瑞士及新加坡的自願披露

Dr Alexander Ressos, TEP
Attorney-at-Law (Switzerland and Germany),
Solicitor (England & Wales and Hong Kong)
Of Counsel, KGP Legal LLC
alexander.ressos@kgplegal.com.sg
www.ressos.com.sg

兩個司法管轄區都會獎勵在當局發現之前披露未申報收入或資產的納稅人。瑞士根據《聯邦直接稅法》（DBG/DFTA）第175條第3款及相應的州法條文，提供一次性免罰的自願披露。納稅人須補繳最多十年的稅款及利息，但毋須繳付罰款，前提是當局事先並不知情，而納稅人全面合作，並認真努力繳付稅款。[1]新加坡國內稅務局（IRAS）的自願披露計劃，對在法定報稅日期後一年內作出的披露，把罰款減至零。其後的罰款為少徵稅款每年劃一5%，條件是披露須及時、準確、完整並由納稅人主動作出。[2]自2021年以來，在兩地這類披露最常涉及的都是未申報的加密資產。

階段	瑞士	新加坡
1. 查明事實	重建最多十年的錢包及交易所紀錄；按瑞士聯邦稅務局（ESTV）年終價格計算財富稅估值；識別收入事件（質押、空投、挖礦）及被視為交易商的風險	重建未完結評稅年度的紀錄（一般為四年，涉及欺詐則更長）；把收益分類為資本性或收入性；識別收入事件
2. 資格	確認當局事先不知情、屬該納稅人首次披露、可以全面合作	確認在IRAS查詢或發出審查通知前主動披露；確認披露完整

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階段	瑞士	新加坡
3. 提交	以書面向州稅務局披露，附上完整文件；就每一年度提交經修訂的報稅表	透過myTax Portal披露或以書面提交，附上經修訂的報稅表及計算
4. 評稅	補繳最多十年的稅款及逾期利息；毋須罰款；如被認定為交易商，須繳付AHV供款	少徵稅款另加0%（一年內）或每年5%的罰款；所披露事項不會被檢控
5. 所需時間	3至12個月，視乎州份及數量而定	3至9個月
6. 專業費用	重建及提交15,000至60,000瑞士法郎；法證會計另計	10,000至50,000新加坡元；法證會計另計

在兩個國家，重建階段都是費用最高的部分。納稅人如在多個交易所有十年的活動，而其中部分交易所已不復存在，未必能夠證明購入成本。兩地稅務機關屆時都會採用對庫房有利的估算。實務上的建議是一旦發現問題便盡快披露。新加坡的免罰期及瑞士的「事先不知情」條件都會因延誤而喪失。此外，2027年及2028年開始的加密資產申報框架（CARF）交換，將向當局提供足以令納稅人喪失資格的資訊。[3]

跨境視角

曾在兩國居住的納稅人須作出兩項披露，而次序十分重要。應先在被發現風險較高、罰則較嚴厲的司法管轄區披露。就未申報財富而言，通常是瑞士，因為欠繳的財富稅逐年累積，而各州稅務局現時已接收共同匯報標準（CRS）數據。然後才在新加坡披露。新加坡只對收入課稅，如持有的資產

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屬資本性質，許多年度根本不會產生稅款。除各當局所需者外，瑞士的披露不應提及新加坡的狀況，反之亦然，因為兩地稅務機關會根據避免雙重課稅協定第25條應要求交換資料。

註釋

1. DFTA第175條第3款及第181a條（公司）；THA第56條第1bis款；參見第G部分第VIII章。↩
2. IRAS e-Tax Guide, IRAS' Voluntary Disclosure Programme（經更新）；Income Tax Act 1947第95條及第96條（罰則）；參見第M部分第VIII章。↩
3. 加密資產申報框架申報與自願披露資格之間的相互影響，於第G部分第VII章及第M部分第VII章討論。↩

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Author contact: Dr Alexander Ressos, TEP · contact@ressos.com

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