

Research on tax planning and risk prevention of private enterprises under the background of tax reduction and fee reduction

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Abstract: Tax planning is an important part of enterprise financial management, which directly affects the economic benefits and development prospects of enterprises. Since the 18th National Congress of the Communist Party of China, the state has vigorously implemented the policy of tax reduction and fee reduction to stimulate the vitality of market entities and help private enterprises to develop high-quality, sustainable and low-cost. This paper systematically studies the concept and characteristics of enterprise tax planning, the risk of enterprise tax planning and common control methods. Through the analysis of the risk prevention and control of private enterprise tax planning under the background of tax reduction, it determines the strategy of enterprise tax planning risk prevention and effectively improves the quality of tax planning management of private enterprises.

Key words: Reduce taxes and fees; Tax planning; risk prevention

1. Background and content of national tax reduction and fee reduction

The "tax reduction and fee reduction" policy specifically includes "tax reduction" and "cancellation or suspension of administrative fees".

Since 2013, China has carried out an experimental reform on the value-added tax of private enterprises. In 2016, the replacement of business tax with value-added tax was fully implemented, and China's value-added tax rate was divided into four grades; In 2017, the value-added tax rate of 13% was canceled, and the value-added tax rate of sales and services of corresponding goods was reduced to 11%. China's value-added tax realized the conversion from specific commodity value-added tax to general commodity value-added tax; Since 2018, the inclusive tax exemption for small and micro enterprises has increased the upper limit of enterprise income tax by half, from 500000 yuan to 1million yuan, and the upper limit of single credit line of loan interest income exempted from value-added tax has been increased to 10million yuan. In 2019, the State Administration of Taxation will further raise the threshold for small-scale VAT taxpayers and reduce the VAT rate of private enterprises; In 2021, the policy dividend continued to be released, reducing the policy cost of famous enterprises and helping private enterprises develop with high quality.

In 2022, the world economy lacked momentum for development, the international environment was complex and grim, and domestic economic development was also facing enormous pressure. We vigorously promoted tax cuts and fee reductions, implemented the new combined tax support policy of "large-scale tax rebates + tax reductions and fee reductions + tax and fee deferrals", and introduced the policy of increasing the amount of value-added tax rebates for small and medium-sized enterprises at the end of the period. The pre Tax Deduction Policy of enterprise income tax for new equipment and appliances purchased by small and medium-sized and micro enterprises, the postponement of payment of part of taxes and fees for manufacturing small and medium-sized and micro enterprises in the first quarter and the second quarter of 2022, the exemption of value-added tax for small-scale taxpayers, the further implementation of preferential income tax policies for small and micro enterprises, and the reduction and exemption policy of "six taxes and two fees" for small and micro enterprises will inject cash flow into small and medium-sized enterprises, Helping small, medium-sized and micro enterprises to cope with the severe situation will effectively stimulate the vitality of market players, inject cash flow and vitality into private enterprises, become a lifesaver for private enterprises, and help private enterprises revitalize.

2. The concept and characteristics of tax planning

2.1 The concept of tax planning

Tax planning is a kind of enterprise behavior. In the normal production and operation process, the tax paid by enterprises accounts for a large proportion of the cost. In order to reduce the operating cost, enterprises plan tax related businesses to achieve the purpose of reducing tax expenditure. The main content of tax planning is to plan each process link of the enterprise in the social production and operation, design in advance for each link, and try every means to reasonably avoid the tax payable by the enterprise. Of course, this series of planned activities are reasonable tax avoidance under the premise of laws and regulations, and its essence is to reduce the cost of production and operation for enterprises.

2.2 Characteristics of tax planning

The essence of tax planning is planning and planning. It is an overall planning that is done before the production and operation activities of enterprises and tries every means to reduce taxes on the basis of laws and regulations. Its characteristics mainly include the foresight of tax planning, the professionalism of tax planning, the legitimacy of tax planning and the pertinence of tax planning.

3. The concept and common control methods of tax planning risk

3.1 Tax planning risk

The risk of tax planning is mainly that the enterprise is affected by objective factors such as market environment and tax policy and

personal subjective factors in the process of tax planning, which makes the planning income deviate from the expected results, and also refers to the uncertainty of the planning results that causes the enterprise to receive losses. The tax planning risks of enterprises mainly include policy tax planning risks and cost tax planning risks.

3.2 Risk control methods of tax planning

Enterprises should establish the risk awareness of tax planning, predict the possible risk of tax planning, and take effective measures to control the damage caused to enterprises due to the risk of tax planning according to national laws and regulations. In general, according to the time point in the business activities of the enterprise, the risk control scheme of tax planning mainly includes four aspects: avoidance, control, transfer and retention.

Avoidance, as the name suggests, means that enterprises voluntarily give up some plans that are at the edge of policies and laws and may cause risks before making tax planning plans. This method of risk control is relatively conservative, between action and inaction. The risk control of tax planning is to objectively analyze and judge the risks in the process of implementing the tax planning plan, and take effective measures to minimize the risks as far as possible. For the risk of tax planning, in order to protect the interests of enterprises, enterprises take reasonable and legal measures to transfer the risk to other subjects, which is the most common way for enterprises to control the risk of tax planning. Retained risk is that the risk generated by the tax planning scheme is within the scope of the enterprise, which can be resolved through the internal resources of the enterprise, and the enterprise can control the risk by reserving the risk to itself.

At the same time, in some key links of tax planning, it is also necessary to do a good job in risk prevention and control management. For example, the collection and collation of national policy information, the improvement of the professional ability of tax planners, the early warning mechanism of enterprise risk prevention and control, the designation of alternative schemes, the internal notification during the implementation of tax planning schemes and the performance evaluation of schemes.

4. Risk analysis of enterprise tax planning under the background of tax reduction and fee reduction

4.1 Recognition risks of tax authorities

At present, the ways of tax planning in general enterprises include internal planning and external planning. Internal planning refers to the planning and planning carried out by the enterprise mainly by internal personnel, and the participants include the enterprise leadership, tax related staff, etc. External planning, which is equivalent to business outsourcing, is planned by a third-party professional organization to assist the enterprise. It is also a trend in the current market. However, external planning also has obvious disadvantages. The team is mainly composed of external personnel. In order to cooperate with the third-party organization, the enterprise will actively provide some data related to enterprise operation, but the data inside the enterprise is absolutely confidential and top secret, and will not be disclosed to external personnel of the enterprise, so the third-party professional organization will not fully understand the enterprise. In tax planning, enterprises will comprehensively consider all kinds of situations, chew words on various legal provisions, carefully study them, and finally come to a theoretically reasonable tax planning scheme. However, the tax authorities are not only facing this enterprise, but also a large number of enterprises in all walks of life. The tax authorities may not know this enterprise 100% and may have different understandings of some contents in its tax planning plan. They will use discretion, that is, they can be punished freely within the scope of legal authorization, and the punishment range may be relatively broad, There will be penalties that are inconsistent with the expectations of the enterprise, ranging from supplementary tax payment to administrative punishment, which will bring business risks to the enterprise.

4.2 Risks caused by environmental changes of the enterprise

For enterprises, the tax work of enterprises may occur in the process of business activities, but tax planning is not generated in the production and business activities of enterprises, but has been carried out before the whole business activities of enterprises. It may have been some time since the tax planning scheme was planned and implemented, and the environment may have changed a lot at this time. In this case, it is risky to predict the future environment and plan the future implementation plan before the start of business activities. Tax reduction and fee reduction is a hot topic in the current policy. Based on this, China's laws and regulations on enterprise tax are updated and iterated at a fast rate. From the initial plan to the final implementation of the tax planning scheme, it is inevitable to encounter the update of national tax laws and regulations. At this time, enterprises are prone to risk. Once they ignore the update of the laws and regulations on which they are based, their inferences and judgments, that is, the execution actions, will deviate from the laws and regulations. This deviation may have serious consequences. When making tax planning plans, enterprises may consider the impact of environmental changes, and may correct possible deviations. But the changes of market environment, laws and regulations are unpredictable, which makes enterprises become passive. Therefore, when implementing the tax planning plan, enterprises must always pay attention to environmental changes, actively pay attention to the introduction of laws and regulations related to taxation, and keep a close eye on environmental changes with a professional eye.

4.3 Risks caused by inadequate internal management

In addition to the changes in the tax authorities and the environment in which the enterprise is located, there are also risks caused by inadequate internal management. In the process of implementing the tax planning plan, in order to ensure that the plan can be effectively implemented and the possible deviation can be repaired in time, it is necessary to establish a set of special management system of tax planning within the enterprise, namely the internal control system of enterprise tax planning. If the internal control system is indeed or imperfect, it will be difficult to control the implementation process of tax planning scheme. In this case, if the implementation of the enterprise deviates from the original plan, or because of changes in the external environment and is not aware of, then the tax planning plan

of the enterprise will be rootless, there is no basis for implementation, which may lead to financial risks.

5. Risk prevention strategy of enterprise tax planning under the background of tax reduction and fee reduction

5.1 Actively communicate with tax authorities and formulate reasonable tax planning plan

In 2018, the state implemented the reform of the national tax and local tax collection and management system, merged the national tax and local tax at and below the provincial level, and assumed the responsibility of tax collection and management in the region under its jurisdiction. Due to the strong professionalism and technicality of tax administration, in the process of tax management and tax law enforcement, the state gives tax authorities more extensive discretion, so that they can make more fair and reasonable decisions.

Affected by industry differences, tax diversity, tax welfare policies and other factors, enterprises should strengthen the communication with the local tax authorities in the process of formulating their own tax planning plan, so as to know themselves and know the enemy. If there is a dispute between the tax planning plan of the enterprise and the tax authorities on the understanding of the tax law, the enterprise shall provide data and technical support as much as possible to explain that the controversial acts determined by the tax authorities are in line with the provisions of the tax law, and provide the basis for the reasonable determination of the tax authorities and the maximization of their own interests; If the actual situation of the enterprise does not conform to the tax laws and policies, the enterprise should revise and change its tax planning plan in time according to the guidance of the local tax authorities and the tax laws and regulations, ensure that the tax support policies should be enjoyed, avoid the tax risk caused by the tax authorities' misunderstanding of the enterprise tax planning plan, and establish a harmonious relationship between tax collection and payment, Improve the tax authorities' evaluation of the "tax credit rating" of enterprises, and add vitality and support to the development of enterprises.

5.2 Strengthen the construction of enterprise mechanism and system, and adjust the tax planning plan in time

First of all, enterprises should build an internal control system according to the content of tax planning plan, write an internal control plan, sort out the key content and mark it. Tax planning has very high requirements for professional ability. Enterprises should have strong financial knowledge and professional tax law knowledge. Enterprises should set up a special post to be responsible for the tax planning of enterprises. Tax management posts can be set up under the financial department, with full-time tax managers or tax accountants to supervise and implement the whole process of enterprise tax planning; You can also choose a person to be part-time in the financial department to supervise the implementation and control of the enterprise tax planning plan, so as to ensure the implementation of the enterprise tax planning plan.

Secondly, by monitoring the implementation of the tax planning scheme, the enterprise establishes a dynamic adjustment system, dynamically controls the tax planning work, compares the expected implementation objectives of the planning scheme, and timely adjusts the tax planning scheme. The economic uncertainties brought by the rapid development of the market and the adjustment of the national tax policy will affect the implementation of the tax planning scheme of enterprises, and even bring tax risks to enterprises. The enterprise shall timely track the tax policy norms related to the enterprise's business activities, combine the latest preferential tax policies, find out the places not covered by the enterprise's own tax planning plan, and modify and adjust the enterprise's own tax planning plan according to the latest preferential policies, so as to enjoy the dividend of tax reduction and tax rebate as much as possible, and reduce the enterprise's tax burden and business pressure; If the tax planning plan is inconsistent with tax policies, it should also be changed in time to ensure legal compliance.

Finally, the implementation effect evaluation mechanism of tax planning scheme is established. Scientific performance evaluation of tax planning scheme is the objective requirement to improve the level of enterprise financial management. Within a certain period or after the implementation of the tax planning scheme, the enterprise organizes relevant personnel to evaluate and summarize the performance level of the enterprise's tax planning scheme in combination with the quantitative evaluation of financial data and the qualitative evaluation of non-financial data, find out the deviation from the expected effect and analyze the reasons for the deviation, and find out the deficiencies of the tax planning scheme and the places that can be improved, Form experience and lessons, and provide experience and suggestions for the follow-up work.

5.3 Improve the professional level of tax planning personnel and optimize the writing of tax planning scheme

The professional quality of enterprise tax personnel directly affects whether the tax planning scheme can be implemented with good quality. Enterprises should always maintain the awareness of risk management, actively select tax personnel with high ability and high level to carry out tax planning, and ensure that the work is carried out in an orderly manner.

First, take multiple measures to improve the comprehensive ability of tax officials to deal with practical problems. Tax personnel should not only be familiar with relevant national tax laws, regulations and policies, but also be familiar with the standardized operation of national finance, accounting, taxation, auditing and the theoretical basis and professional knowledge of relevant finance and taxation. They also need to have the comprehensive ability of financial management awareness, data analysis ability and initiative innovation spirit. Enterprises can cultivate tax personnel 'agile tax analysis and judgment ability, so that they have good communication, coordination and interpersonal skills. By maintaining a good communication and cooperation relationship with the tax authorities, enterprises can timely feed back tax information according to the requirements of the tax authorities.

The second is to hire a professional law firm to help enterprises complete the writing of tax planning plan. Professional tax agents are familiar with and master tax related service laws, regulations and industry systems, and have rich experience. They can better solve difficult problems in tax related service business, and help formulate more professional and practical tax planning plans. If the enterprise is faced

with the problem of lack of tax planning ability, most enterprises choose to hand over the formulation of tax planning scheme to professional tax agent firms, and sign contracts with them. Once the risk of tax planning arises, the enterprise can also use the method of risk transfer to transfer the losses caused by the enterprise to the tax agent, so as to achieve the effect of pursuing advantages and avoiding disadvantages.

6. Conclusion

Under the background of tax reduction and fee reduction, the state has made every effort to create a new combined tax support policy. Private enterprises should pay more attention to tax planning, select professionals according to their own characteristics and national policies, formulate the optimal tax planning scheme, and effectively transform the policy dividend into the driving force of enterprise development, reduce unnecessary tax expenditure, and reduce the tax burden of enterprises, Make full use of the national tax reduction, refund and postponement policy to revitalize the cash flow of enterprises and promote the upgrading of enterprises' industrial institutions. At the same time, in the process of implementing the tax planning plan, we should formulate the internal control system and early warning mechanism for enterprise risk prevention, timely discover the tax planning risks brought by the enterprise's own internal factors and external factors such as socio-economic and national policies, and take effective measures to prevent risks, Reduce the probability of tax risk caused by private enterprises' excessive emphasis on income and profits in the process of operation, so that enterprises can truly implement the national policy of tax reduction and fee reduction through the formulation and accurate implementation of tax planning plan, and help private enterprises revitalize by taking advantage of tax benefits in the environment of low tax rate and strict tax administration.

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