

WINWIN AUDIT

Newsletter 04/2024



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1. The Prime Minister's Decision No. 05/2024/QĐ-TTg of March 26, 2024 on the Adjustment of the Average Retail Electricity Price System

Specifically, from May 15, 2024, the average electricity price adjustment time will be at least 3 months from the last electricity price adjustment instead of every 6 months as determined in No. 24/2017/QĐ-TTg on June 30, 2017. once. Adjustments to the average electricity sales price must be open and transparent.

The average electricity price will be calculated in accordance with Decision No. 05/2024/QĐ-TTg of March 26, 2024. If the average electricity price is calculated outside the price range, adjustments will only be considered within the price range specified by the Prime Minister. Vietnam Electricity Group can adjust, increase or decrease the average electricity price within the price range in accordance with the system specified in Articles 6 and 5 of Decision No. 05/2024/QĐ-TTg.

If the average electricity sales price needs to be adjusted higher than the current average electricity sales price by more than 10% or has an impact on the macroeconomic situation, the Ministry of Industry and Trade shall preside over the inspection, cooperate with cadres and relevant agencies, review and report to the Prime Minister of the government for inspection, and recommend . When necessary, the Ministry of Industry and Trade and relevant ministries and agencies will first report to the price management leadership and then to the Prime Minister.

This decision is effective from May 15, 2024, and replaces the provisions of the Prime Minister's Decision No. 24/2017/QĐ-TTg of June 30, 2017 on the adjustment of the average retail electricity price system.

2. Official Document No. 2450/VPCP-KGVX of the Government Office regarding the replacement working days of construction sites on April 30, 2024, Southern Liberation Day and May 1, International Labor Day.

Taking into account the official document No. 1511/LĐTĐBXH-CATLĐ issued by the Ministry of Labor, Invalids and Social Affairs on April 11, 2024, regarding the proposed change of working days for Southern Liberation Day on April 30, 2024, and International Labor Day on May 1, the Government Prime Minister Fan Mingzheng has opinions, as follows:

1. Agree with the proposal of the Ministry of Labor, Invalids and Social Affairs in the above-mentioned official document regarding the exchange of working days for Southern Liberation Day on April 30, 2024, and International Labor Day on May 1.

Agencies and units that implement the above-mentioned holidays must arrange corresponding work departments to do continuous work to ensure good services to the organization and the people. Among them, attention must be paid to arranging cadres and civil servants to handle unexpected tasks that may occur.

2. Authorizes the Minister of Labor, Invalids and Social Affairs to notify institutions, units, enterprises and workers about the exchange of working days for Southern Liberation Day on April 30, 2024 and International Labor Day on May 1, 2024.

Dispatch link: Công văn 1511/BLĐTĐBXH-CATLĐ 2024 đề xuất hoán đổi ngày làm việc dịp nghỉ lễ ngày 30/4 (thuvienphapluat.vn)

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3. Official document No. 9914/CTBDU-TTHT dated April 5, 2024 concerning the handling of multiple erroneous invoices in accordance with No. 123/2020/NĐ-CP

In accordance with Article 19 of the Government's Decree No. 123/2020/NĐ-CP of October 19, 2020 on the processing of erroneous invoices;

According to Article 7 of Notice No. 78/2021/TT-BTC issued by the Ministry of Finance on September 17, 2021, regarding the processing of electronic invoices that have been sent to the tax authorities, the electronic invoice information comprehensive table has errors in some cases;

Electronic invoices are guided in accordance with Official Document No. 1647/TCT-CS dated May 10, 2023.

If the company makes errors in adjusting electronic invoices, it must ensure that the total amount of F0, F1, and F2 invoices is correct with the actual amount.

Dispatch link: Công văn 9914/CTBDU-TTHT của Cục Thuế tỉnh Bình Dương về việc xử lý hóa đơn sai sót theo Nghị định số 123/2020/NĐ-CP (luatvietnam.vn)

4. Official Document No. 1504/TCT-DNNCN on April 11, 2024 regarding personal income tax policies for individuals investing in real estate

The Ministry of Finance's Notice No. 111/2013/TT-BTC on August 15, 2013, Article 26, Paragraph 10, Personal Income Tax Law Guidance:

For situations where investment is made with capital, securities, or real estate, income from capital transfer, securities transfer, and real estate transfer needs to be declared tax.

Individuals making capital contributions with capital, securities, and real estate do not need to declare and pay taxes. When capital is transferred, divested, or when a company is dissolved, the transferred capital when an individual contributes capital, the income from the transfer of real estate, and the transferred capital during the transfer, the income from the transfer of real estate must be declared and paid tax. "

Articles 16 and 17 of Notice No. 92/2015/TT-BTC of the Ministry of Finance on June 15, 2015 stipulate:

According to the above regulations, individuals who invest in real estate do not need to declare and pay taxes. When capital is transferred, divested, or when a company is dissolved, the transferred capital when an individual contributes capital, the income from the transfer of real estate, and the transferred capital during the transfer, the income from the transfer of real estate must be declared and paid tax. The basis for calculating personal income tax on capital transfers and real estate transfers of joint-stock companies shall be in accordance with Articles 16 and 17 of the Ministry of Finance Notice No. 92/2015/TT-BTC dated June 15, 2015.

Dispatch link: Công văn 1504/TCT-DNNCN 2024 trả lời vướng mắc chính sách thuế thu nhập cá nhân (luatvietnam.vn)



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The information in the Newsletter is for general and summary purposes. Therefore, you should contact us directly for advice on a case-by-case basis.

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