Observations and Suggestions 观察与建议

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Reforming the Personal Income Tax System in the People's Republic of China 改革中国个人所得税制度

ASIAN DEVELOPMENT BANK

Reforming the Personal Income Tax
System in the People's Republic of China
改革中国个人所得税制度

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Abstract

摘要

- The Amendment to the Personal Income Tax Law in 2018 was a fundamental reform to the personal income tax system in the People's Republic of China.

2018年《中华人民共和国个人所得税法修正案》是中华人民共和国（中国）个人所得税（个税）制度的一次根本性改革。

- International comparisons and case studies, however, show that some issues remain. These include (i) a narrow taxpayer base, (ii) broad special deductions, (iii) a heavy tax burden on labor income but a light one on capital income, (iv) a suboptimal tax rate structure, and (v) a low tax collection compliance rate.

然而，国际比较和案例研究表明，中国的个税制度仍存在一些问题，包括：（1）税基狭窄，（2）专项扣除范围广泛，（3）劳动所得税负重而资本所得税负轻，（4）税率结构未达到最优，以及（5）税收遵从率低。

- Lessons from successful tax reforms in Australia, Germany, Japan, Sweden, the United Kingdom, and the United States highlight the importance of a wide tax base, a limited scale and scope of special deductions, strong tax compliance, and increased transparency.

澳大利亚、德国、日本、瑞典、英国和美国成功推行税收改革的经验教训充分说明，拓宽税基、限制专项扣除的规模和范围、强化税收遵从度以及提高透明度具有重要意义。

- Based on international experiences, this note provides policy recommendations in four areas: (i) broadening the tax base by freezing the current level of the basic deduction and including individual business income, pensions, and annuities into comprehensive income; (ii) streamlining and limiting special deductions; (iii) optimizing the tax rate structure by reducing the top marginal tax rate and increasing the minimum marginal rate; and (iv) strengthening tax compliance by stricter law enforcement.

基于国际经验，本政策简报提出以下四个方面的政策建议：（1）保持现行基本减除费用标准不变，并将个体经营所得、养老金和年金所得纳入综合所得，以扩大税基；（2）精简专项扣除项目，并限制其适用范围；（3）降低最高边际税率并提高最低边际税率，以优化税率结构；以及（4）加大执法力度，以提高税收遵从度。

I. BACKGROUND

1. The current tax system in the People's Republic of China (PRC) relies heavily on indirect taxes on goods and services, the growth of which has slowed significantly since 2016 following reforms of the value-added tax that sought to lower the tax burden on enterprises. The current tax structure in the PRC contrasts with international experience, which suggests that with increasing income levels, countries move away from indirect taxes toward direct taxes on income and property. In the PRC, personal income tax (PIT) contributed relatively little to tax revenue, amounting to 8.9% of the total tax revenue, or 1.5% of gross domestic product (GDP) in 2018, much less than the Organisation for Economic Co-operation and Development (OECD) average of 23.9% of tax revenue, or 8.3% of GDP in 2018.¹ The PIT reform in 2018 further reduced the share of PIT in tax revenue to 6.6%, or 1.0% of GDP in 2019. Improving PIT collection would make a direct contribution to strengthening the budget's revenue base.

2. The Amendment to the Personal Income Tax Law was approved on 31 August 2018 and came into effect on 1 October 2018. The amendment increased the basic deduction for PIT from CNY3,500 per month to CNY5,000, or, when annualized, from CNY42,000 per year to CNY60,000. It integrated income from wages and salaries, remuneration for personal services, and author's remuneration and royalties into "comprehensive income" by aggregating income from these categories each year. After deductions, this amount is then subject to a unified progressive tax rate. Changes also included the introduction of additional special deductions—to be deducted from annual comprehensive income—aiming at reducing tax burden by claiming special deductions for certain expenses such as children's education, further education, treatment for serious illnesses, and interest payments on housing loans and rental payments.

3. The revised Personal Income Tax Law is regarded as a milestone in reforming the PIT system. By introducing the concept of comprehensive income, the PRC moved to two coexisting taxation schemes, one comprehensive and the other schedular. The latter applies rates for each income category according to a specific tax rate table. Individual business income, interests, dividends, bonuses, income from the lease or conveyance of property, and other income are still taxed according to their respective tax rate table.

4. Although the amendment is an important step, international comparisons and case studies of PIT reforms show that some issues remain. Moreover, the outbreak of coronavirus disease (COVID-19) in early 2020 has put additional burden on the government budget. Not only will additional fiscal

¹ Organisation for Economic Co-operation and Development. 2020. *OECD Data: Tax on Personal Income*. <https://data.oecd.org/tax/tax-on-personal-income.htm> (accessed 29 April 2020).

expenditure be needed to stabilize the economy but fiscal revenue is also going to decline as a result of the sharply slowing economy. This policy note focuses on recommendations to further reform the PIT, especially by broadening its taxpayer base, limiting the scope of special deductions, optimizing its rate structure, and strengthening tax compliance. Such efforts would help stabilize PIT revenue given the reduction in PIT collected following the amendment.

II. REMAINING ISSUES IN THE PERSONAL INCOME TAX SYSTEM

5. **First, the high basic deduction results in a narrow PIT base.** The PRC's basic deduction is high compared to other countries. With per capita income and per capita consumption expenditure in 2018 at CNY28,228 and CNY19,853, respectively, the annual basic deduction of CNY60,000 stood at 213% of the per capita income and was three times the per capita consumption expenditure. By comparison, basic deduction stood at 22.9% in Australia, 44.8% in the United Kingdom (UK), and 16.1% in the United States (US) of their respective per capita income; or 24.6% (Australia), 59.3% (UK), and 20.9% (US) of their respective per capita consumption expenditure. High basic deductions usually result in fewer taxpayers as more earners drop below the taxation threshold. According to an estimate of the PRC's Ministry of Finance, the share of taxpayers in urban employees declined from 44% to 15% after the amended Personal Income Tax Law took effect.²

6. **Second, two issues remain with the current special deductions.** First, the basic and special deductions overlap: the basic deduction already considers basic consumption expenditures and has a dependency coefficient. Adding special deductions on top of that results in a high level of overall deductions. Second, the lack of income caps in applying special allowances narrows the PIT base and enables high-income groups to enjoy substantial tax benefits, which undermines the PIT's role in income redistribution.

7. **Third, the tax burden on labor income is high, but the tax burden on capital income is relatively light.** The PIT reform combined income from remuneration for personal services, author's remuneration and royalties, wages, and salaries into comprehensive income, and applies a unified progressive tax rate (from 3% to 45%) to it. However, the reform does not change the taxation of capital income at a 20% flat rate. Given that capital income usually increases with personal income, a lower tax rate on capital income weakens the role of PIT in income redistribution.

8. **Fourth, the tax rate structure remains suboptimal.** The latest PIT reform maintained the top marginal PIT rate at 45%, the same as in Australia, Germany, Japan, and the UK. Since the top marginal tax rate in the PRC now applies to comprehensive income—remuneration for personal

² E. Glenn and S. Qiu. 2018. *China Plans Income Tax Breaks to Boost Consumption*. 31 August.

services included—the tax burden on professionals with higher labor income increased drastically and might discourage these professionals, if not lower their tax compliance rate. At the same time, the PRC’s minimum PIT rate at 3% is lower than that in most advanced countries—e.g., 32% in Sweden, 20% in the UK, 19% in Australia, 14% in Germany, 10% in the US, and 5% in Japan. Considering that the PIT base in the PRC has become smaller alongside a higher basic deduction, there remains room to increase the minimum rate.

9. **Fifth, the PIT collection compliance rate remains low.** Reasons for the low compliance rate include (i) while a credit rating system for companies was established and tax authorities have issued more than 23 million company ratings,³ PIT payments are not recorded in the social credit system; (ii) a unified and interconnected national taxpayer database has not yet been established, which limits information sharing and matching as well as targeted auditing; (iii) weak legal and institutional tax enforcement, including audit and investigation; (iv) insufficient reporting requirements and information sharing on financial transactions; (v) narrow coverage of the withholding tax; and (vi) insufficient tax compliance statistics.

III. LESSONS FROM INTERNATIONAL EXPERIENCES

10. Many advanced economies—notably Australia, Japan, Germany, Sweden, the UK, and the US—undertook PIT reforms in recent years. The main elements of these reforms included the following:

11. **Widen the tax base.** Specific measures undertaken by the six mentioned countries to broaden the PIT base can be summarized as follows:

- Include capital income in the definition of comprehensive income. Most OECD countries define interest income as a part of comprehensive income (e.g., Australia, the UK, and the US). Some of them have a withholding tax for interest income in place, i.e., they withhold a part of the interest income at the source at a fixed rate (e.g., Germany, Japan, and Sweden). In the US, taxpayers must declare their “ordinary dividend” in the comprehensive annual income tax returns.
- Tax income from pensions and annuities. All six countries tax pensions and annuities but in different ways. In the US, up to 85% of the pension from the first pillar is taxed as comprehensive income using a progressive tax rate. In Germany, a law adopted in 2004 specifies that the partial taxation of pensions from the first pillar will be gradually replaced

³ Government of the People’s Republic of China, State Taxation Administration. 2019. *State Taxation Administration Annual Report 2018*.

by full taxation by 2040. Japan has a separate progressive tax on retirement income, but pensions and annuities will be taxed as comprehensive income with special deductions.

12. **Special deductions show several common characteristics.** These deductions are intended to reduce tax burden for some types of taxpayers, e.g., those with many children, and frequently aim at income smoothing or redistribution. Basic and special reductions frequently do not overlap in the six countries mentioned. Special deductions are also often capped to avoid excessive amounts of deductions with rising total personal income. Finally, there are measures in place to verify deductions to avoid tax fraud.

13. **Strengthen tax compliance through stricter law enforcement.** All six mentioned countries have strong compliance measures in place to ensure high compliance rates. The US has an information system that matches income reported with related information from other sources to prevent underreporting or even nonreporting. When a taxpayer's action and fraudulent scheme rises to the level of criminal conduct in the US, the Internal Revenue Service stops auditing and refers the case to its Criminal Investigation Division, which conducts a criminal investigation, gathers evidence, and refers the case to the Department of Justice for prosecution. When taxpayers evade taxes in the UK, their cases are referred to the National Crime Agency for investigation and prosecution. Japan has the "Blue Return" system for taxpayers. Taxpayers who remain in good standing under the blue tax return system will be given certain tax-related privileges. In Germany, the regulations on electronic bookkeeping and online reporting have been strengthened in recent years.

14. **Increase transparency by publishing tax compliance data.** The majority of countries mentioned have a high degree of tax compliance transparency. With the exception of Germany, tax compliance statistics are published and readily available on their tax authorities' websites. This is not only useful for planning purposes but also to inform the public about the tax administration's accomplishments. Higher transparency can build trust in the tax system.

IV. POLICY RECOMMENDATIONS

15. Based on international experiences, further PIT reforms in the PRC should consider (i) broadening the tax base, (ii) streamlining and limiting special deductions, (iii) optimizing the tax rate structure, and (iv) reinforcing tax collection and administration.

Specific measures include the following:

16. **First, broaden the PIT base.** It is recommended to keep the current basic deduction unchanged. Given that the basic deduction for PIT was increased recently and is unlikely to be reduced anytime soon, widening the PIT base should mainly be achieved via the natural increase of taxpayers as more individuals become eligible taxpayers when their incomes increase to a level exceeding the minimum threshold. Another suggestion is to include individual business income, pensions, and annuities into comprehensive income, and apply uniform progressive tax rates—except on the portion of pensions or annuities stemming from contributions out of previously taxed income, which should be excluded to avoid double taxation.

17. **Second, adjust the current special deductions.** It is important to clarify the relationship between the basic deduction and the special deduction by clearly delineating their scope, and to streamline deductions that currently duplicate. It is recommended to reduce the special deductions gradually in line with rising total personal income. For instance, the special deductions for taxpayers with an annual taxable income in the CNY420,000–CNY960,000 bracket could be reduced by half, while earners in the highest PIT bracket—those with an annual taxable income above CNY960,000—should not be eligible for special deductions.

18. **Third, optimize the PIT rate structure by decreasing the top marginal rate and increasing the minimum marginal rate.** Considering that the current top marginal tax rate is used for taxing major items of labor income, gradually reduce it from 45% to 35%, which could lift the motivation of highly qualified professionals and their tax compliance. The minimum marginal tax rate should be increased from 3% to at least 5%, as a higher basic deduction also raised the threshold for taxation of income.

19. **Fourth, strengthen tax compliance by improving law enforcement.** It is suggested to reinforce tax audits and include PIT payment records in the social credit system to encourage taxpayers to observe the law, and to publish general tax compliance statistics on the tax authorities' websites to establish a track record. To increase individual tax compliance, it would be helpful to establish a unified and interconnected national taxpayer database, and a two-way declaration system among withholding agents, taxpayers, and tax authorities.

一、背景

1. 现行的中华人民共和国（中国）的税收体系过度依赖对商品和服务征收的间接税，自2016年开展增值税改革以降低企业税负以来，间接税增速明显放缓。国际经验表明，随着居民收入水平的不断提高，许多国家逐渐从征收间接税转向对收入和财产征收直接税，而中国目前的税收结构与此截然不同。在中国，个人所得税（个税）对整体税收的贡献度相对较小，2018年个税占税收总额的比重为8.9%，占国内生产总值（GDP）的比重为1.5%，远低于当年经济合作与发展组织（经合组织）国家的平均水平——个税占税收总额的比重为23.9%，占GDP的比重为8.3%。¹ 而由于2018年个税改革的施行，2019年中国个税占税收总额的比重进一步降至6.6%，占GDP的比重也降至1.0%。完善个税征收机制将对夯实预算收入基础做出直接贡献。

2. 《中华人民共和国个人所得税法修正案》于2018年8月31日通过，并于当年10月1日起施行。该修正案将个税的基本减除费用标准由每月3,500元提高到每月5,000元，即由每年42,000元提高到每年60,000元。它将工资和薪金所得、劳务报酬所得、稿酬所得、特许权使用费所得合并为“综合所得”，按年度计算。这部分所得经减除费用后，适用统一的累进税率。修改内容还包括设立专项附加扣除——从年度综合所得中扣除——目的在于通过对某些费用（如子女教育支出、继续教育支出、大病医疗支出、住房贷款利息和住房租金）实行专项扣除，以减轻个人税收负担。

3. 修改后的《个人所得税法》被认为是个税改革的重要里程碑。通过引入综合所得的概念，中国开始转向两种税制并存的模式，一种是综合税制，另一种是分类税制。分类税制是根据特定的税率表来确定各收入类别的适用税率。对个体经营所得、利息、股息、红利所得、财产租赁所得、财产转让所得以及其他所得，仍采用分类征税方式。

4. 虽然该修正案是个税改革迈出的重要一步，但有关个税改革的国际比较和案例研究表明，其中仍存在问题。此外，2020年初新冠肺炎疫情爆发，给政府预算增加了额外的负担。政府不仅需要额外的财政支出来稳定经济，而且由于经济增速急剧放缓，政府的财政收入也会下降。本政策简报着眼于提供进一步推进个税改革的建议，特别是扩大税基、限制专项扣除范围、优化税率结构和提高税收遵从度等方面的改革。鉴于修正案正式施行后，政府的个税收入有所下降，这些措施将有助于稳定个税收入。

二、个税制度仍存在的问题

5. 首先，基本减除费用标准高，导致个税税基狭窄。相比于其他国家，中国个税的基本减除费用标准较高。2018年中国的人均收入和人均消费支出分别为28,228元和19,853元，而年度基本

¹ 经济合作与发展组织，“经合组织数据：个人所得税”，<https://data.oecd.org/tax/tax-on-personal-income.htm> (2019年4月29日访问)。

减除费用为60,000元，相当于人均收入的213%和人均消费支出的三倍。相比之下，澳大利亚、英国和美国的基本减除费用分别占其人均收入的22.9%、44.8%和16.1%，占其人均消费支出的24.6%、59.3%和20.9%。基本减除费用标准高，通常会导致纳税人范围减少，因为更多个人的收入低于税收门槛。据中国财政部估计，修改后的《个人所得税法》生效后，个税纳税人占城镇就业人员的比例由44%降至15%。²

6. **其次，现行专项扣除存在两方面问题。**其一，基本减除费用与专项扣除相重叠：基本减除费用已经考虑了基本消费支出以及负担系数。在此基础上增设专项扣除会导致整体扣除水平偏高。其二，未限制可享受专项扣除的纳税人的收入范围，缩小了个税的税基，使得高收入群体能够享受大量的税收优惠，进而削弱了个税在收入再分配中的作用。

7. **第三，劳动所得税负重，资本所得税负相对较轻。**个税改革将劳务报酬所得、稿酬所得、特许权使用费所得、工资和薪金所得合并为综合所得，适用统一的累进税率（3%至45%）。然而，此次改革并未对资本所得按20%的固定税率征税的规定做出修改。由于资本所得通常随个人所得的增加而增加，资本所得税率偏低会削弱个税在收入再分配中的作用。

8. **第四，税率结构仍未达到最优。**个税改革新政将个税最高边际税率保持在45%，与澳大利亚、德国、日本和英国持平。在中国，综合所得——包括劳务报酬所得——适用最高边际税率，因而劳动所得较高的专业人员的税收负担急剧增加，即使不会降低专业人员的纳税遵从率，也可能打击其纳税积极性。与此同时，中国的个税税率最低为3%，低于大多数发达国家——例如，瑞典最低为32%，英国为20%，澳大利亚为19%，德国为14%，美国为10%，日本为5%。随着基本减除费用标准提高，中国的个税税基已经缩小，最低税率仍有上调的空间。

9. **第五，个税税收遵从率仍然较低。**税收遵从率低的原因包括：(1) 虽然税务机关构建了企业纳税信用体系，并发布了超过2,300万户企业的纳税信用评价，³ 但社会信用体系尚未建立个税纳税信用记录；(2) 尚未建立全国统一的、互联的纳税信用查询数据库，限制了信息共享、信息匹配和精准审计；(3) 税收法制不健全，税收执法（包括审计和调查）不力；(4) 有关财务交易的报告要求不充分，信息共享不足；(5) 代扣代缴税款覆盖面狭窄；以及(6) 税收遵从数据统计不充分。

三、国际经验教训

10. 近年来，许多发达经济体——尤其是澳大利亚、日本、德国、瑞典、英国和美国这六个国家——都进行了个税改革。改革的主要内容包括：

² E. Glenn and S. Qiu, 2018, *China Plans Income Tax Breaks to Boost Consumption*, 8月31日。

³ 中国国家税务总局, 2019, 《中国税务年度报告(2018)》。

11. **扩大税基。**上述六国为扩大个税税基所采取的具体措施可归纳如下：

- 将资本所得纳入综合所得。大部分经合组织国家将利息所得界定为综合所得的一部分（如澳大利亚、英国和美国）。甚至有些国家对利息所得实行预扣税制度，即按固定税率从源头扣缴部分利息所得（如德国、日本和瑞典）。在美国，纳税人必须在年度综合所得税申报表中申报“普通股息”。
- 对养老金和年金所得征税。上述六国都对养老金和年金所得征税，只是方式不同。在美国，纳税人从第一支柱获得的养老金所得中，高达85%纳入综合所得，按累进税率征税。2004年德国通过的一项法律规定，到2040年，纳税人从第一支柱获得的养老金所得将由部分征税逐步转向全部征税。日本对退休所得单独征收累进税，但养老金和年金所得被纳入综合所得，扣除专项费用后进行征税。

12. **专项扣除有几个共同特征。**扣除项目旨在减轻某些类型的纳税人（如有多个子女的纳税人）的税收负担，而且通常是为了实现收入平滑和再分配。在上述六个国家，基本减除费用和专项扣除项目通常不会重叠。专项扣除通常也设有上限，避免因个人所得总额增加而出现扣除额过多的现象。最后，制定适当的措施来核实扣除信息，避免逃漏税。

13. **加大执法力度，以提高税收遵从度。**上述六国都制定了强有力的税务遵从措施，以确保较高的税收遵从率。美国有一个信息系统，可将申报收入与其他来源的相关信息进行匹配，防止纳税人少报、漏报甚或不报税费。当纳税人的行为和骗税图谋上升至犯罪行为时，美国国家税务局就会停止审计，将案件移交给其刑事调查部门，由该部门进行刑事调查、收集证据以及将案件移交给美国司法部进行起诉。在英国，如果纳税人逃税，案件会被移交给国家打击犯罪局进行调查和起诉。日本对纳税人实行“蓝色申报”制度。根据蓝色申报制度，信誉良好的纳税人将被赋予某些税收方面的特权。德国近年来也加强了电子簿记和网上申报方面的法规。

14. **发布税收遵从数据，以提高透明度。**上述大多数国家都具有高度的税收遵从透明度。除德国外，其他几个国家的税收遵从统计数据均对外公布，并可随时在其税务机关的网站上查阅。这不仅有利于制定税务计划，还有助于让公众了解税务管理部门的成就。提高透明度有助于建立公众对税务系统的信任。

四、政策建议

15. 根据国际经验，进一步推进中国个税改革应考虑：（1）扩大税基，（2）精简专项扣除项目并限制其适用范围，（3）优化税率结构，以及（4）加强税收征管。

具体措施包括：

16. **第一，扩大个税税基。**建议保持现行基本减除费用标准不变。鉴于个税的基本减除费用标准已经提高，且在短期内不可能下调，因此扩大个税税基应主要通过纳税人的自然增长来实现，当更多个人的收入增至最低门槛以上时，这些个人就会成为符合条件的纳税人。另外，建议将个体经营所得、养老金和年金所得纳入综合所得，并适用统一的累进税率。养老金和年金所得中源于已纳税所得缴款的部分除外，这部分所得应予以减除，避免双重征税。

17. **第二，调整现行的专项扣除。**必须明确界定基本减除费用和专项扣除的范围，厘清两者之间的关系，精简目前重复的扣除项目。建议根据个人所得总额的增加逐步减少专项扣除额。例如，年应税收入在42万元至96万元之间的纳税人的专项扣除额可以减半，而个税类别最高的收入者——年应税收入在96万元以上的个人——则不应享受专项扣除政策。

18. **第三，降低最高边际税率并提高最低边际税率，以优化个税的税率结构。**考虑到现行最高边际税率是用于对劳动所得的主要项目征税，应逐步将最高边际税率从45%下调至35%，从而提高高素质专业人员的纳税积极性和纳税遵从度。而最低边际税率应从3%提高到至少5%，因为基本减除费用标准的提高也抬高了起征点的门槛。

19. **第四，加大执法力度，以提高税收遵从度。**建议加强税务审计，并将个税纳税记录纳入社会信用体系，鼓励纳税人依法纳税；此外，建议在税务机关的网站上公布税收遵从综合统计数据，创建跟踪记录。建立全国统一的、互联的纳税人数据库以及税款扣缴义务人、纳税人和税务机关之间的双向申报制度，都将有助于提高个人纳税遵从度。

Reforming the Personal Income Tax System in the People's Republic of China

The People's Republic of China (PRC) has made significant steps in amending the country's Personal Income Tax Law in 2018. Yet, there are still issues to consider for further improvement. Based on international experiences and comparisons, this publication recommends that personal income tax system reforms in the PRC must include (i) broadening the country's tax base, (ii) streamlining and limiting special deductions, (iii) optimizing the tax rate structure, and (iv) reinforcing tax collection and administration by strengthening compliance and improving law enforcement.

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改革中国个人所得税制度

2018年, 中华人民共和国(中国)发布《个人所得税法修正案》, 迈出了个人所得税(个税)改革的重要一步。然而, 中国要进一步完善其个税制度, 仍有一些必须考虑的问题。根据国际经验和国际比较, 本出版物建议中国的个税制度改革应包括: (1) 扩大税基, (2) 精简专项扣除项目, 并限制其适用范围, (3) 优化税率结构, 以及 (4) 提高税收遵从度并加大执法力度, 以加强税收征管。

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