Issue 255 December 2020



专注于财税服务 18 年 Committed to Finance & Taxation Services For 18 Years

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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

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 customercentered; Being professional, honest and efficient.



Shangha



Qingdao

P1 您需要注意的财税新政··· Tax regulations that you should pay attention to...

规定的公告》(2020年第41号), 公告如下:

(1) 对自 2020 年 1 月 1 日起至 2020 年 12 月 31 日申报出口,因新 值税、消费税, 出口时已征收出口 关税的, 退还出口关税。

(2) 对符合第一条规定的货物, 办理出口退税的,按现行规定补缴 已退(免)增值税、消费税税款。

(3) 自 2020 年 11 月 2 日起,符合 provisions. 续的,应当事先取得主管税务机关 出具的出口货物已补税 (未退税) 证明。

1. 经国务院批准, 财政部、海关总 1.Upon the approval of the State Council, the 署、税务总局发布《关于因新冠肺 Ministry of Finance, the General Administration of 炎疫情不可抗力出口退运货物税收 Customs and the State Administration of Taxation issued the Circular on the Tax Provisions on **Export Returned Goods under Force Majeure of COVID-19** [(2020) No. 41], to read as follows:

- (1) Import duties, VAT and excise will not be levied on goods returned in their original state 冠肺炎疫情不可抗力原因,自出口 into the country within one year from the date 之日起 1 年内原状复运进境的货 of export (from January 1, 2020 to December 31, 物,不征收进口关税和进口环节增 2020) due to the Force Majeure of COVID-19. Where export duties have been levied at the time of export, the same shall be refunded.
 - (2) With respect to the goods conforming to the provisions of Article 1 and the export duties of which have been refunded, VAT and excise shall be paid in full according to the prevailing
- 第一条规定的退运货物申报进口(3) With effect from 2 November 2020, where an 时,企业向海关申请办理不征税手 enterprise applies to the Customs for non-collection of duties on the export returned goods conforming to the provisions of Article 1 when declaring import, it shall obtain in advance a certificate issued by the competent tax authorities that the duties for the export goods have been duly paid (without tax refund).

- 月2日,符合第一条规定的退运货物已征 收的进口关税和进口环节增值税、消费 税,依企业申请予以退还。
- 2. 为充分发挥以工代训政策作用, 更大力 度支持企业以训稳岗、以训扩岗, 山东省 人力资源社会保障厅会同省财政厅印发 稳岗扩岗的通知》(鲁人社函〔2020〕78

号),文件规定:

(1) 2020 年 1 月至 2020 年 12 月, 中小微 **企业新吸纳**就业困难人员、零就业家庭成 员、离校两年内高校毕业生(含专科、高 职毕业生)、登记失业人员、我省及来我 省就业建档立卡贫困劳动力、离校 2 年内 技工院校及特殊教育院校职业教育类毕业 生(新吸纳时间以办理就业登记或社保登 记较早时间为准)就业,组织开展以工代

训的,**按吸纳人数给予企业每月 500 元/**

人、最长6个月的职业培训补贴。

(2) 困难企业以工代训补贴:根据以工代 月的补贴,单个企业在政策执行期内最高 补贴 30 万元。困难企业认定标准: 2020 税务部门数据为准) 较 2019 年平均值 (2019 年新成立企业不足一个完整年度 的, 按成立月份数平均计算)下降 50%及 收入(以提供给税务部门数据为准)较 2019 年平均值下降 20%及以上。对受疫情 影响较大的外贸、住宿餐饮、文化旅游、 交通运输、批发零售行业,**补贴范围扩大** 到大型企业,单个企业在政策执行期内最 高补贴 200 万元。

- (4) 自 2020 年 1 月 1 日起至 2020 年 11 (4) From 1 January 2020 to 2 November 2020, import duties, import VAT and excise levied on the returned goods conforming to the provisions of Article 1 shall be refunded upon the application of the exporter.
- 2. The Notice on the Support for Enterprises to Stabilize and Expand Employment through On-the-job Training (Lu Ren She Letter [2020] No. 78) was jointly issued by Shandong Provincial Department of Human Resources and Social Security and the Provincial Department of Finance in 《关于进一步加大以工代训力度支持企业 order to implement the policy of on-the-job training and to support businesses to stabilize and expand employment through training. It provides that:
 - (1) From January 2020 to December 2020, small, medium and micro sized enterprises that newly recruit (the earlier registration for employment or social security shall prevail) people with difficulty in finding jobs, members of zeroemployment families, college (including junior college and vocational college) graduates within two years after graduation, registered unemployed, poor labor force of Shandong Province and those who came to Shandong Province and filed for employment, graduates of vocational education from technical and special education institutions within two years after graduation, and carry out On-the-job Training for the aforesaid, shall be given a vocational training subsidy of RMB 500 person/month for a maximum of 6 months.
- (2) The vocational training subsidy for troubled 训人数给予企业每月 500 元/人、最长 6 个 businesses is RMB 500 person/month for a maximum of 6 months, subject to a cap of RMB 300,000 for a single troubled business during the effective policy period. Criteria for troubled businesses: From January to May, 年 1—5 月,企业当月营业收入(以提供给 2020, monthly operating income of the enterprise (subject to the data provided to the tax authorities) was at least 50% lower than the average in 2019 (where an enterprise is established less than one full year in 2019, it shall be calculated as per the average of the months of establishment); 2020 年 6—12 月, 企业当月营业 from June to December 2020, monthly operating income of the enterprise (subject to the data provided to the tax authorities) was at least 20% lower than the 2019 average. For businesses in foreign trade, accommodation, catering, cultural tourism, transportation, wholesale and retail industries that have been greatly affected by the pandemic, the subsidy is expanded to cover large-size enterprises, with a maximum of RMB 2 million for a single enterprise during the effective period of the policy.

P3 百福润财 税青岛 老板 沙龙 Brighture Salon in Qingdao 2020 年 11 月 27 日 14:00 至 16:00, 百福润财税在一家咖啡吧举行了 2020 年第 10 期老板沙龙活动,沙龙主题为"股权激励"。

本期老板沙龙由百福润财税欧美部总经理 Susan 老师主讲,Susan 老师主讲,Susan 老师是澳大利亚法学博士,拥有中国及澳大利亚两国律师资格,曾任世界五百强企业美国家乐氏公司东南亚及大华区的法务总监等,不仅有数十年的法律从业经验,而且有多年的企业经营管理和内部风险防控的实战经验。

Susan 老师从人力资源思维、财务 思维、法律思维、管理思维 4 个维 度,主要对股权激励"是什么、为何 做、怎么做"等 3 个方面进行了分 享。

(1) 股权激励是什么?

它是将公司股权或者股份的收益权 以某种方式授予企业的中高层管理人 员和业务、技术骨干,使他们参与决 策、分享收益、承担风险,形成权利 和义务相互匹配的所有权、收益权、 控制权和管理权关系,从而激励员工 为公司长期发展服务的一种制度安 排。

做股权激励时,经营者需要思考: 如何将薪资制度的短期利益、项目目 标的中期利益以及股权激励的长期利 益相结合。公司可以采用渐进式的股 权激励步骤,从虚拟股权过渡到注册 登记的实股。

(2)为什么要做?

现在已经从打工时代进入了合伙人时代,**通过股权激励可以将员工的利益 和公司的利益进行捆绑,激发员工的 主人翁意识,激发其主动性和创造 性,**以促进公司发展。 The 10th Brighture Manager Salon for 2020 was held from 14:00 to 16:00 on November 27, 2020 in a coffee house under the theme of "Equity Incentives".

The resource person for this event was Susan, Australian Doctor of Law with Australian and Chinese qualification of attorney, former Manager of Legal Affairs for South-East Asian and Great China Region of Kellogg's, an American Fortune 500 business. She has decades of experiences as legal practitioner as well as in business management and internal risk control.

The lecture was composed of three aspects, namely, "what, why and how" in four sides, i.e., resources, finance, law and management.

(1) What is equity incentive?

It is an institutional arrangement to grant the company's equity or claims of the stocks to the middle and senior management personnel and business and technical backbone of the enterprise in a certain way, so as to enable them to participate in decision-making, to share the benefits and take the risks, and to make the ownership, right to earnings, control and management commensurate with the obligations, thus motivating employees to serve the long-term development of the company.

It is imperative to consider comprehensively the short-term benefits of the salary system, the mediumterm benefits of the project and the long-term benefits of the equity incentives. Companies can adopt progressive equity incentive step by step from virtual equity to registered real equity.

(2) Why do we need equity incentive?

We are already in an era of partner instead of laborer. Equity incentive can bind the interests of employees with those of the company, and stimulate the employees' sense of ownership, their initiative and creativity for the development of the company.

(3) How to design an equity incentive plan?

First, we need to carry out company investigation and diagnosis, which is followed by the design of the equity incentive plan and the implementation thereof.

(3) 如何做?

首先进行企业调研、诊断;然后设 计股权激励方案;再将方案落地实 施。股权激励方案的核心要素有:

定人:选择认同事业、能独当一面, 有渡人之心与独特能力的关键人才;

定股:根据情况选择虚拟股权、期权、注册股等股权激励的工具;

定量: 首次激励总额不超过 20%的比例,逐步释放。给每位激励对象的股权数量要结合其岗位的重要性及贡献值确定;

定价:可以根据企业的类型与发展阶段选择"净资产、市盈率、用户数、市梦率"等方式进行定价;

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,从人事、法律、财务、管理四个维度综合考虑,为企业量身定制股权激励方案,并协助将方案落地实施,让企业后顾无忧。

The core elements of the equity incentive plan include:

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Determination of individuals: Select key talented individuals who identify with company objectives, can perform duties independently, and have the heart to cultivate colleagues, and have other unique abilities;

Determination of instruments: Choose among virtual equity, options, registered shares and other equity incentive tools;

Determination of amount: The total amount of the first incentive does not exceed 20% of the total, which is gradually released, and the amount to each individual should be based on the importance of his position and contribution;

Determination of price: Select among the "net assets, P/E ratio, number of users, and price-to-whatever-ratio" for pricing

As a professional service agency, Brighture can customize equity incentive plan for enterprises based on their development strategy, business model and organizational structure, taking into account the four aspects of personnel, law, finance and management, and assist in the execution of the plan, and resolve every problem that may ensue.





Key Date 线上沙龙: 百 福 润 财 税 2020 年 第 11 期老板沙龙

主题: 教老板看懂财务报表

时间: 2020年12月18日周五14:00

至 16:00

Online Salon: The 11th Brighture Salon in 2020

Topic: Teach the boss to read the financial statements

Time: 14:00-16:00, December 18,2020(Friday)

百福润财税解答客户热点问题 Brighture's answers to hot topics

Q: 我贸易公司员工较多,企业运营 分布点多面广,一年中总有意想不 到的突发事件发生,为了减少生命 财产损失,公司在购买基本社会保 险的基础上,又为员工购买了人身 意外险。我们购买的人身意外险能 否在企业所得税税前扣除?

A: 贵司为员工购买的人身意外险属 于"商业保险"不能在企业所得税 税前扣除。根据《企业所得税法实 施条例》第三十六条规定:除企业 依照国家有关规定为特殊工种职工 支付的人身安全保险费和国务院财 政、税务主管部门规定可以扣除的 其他商业保险费外,企业为投资者 或者职工支付的商业保险费,不得 扣除。

提示: 如果企业有为特殊工种提供 的人身意外险,可以单独列出,在 税前扣除。

Q: Our trading company purchased personal accident insurance for employees in addition to the basic social insurance. Can the personal accident insurance we bought be deducted before the corporate income tax?

A: The personal accident insurances purchased company by vour employees are commercial insurances in nature, which cannot be deducted before corporate income tax. However, Article 36 of the Regulations on the Implementation of the Corporate Income Tax Law says: The commercial insurance premium paid by an enterprise for investors or employees may not be deducted, except for the personal safety insurance premium paid by the enterprise for employees of special types of work and other commercial insurance premiums ratified by relevant provisions of competent financial and tax authorities under The State Council.

Tip: If the enterprise provides personal accident insurance for employees in special positions, it can be listed separately and deducted before tax.

P.5 百福润财税同仁 本月司龄:

- 任晓红(客户关怀部) -入司 14 周年
- 杜修云(国内二部) -入司 11 周年
- 张瑜峰(日本部) -入司9周年
- 甘彩霞(欧美二部) -入司7周年
- 殷淑芳(欧美一部) -入司 4 周年
- 刘方圆(国内一部) -入司3周年

Work Anniversary at **Brighture** in this month:

- Ruby Ren (Customer Development Dept.) - 14 Years
- Caroline Du (Chinese Dept.2) -11Years
- Yuhou Zhang (Japanese Dept.) -9Years
- Alice Gan (Englishspeaking Dept.2) -7Years
- Jannie Yin (Englishspeaking Dept.1) -4Years
- Anna Liu (Chinese Dept.1) -3Years

上海联系方式

Shanghai Contact Details:

上海市浦东新区东方路710号汤臣金融大厦1612室 Room 1612, Tomson International Commercial Building, No.710 Dongfang Road, Pudong District, Shanghai 电话 Tel: +86-21 6890 7629

邮箱 Email: cpash@brighture.com

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具体以相关法规及当地行政机关判定结果为准.

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青岛联系方式

Oingdao Contact Details:

青岛市市南区福州南路 87 号福林大厦 A座 602 室 Room 602, Fulin Building, No. 87 Fuzhou Road, Shinan District, Qingdao

电话 Tel: +86-532 8597 9808 邮箱 Email: cpaqd@brighture.com

www.brighture.com