 补贴期

Twelve (12) months for persons unemployed from twelve (12) to twenty four (24) months inclusive;

对失业 12 到 24 个月的人补贴期为 12 个月 ;

Fifteen (15) months for persons unemployed for more than twenty four (24) months.

对失业 24 个月以上的人补贴期为 15 个月。

Period of compulsory maintenance of subsidized jobs: At least three (3) months after the end of subsidizing for citizens who have been unemployed from twelve (12) to twenty four (24) months inclusive.

补贴工作强制继续期：对失业 12 到 24 个月的公民，补贴期后 3 个月以上。

In the case of citizens who have been unemployed for over twenty four (24) months, the period of compulsory maintenance of the job after subsidization shall be zero (0) months.

对于失业超过 24 个月的公民，无补贴工作强制继续期。

## 5. Contribution to the employment of citizens older than 50 years

### 对 50 岁以上公民的就业补贴

► Bratislava Region: N/A 布拉迪斯拉发地区：不适用

► Other regions 其他地区

Maximum EUR 453.52 / monthly (totally: EUR 5,442.24 per 12 months).

每月最高 453.52 欧元 (12 个月共计 5,442.24 欧元)

► Target group 目标群

Unemployed persons over 50 years, irrespective of the duration of unemployment.

不计失业时间长短，超过 50 岁的失业人员。

Period of subsidization: Maximum twelve (12) months.

补贴期：最长 12 个月。

Period of compulsory maintenance of subsidized jobs: Zero (0) months.

补贴工作强制继续期：无。

## 6. Contribution to the employment of graduates

### 毕业生就业的补贴

► Bratislava Region: N/A 布拉迪斯拉发地区：不适用

► Other regions 其他地区

Maximum EUR 302.35 / monthly (totally: EUR 1,814.10 per 6 months).

每月最高 302.35 欧元 (6 个月共计 1,814.10 欧元)

This financial contribution is designated for the employer employing unemployed graduates, who pursued graduate internship with him, no later than thirty (30) calendar days after the end of the graduate internship.

这项财政补贴是特别为雇主招聘曾经在其工作单位进行实习，实习期后 30 自然日内尚未找到工作的毕业生而设置的。

► Target group 目标群

Young people under the age of 29 years.

29 岁以下的年轻人。

Employment: Full-time job.

就业：全职工作。

Period of subsidization: Maximum six (6) months.

补贴期：最长 6 个月。

Period of compulsory maintenance of subsidized jobs: At least three (3) months beyond the period of subsidization.

补贴工作强制维持期：补贴期后 3 个月以上。

Graduate internship (being the precondition for obtaining the contribution to the employment of graduates)

毕业实习 (获得毕业生就业补贴的前提)

Financial contribution to the employer: EUR 0.00

雇主的财务补贴：0.00 欧元



## 7. Financial contribution to the unemployed graduate

### 失业毕业生的财务补贴

Maximum EUR 128.75 / monthly (totally: EUR 772.50 per 6 months).

每月最高 128.75 欧元 (6 个月共计 772.50 欧元)

#### ► Target group 目标群

Persons unemployed at least one (1) month, younger than 26 years, who have completed systematic vocational preparation less than two (2) years ago and have not yet had regularly paid job.

失业 1 个月以上，26 岁以下，在过去两年内完成系统性职业教育并且尚未找到固定工作的求职者。

Graduate internship period: At least three (3) months and up to six (6) months for twenty (20) hours a week.

毕业生实习期：3 个月到 6 个月，每周 20 个小时。

If you need to prepare documentation and communicate with the Central Office of Labour, Social Affairs and Family, please, do not hesitate to contact us. We will gladly provide you the necessary assistance.

如果您需要准备相关文件，或者想联络中央劳动、社会及家庭办公室，请随时联系我们。我们很高兴为您服务。

*Contributed by*

JUDr. Ondrej Šuriak  
ondrej.suriak@vgd.eu

## Europe / 欧洲

### A view from Europe on the VAT Action Plan

#### 欧洲增值税行动计划概览

A couple of months ago the European Commission announced its VAT Action Plan, a Pathway Towards a Single EU VAT area.

The common VAT system is a core element of the operation of Europe's single market today. However, the current VAT system, which was intended only to be a transitional regime, is too fragmented, too burdensome, and too complex for the growing number of businesses operating across borders. Due to a different treatment of domestic and cross-border transactions, and the fact that goods and services can be bought free of VAT within the single market, it also leaves the door open for fraud.

The current level of the so called VAT gap, i.e. the gap between expected VAT revenues and VAT revenues actually collected, is

欧盟委员会在几个月前宣布了其增值税行动计划，目的是为了达成欧盟单一增值税税区。

单一的增值税制度是欧洲单一市场的核心要素。然而目前的增值税系统，本身是一个过渡性的税制，对越来越多的跨国企业而言，实在是太过于分散、沉重并且复杂。由于对国内与跨境交易的不同处理，加上货物和服务在单一市场内免税交易的现象，使舞弊有机可趁。



estimated around 170 billion euro, and it simply calls for action. The growing risk of fraud must be contained, and the current rules need to be modernised, simplified, and adapted to the technical developments and challenges of today's global digital and mobile economy.

In order to reach this goal, the European Commission has announced its VAT action plan. A legislative proposal will be presented in order to put in place a definitive VAT system based on the principle that taxation will take place in the country of destination of the goods.

As preparing and implementing these major changes in the current VAT system requires major changes, and will take some time, some parallel initiatives will also be taken as an answer to the immediate challenges of today.

In order to remove VAT obstacles to e-commerce in the single market, the One Stop Shop system will be extended to online sales of tangible goods to final consumers, a simplification measure for small start-up e-commerce

现在的增值税缺口，即预期增值税收入和实际增值税收入的差异，达到了1700亿欧元。我们必须防范持续增长的舞弊风险，改进并简化现有的规则，使之适应技术发展和当今全球数字和移动经济。

为此，欧盟委员会宣布了其增值税行动计划，即计划推行以在货物最终销售国纳税为原则的限定性增值税系统。

由于在现有的增值税系统内准备与实施这些改变需要对其作出重大调整，并且需要时间，对于现有的挑战将会出台一些平行的举措。

为了消除增值税在单一市场里对电子商务的障碍，一站式服务系统会延伸到有形商品的网上销售中，对小型的刚起步的电子商务公司将实行简化的措施，对从非欧盟经销商进口的小型商品的增值

businesses will be implemented, and the VAT exemption for imports of small consignments from non EU-suppliers will be abolished. More generally, in order to simplify VAT for small businesses, the special scheme for small enterprises will be reviewed. To combat the current level of the VAT gap, improved administrative corporation should be achieved. The tools for administrative corporation between tax administrations should be used more widely, and the performance of the European tax administrations should also improve. In addition, a new approach to tax collection and the improvement of voluntary compliance between businesses and tax authorities is required.

The current system, which analyses every cross border transaction into an exempt cross-border supply and a taxable cross-border acquisition, is not only complex, but also lacks controls and leaves the door open to fraud. A robust single European market would combat this fraud by shifting the point of taxation to the destination of the goods, and treating local and cross-border transactions the same way.

税的减免措施将被取消。另外，为了简化小企业的增值税要求，现有的小企业增值税特别体系将需要重新复核。为了修补现时的增值税缺口，政府之间应加强合作。税务机关之间的管理合作工具应扩大使用范围，欧洲税务部门应提高工作能力。此外，税务机关应寻求新的税收征收办法，提高纳税人自觉遵守税务机关要求的意识。

现行的增值税系统需要分析每项跨境交易以确定跨境交易中的税收减免方和应纳税方，这种做法不仅复杂，而且缺乏控制，使舞弊有机可趁。对此欧盟单一市场将纳税地点确定为货物最终销售国，将跨境交易视同国内交易，从而降低舞弊的风险。

As the system will change from one based on the origin principle towards a destination principle, also the policy related to VAT rates needs to be modernised and adapted.

In order to do so, two main options have been outlined. Either the list of goods and services eligible for reduced VAT rates will be extended and reviewed on a regular basis, or the member states will be allowed a greater freedom on the number of VAT rates and the level by simply abolishing the list.

The announcement of the VAT action plan is just the start of the reform, and it is to be continued over the next few years in order to reach the goal of a single robust European VAT area. Decisions on all these actions are needed together with political leadership and support for reform.

由于系统将由以物品来源地原则为基础变为以目的地原则为基础，相关的增值税税率也需要改进和调整。

为了达到该目的，提出了两个选项：扩大适用低税率的货物和服务的范围，并定期进行复核；或者废除原来的低税率货物和服务列表，增加成员国确定增值税税率的自由度。

增值税行动计划的宣布只是改革的开端，为了达到欧洲单一增值税区的目的，该计划在未来几年将持续推行。所有的这些的行动决议则需得到政府领导与支持。

*Contributed by*  
Katrien Huysse  
VGD Belgium  
katrien.huysse@vgd.eu

## China / 中国

---

### China Issued New Tax Preferential Policy on Stock Incentive and Technology Contributed as Shares

#### 中国出台股权激励与技术入股税收优惠新政

In September 2016, approved by the State Council of China, the Ministry of Finance, and State Administration of Taxation of China have co-issued the Circular on Improving the Income Tax Policies on Stock Incentive and Technology Contributed as Shares (numbered Cai Shui [2016] 101), according to which, qualified private companies may apply to defer the tax payment on tax related to its share option, equity option, restricted share and equity incentive schemes, and qualified public companies may apply to extend the taxation period on tax related to its share option, restricted share and equity incentive schemes, and technology contributed as shares may apply for optional tax preferential policies. Meanwhile, the State Administration of Taxation of China has also issued a set of supporting measures for administration purposes.

2016年9月，经中国国务院批准，财政部、国家税务总局发布了《关于完善股权激励和技术入股有关所得税政策的通知》（财税〔2016〕101号）。该文件对符合条件的非上市公司股票期权、股权期权、限制性股票和股权奖励实行递延纳税政策，对上市公司股票期权、限制性股票和股权奖励适当延长纳税期限，对技术成果投资入股实施选择性税收优惠政策。同时，国家税务总局还出台了配套管理措施。

The issuance of the above circular will further encourage technology innovation and stimulate scientists to be more active and creative, in order to turn technology achievements into productivity and promote China's economic structure transformation and upgrading.

The issuance of the above circular will further encourage technology innovation and stimulate scientists to be more active and creative, in order to turn technology achievements into productivity and promote China's economic structure transformation and upgrading.

该税收优惠政策的出台，将进一步鼓励科技创新，充分调动科研人员创新创业的活力和积极性，使科技成果最大程度转化为现实生产力，将有力的促进中国经济结构转型升级。

该税收优惠政策的出台，将进一步鼓励科技创新，充分调动科研人员创新创业的活力和积极性，使科技成果最大程度转化为现实生产力，将有力的促进中国经济结构转型升级。

## China Reduced Its Consumption Tax Rate on Cosmetics

### 中国降低化妆品消费税税率

In September 2016, approved by the State Council of China, the Ministry of Finance and State Administration of Taxation of China have co-issued the Circular on Adjusting Consumption Tax Policies on Cosmetics (numbered Cai Shui [2016] 103) and the Circular on Adjusting Consumption Tax on



Imported Cosmetics (numbered Cai Guan Shui [2016] 48), according to which, the consumption tax used to be levied on ordinary beauty products and daily cosmetics is cancelled and the consumption tax rate on imported high-end cosmetics is reduced from 30% to 15%.

The issuance of the above two circulars are good news for the cosmetic industry. The mass or lower-price cosmetics are exempted from consumption tax, and those with higher-price are likely to reduce their selling price due to the reduction in tax.

2016年9月，经中国国务院批准，财政部、国家税务总局发布了《关于调整化妆品消费税政策的通知》（财税〔2016〕103号）和《关于调整化妆品进口环节消费税的通知》（财关税〔2016〕48号）。上述两份文件取消了对普通美容、修饰类化妆品征收消费税，并将高档化妆品进口环节消费税由30%降低至15%。

上述文件的出台，对化妆品行业整体是一个重大利好。大众或低价彩妆用品不再征税，部分外资品牌的高档化妆品价格也有望下降，这个变化可谓是众望所归。

*Contributed by*

Gong Jian

Partner of Pan-China

[gongjian@pccpa.cn](mailto:gongjian@pccpa.cn)





## Knowledge partner of Chinese companies in Europe

At VGD we support entrepreneurs and their investors in their ambition to structure and to develop their businesses. In addition to our services, we offer entrepreneurs a sounding board, by challenging your opportunities and providing alternative ideas.

By investing in a knowledge partner you invigorate the long term success of your business and create the platform to fully enjoy your passion for business.

### Contact VGD Chinese Desk (VGD 会计师事务所中国部)

Jurgen Lelie  
Belgium; Zele

P + 32 52 45 87 40

E [jurgen.lelie@vgd.eu](mailto:jurgen.lelie@vgd.eu)

苏翰逊 / Hanxun Su  
Belgium; Zele

P +32 52 45 87 40

E [hanxun.su@vgd.eu](mailto:hanxun.su@vgd.eu)

Anthony Meul  
Belgium

P +32 52 40 97 20

E [anthony.meul@vgd.eu](mailto:anthony.meul@vgd.eu)

### Contact Pan-China (中国天健会计师事务所)

吴杰 / Jim Wu

China; Hangzhou

P +86 571 8821 6798

E [wjie@pccpa.cn](mailto:wjie@pccpa.cn)