



## 汇丰银行（中国）有限公司关于营业税改征增值税（营改增）的实施通知

### HSBC Bank (China) Company Limited: Notification on Implementing of Replacing Business Tax (BT) with Value-Added Tax (VAT) (VAT reform)

营改增，是指营业税改增值税。目前全世界范围内有超过 150 个国家实行增值税制度，此次增值税改革将使得中国的流转税制度更加接近于世界范围内的主流操作模式。

VAT reform refers to the replacement of BT with VAT. Currently, there are more than 150 countries under VAT regime worldwide. The VAT reform will make Chinese turnover tax regime closer to a world-recognized optimum operation model.

中国财政部及国家税务总局于 2016 年 3 月 24 日共同颁布财税[2016]第 36 号文件（以下简称“36 号文”），规定了全面增值税改革试点方案的具体实施办法，并将增值税试点范围扩大到建筑业、房地产业、金融业以及生活服务业。该文件已自 2016 年 5 月 1 日起全国开始执行，原相关营业税法规废止。

The Ministry of Finance and the State Administration of Taxation jointly issued Circular Caishui [2016] 36 (hereinafter referred to as “Circular 36”) on 24<sup>th</sup> March, 2016, stipulating the specific measures for its implementation of the overall pilot program of VAT reform, and expanding the scope of VAT to Construction, Real Estate, Finance and Service industry. This Circular became effective as of on 1<sup>st</sup> May, 2016, the old relevant laws and regulations of Business tax abolished.

以下为 36 号文的部分规定事项：

Circular 36 stipulates below issues:

1. 除个别免税或税收优惠等情形外，金融服务业的普遍适用税率为 6%。金融服务，是指经营金融保险的业务活动，其中包括贷款服务、直接收费金融服务和金融商品转让。

The tax rate of Finance industry is generally 6% except for individual cases like tax exemption or tax preferential treatment. Finance services are business activities of the Financial & Insurance Industry including loan services, directly-charged financial services and financial goods transfer services.

2. 存款利息收入为不征收增值税项目，无需缴纳增值税。

Deposit interest income is out of VAT scope and does not need to pay VAT.

3. 以下项目不能开具增值税专用发票（我行将严格遵照执行，且将不时地根据税收规定变化作出相应调整，但我行无义务通知此等变化）：
- 向消费者个人销售服务、无形资产或者不动产；
  - 适用免征增值税规定的应税行为；
  - 金融商品转让；
  - 经纪代理服务向委托方收取的政府性基金或者行政事业性收费。

Below are items that should not issue VAT Special invoices (HSBC would strictly adhere to the stipulation and adapt to the changes in the stipulation from time to time, but HSBC does not have the responsibility of informing such changes).

- Selling services, intangible assets or immovable assets to personal customers.
  - Taxable behaviors which apply to Tax exempted provision.
  - Transfer of financial products;
  - Governmental fund or administrative fees that brokerage service charged to entrusting parties.
4. 纳税人支付的贷款利息相关的增值税进项税额不得从其销项税额中扣除。

Loan interest related input VAT of taxpayer must not be deducted from its output tax.

5. 金融服务项目的计税基础及纳税时点如下：  
The tax base & tax timing of financial service are as follows:

服务/Service	计税基础/Tax base	纳税时点/Tax timing
贷款服务 Loan service	以提供贷款服务取得的全部利息及利息性质的收入为销售额 The sales volume is the total interest income or other interest-nature income from providing loan service	<ul style="list-style-type: none"> <li>● 发生应税行为并收讫销售款项或者取得索取销售款项凭据的当天； On the same day when taxable behaviors occur and the sales payment received or sales credentials obtained.</li> </ul>
直接收费金融服务 Directly-charged financial service	以提供直接收费金融服务收取的手续费、佣金、酬金、管理费、服务费、经手费、开户费、过户费、结算费、转托管费等各类费用为销售额。 The sales volume is the total amount of handling charge, commission fee, remuneration, management fee, service fee, brokerage fee, setup fee, transfer fee, settlement fee, custodian fee and other kinds of fees that are directly charged from providing financial services.	<ul style="list-style-type: none"> <li>● 先开具发票的，为开具发票的当天。 If invoices are issued first, the tax timing is the same day when it is issued.</li> </ul>

金融商品转让 Transfer of financial product	金融商品转让, 按照卖出价扣除买入价后的余额为销售额。 The sales amount is the difference between selling rate and buying rate.	<ul style="list-style-type: none"> <li>● 纳税人从事金融商品转让的, 为金融商品所有权转移的当天。            For taxpayers who transfer financial product, the tax timing is the day when transferring its ownership.</li> </ul>
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我行已申请成为增值税一般纳税人。

HSBC Bank (China) Company Limited has applied and become a general VAT taxpayer

截至本通知发布之时, 我行可能已向贵司发送了营业税改征增值税改革实施沟通函 (以下简称“沟通函”)。若贵司未收悉前述沟通函, 则请以本通知为准。

Upon the time of issuing this notice, HSBC may have sent you the communication letter on the implementing of the VAT reform (Hereinafter referred to as “Communication Letter”). If you have not received the above-mentioned Communication Letter, please take this notice as valid.

根据最近颁布的税总发[2016] 75 号 (以下简称“75 号文”) 的要求, 并进一步提高工作效率, 我行简化了增值税发票信息收集的要求。若贵司还未提供相关信息, 烦请及时登录我行官网【<https://www.hsbc.com.cn>】进入下载中心, 下载【[商业客户信息变更申请表](#)】, 填写增值税信息变更部分, 按表格要求签章后, 于 2016 年 8 月 31 日之前递交至我行各对公柜台。若贵司之前已提供相关信息, 则此次无需重新提供。我行将不胜感激。

According to the recently issued Circular [2016] 75 (hereinafter referred to as “Circular 75”), the collection of VAT information for fapiao issuance purposes should be simplified. To that end, if you have not already provided the relevant VAT information, we would be grateful if you could advise your VAT registration details for fapiao issuance purposes by completing a 【[Business Customer Information Change Application Form](#)】 (“hereafter referred to as “Application Form”). This is available in the download center of our official website 【<http://www.hsbc.com.cn>】. Please return the completed Application Form with required signatory(ies) / company chop(s) to HSBC’s corporate customer service counter before August 31, 2016.

本通知内容 (包含上述我司出具或发布的沟通函、公告等相关文件) 并非对 36 号文以及其他相关税收法律法规的最新、全面、准确和专业解读, 亦不应视为我行向贵司提供的任何法律或税务意见和建议, 贵司不得依赖本通知内容理解、履行或主

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张贵司所应承担的税法义务或享有的权利。若贵司对于 36 号文, 75 号文及相关法规和贵司自身的增值税状况有任何疑问, 敬请贵司向专业法律或税务顾问获取帮助。

The content of this notice (including the above-mentioned Communication Letter and Announcement issued by HSBC) is NOT the updated, complete, accurate or professional interpretation of the Circular 36, Circular 75 or related tax laws and regulations, and SHOULD NOT be considered as any legal or tax advices and recommendations. Please DO NOT depend on this notice to understand, fulfil or claim your tax rights or obligations. If you had any enquiries regarding the Circular 36 or related tax law and regulations, or your own status of VAT, please seek help from professional legal or tax consultants.

感谢贵司的合作!

Thank you for your cooperation!

汇丰银行(中国)有限公司  
二零一六年七月十八日  
HSBC Bank (China) Company Limited  
18<sup>th</sup> July, 2016