National Tax Administrative Penalty Discretion Benchmarks

Dan Young Business Consultancy — www.danyoungcpa.com

Unofficial English translation prepared for reference only. The official Chinese text prevails.

Contents

Table of Contents 4

Announcement 4

Annex 1 — National Tax Administrative Penalty Discretion Benchmarks (2026 Edition) 6

Category I — Violations of Tax Registration Administration (Items 1–10) 6

Item 1 — Failure by a taxpayer to apply for tax registration or deregistration within the prescribed time limit 6

Item 2 — Failure by a taxpayer to change its tax registration within the prescribed time limit 6

Item 3 — Failure by a taxpayer to go through tax registration 6

Item 4 — Failure by a taxpayer to go through verification or renewal procedures for its tax registration certificate as required 6

Item 5 — Failure by a taxpayer to report all of its bank accounts to the tax authority as required 6

Item 6 — Use of a tax registration certificate by a taxpayer other than as required, or lending, altering, damaging, selling or forging a tax registration certificate 7

Item 7 — Obtaining a tax registration certificate by fraud through providing false supporting materials or other means 7

Item 8 — Failure by a withholding agent to go through tax withholding registration as required 7

Item 9 — Failure by a bank or other financial institution to record a taxpayer's tax registration certificate number in the taxpayer's account, or to record a production or business taxpayer's account number in its tax registration certificate, as required under the Law on the Administration of Tax Collection 7

Item 10 — Failure by a domestic institution or individual that contracts out engineering work or labor services to a non-resident to report the relevant matters to the in-charge tax authority as required 7

Category II — Violations of Books and Voucher Administration (Items 11–15) 7

Item 11 — Failure by a taxpayer to keep books of account or keep accounting vouchers and related materials as required 7

Item 12 — Failure by a taxpayer to submit its financial and accounting systems or methods and accounting software to the tax authority for the record as required 8

Item 13 — Failure by a taxpayer to install or use tax control devices as required, or damaging or altering tax control devices without authorization 8

Item 14 — Failure by a withholding agent to keep books of account for tax withheld and collected on behalf of others, or to keep the relevant accounting vouchers and materials, as required 8

Item 15 — Illegally printing, lending, reselling, altering or forging tax payment vouchers 8

Category III — Violations of Tax Filing Administration (Items 16–18) 8

Item 16 — Failure by a taxpayer to file tax returns and submit tax materials within the prescribed time limit 8

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

Item 17 — Failure by a withholding agent to submit statements of tax withheld and collected on behalf of others and related materials to the tax authority within the prescribed time limit . . . 9

Item 18 — Fabrication of a false tax computation basis by a taxpayer or withholding agent . . . 9

Category IV — Violations of Tax (Fee) Collection Administration (Items 19–30) . . . 9

Item 19 — Tax evasion: forging, altering, concealing or destroying books of account or accounting vouchers without authorization; overstating expenses or omitting or understating income in the books of account; refusing to file after being notified by the tax authority, or filing false tax returns, resulting in non-payment or underpayment of tax payable . . . 9

Item 20 — Tax evasion by a withholding agent: forging, altering, concealing or destroying books of account or accounting vouchers without authorization; overstating expenses or omitting or understating income in the books of account; refusing to file after being notified by the tax authority, or filing false tax returns, resulting in non-payment or underpayment of tax withheld or collected . . . 9

Item 21 — Failure by a taxpayer to file tax returns, resulting in non-payment or underpayment of tax payable . . . 9

Item 22 — A taxpayer in arrears transferring or concealing property to obstruct the tax authority's recovery of tax owed . . . 10

Item 23 — Fraudulently obtaining state export tax refunds through false export reporting or other deceptive means . . . 10

Item 24 — Refusal to pay tax by violence or threats . . . 10

Item 25 — Failure by a taxpayer or withholding agent to pay or underpay tax payable or tax to be remitted within the prescribed time limit, and continued failure after being ordered by the tax authority to pay within a time limit . . . 10

Item 26 — Failure by a withholding agent to withhold or collect tax that should have been withheld or collected . . . 10

Item 27 — Illegally providing bank accounts, invoices, certificates or other conveniences for a taxpayer or withholding agent, resulting in non-payment or underpayment of tax or fraudulent obtainment of state export tax refunds . . . 11

Item 28 — Refusal by a taxpayer to have tax withheld or collected on its behalf; continued refusal to pay after the tax authority, following the withholding agent's report, directly recovers the tax and late payment surcharges from the taxpayer . . . 11

Item 29 — Violation of tax laws or administrative regulations by a tax agent, causing a taxpayer to fail to pay or underpay tax . . . 11

Item 30 — Failure by an employer to pay or underpay social insurance contributions within the prescribed time limit, and continued failure after being ordered by the tax authority to pay within a time limit . . . 11

Category V — Violations of Tax Inspection Administration (Items 31–33) . . . 11

Item 31 — Evasion of, refusal of, or obstruction of tax authority inspections by other means by a taxpayer or withholding agent . . . 11

Item 32 — Refusal by the account-opening bank or other financial institution of a taxpayer or withholding agent to accept the tax authority's lawful inspection of deposit accounts, refusal to execute the tax authority's decisions to freeze deposits or withhold tax, or assistance to the taxpayer or withholding agent in transferring deposits after receiving the tax authority's written notice, resulting in loss of tax revenue . . . 12

Item 33 — Refusal by relevant entities when the tax authority lawfully inspects taxpayers' relevant information at railway stations, docks, airports, postal enterprises and their branches . . . 12

Category VI — Violations of Invoice and Voucher Administration (Items 34–59) . . . 12
Item 34 — Failure to issue an invoice where an invoice should be issued . . . 12
Item 35 — Failure to issue invoices in one go across all copies in the prescribed time limit, order and columns . . . 12
Item 36 — Failure to affix the special invoice seal . . . 13
Item 37 — Failure to submit invoice issuance data to the in-charge tax authority on time when issuing invoices with tax control devices . . . 13
Item 38 — Failure to file the software program description materials used by non-tax-control electronic devices with the in-charge tax authority for the record when issuing invoices with such devices . . . 13
Item 39 — Failure to keep or submit invoice issuance data as required when issuing invoices with non-tax-control electronic devices . . . 13
Item 40 — Using invoice books out of their binding . . . 13
Item 41 — Expanding the scope of invoice use . . . 13
Item 42 — Using other vouchers in place of invoices . . . 13
Item 43 — Issuing invoices beyond the prescribed region . . . 14
Item 44 — Failure to cancel invoices upon verification as required . . . 14
Item 45 — Failure to store and keep invoices as required . . . 14
Item 46 — Carrying, mailing or transporting blank invoices beyond the prescribed region of use, and carrying, mailing or transporting blank invoices into or out of the country . . . 14
Item 47 — Loss of invoices . . . 14
Item 48 — Deliberate damage to invoices . . . 15
Item 49 — Falsely issuing invoices . . . 15
Item 50 — Illegally issuing invoices on behalf of others . . . 15
Item 51 — Privately printing, forging or altering invoices; stealing, intercepting, tampering with, selling or disclosing invoice data . . . 15
Item 52 — Illegally manufacturing special anti-forgery products for invoices and forging invoice supervision seals . . . 15
Item 53 — Lending, transferring, or introducing others to transfer invoices . . . 16
Item 54 — Lending, transferring, or introducing others to transfer invoice supervision seals and special anti-forgery products for invoices . . . 16
Item 55 — Accepting, issuing, storing, carrying, mailing or transporting invoices that one knows or should know are privately printed, forged, altered, illegally obtained or abolished . . . 16
Item 56 — Illegally printing invoices . . . 16
Item 57 — Violating invoice administration regulations, causing other entities or individuals to fail to pay or underpay tax or to fraudulently obtain tax . . . 16
Item 58 — Failure by a withholding agent to issue tax vouchers as required . . . 16
Item 59 — Violation of the Measures for the Administration of Tax Vouchers and related provisions by a taxpayer that fills out tax vouchers on its own . . . 16
Category VII — Violations of Tax Payment Guarantee Administration (Items 60–62) . . . 17

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

Item 60 — Provision of guarantees by a taxpayer, tax payment guarantor or withholding agent through deception, concealment or other means . . . 17

Item 61 — Illegally providing convenience for a taxpayer or tax payment guarantor to implement false tax payment guarantees . . . 17

Item 62 — Provision of a guarantee by a taxpayer through deception, concealment or other means, causing loss of tax payable . . . 17

Category VIII — Violations of Tax-Related Professional Service Administration (Items 63–65) . . . 17

Item 63 — Violation of the day-to-day administration provisions for tax-related professional services by institutions providing tax-related professional services and their personnel . . . 17

Item 64 — Disruption of tax order by a tax-related professional service institution and its tax-related service personnel, causing a client to fail to pay or underpay tax or to fraudulently obtain tax incentives . . . 18

Item 65 — Other acts of a tax-related professional service institution and its tax-related service personnel that disrupt tax order . . . 18

Category IX — Violations of Tax-Related Information Reporting (Item 66) . . . 19

Item 66 — Failure by an internet platform enterprise to report tax-related information as required . . . 19

Annex 2 — List of "Minor Violation, No Penalty" Items for Tax Administrative Penalties . . . 20

Notes . . . 20

Issued by the State Taxation Administration of the People's Republic of China (STA Announcement No. 20 of 2026) on 28 September 2026

Effective: 1 November 2026

Table of Contents

- Announcement
- Annex 1 — The 66-Item Benchmarks
- Category I — Tax Registration (1–10)
- Category II — Books and Vouchers (11–15)
- Category III — Tax Filing (16–18)
- Category IV — Tax and Fee Collection (19–30)
- Category V — Tax Inspection (31–33)
- Category VI — Invoices (34–59)
- Category VII — Tax Payment Guarantees (60–62)
- Category VIII — Tax Professional Services (63–65)
- Category IX — Tax Information Reporting (66)
- Annex 2 — "Minor Violation, No Penalty" List
- Notes

Announcement

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

To foster and practice a correct view of political achievements, support the building of a unified national market, uphold the rule of law and fairness, strengthen compliance management, protect the lawful rights and interests of taxpayers and fee payers, and further standardize the exercise of discretion in tax administrative penalties, the State Taxation Administration ("STA"), in accordance with the Administrative Penalty Law of the People's Republic of China, the Law of the People's Republic of China on the Administration of Tax Collection and its Implementation Rules, the Social Insurance Law of the People's Republic of China, the Measures of the People's Republic of China for the Administration of Invoices and its Implementation Rules, and other laws, administrative regulations and departmental rules on taxation, has formulated the National Tax Administrative Penalty Discretion Benchmarks (2026 Edition) (Annex 1, hereinafter the "Benchmarks"), which are hereby issued. Relevant matters are announced as follows:

1. Tax authorities shall impose tax administrative penalties in accordance with laws and regulations and shall render corresponding tax administrative penalty decisions within the scope of the Benchmarks.

2. Tax authorities shall state the application of the Benchmarks in the tax administrative penalty decision; the Benchmarks may not be cited alone as the basis for imposing a tax administrative penalty.

3. Tax authorities shall apply the Benchmarks in strict accordance with the Rules on the Exercise of Discretion in Tax Administrative Penalties (issued under STA Announcement No. 78 of 2016, amended by Announcement No. 31 of 2018):

(1) Where the conditions in the List of "Minor Violation, No Penalty" Items for Tax Administrative Penalties (Annex 2) are met — the violation is minor and rectified in a timely manner without harmful consequences — or where other statutory circumstances for not imposing a penalty exist, the tax authority shall decide, in accordance with law, not to impose a penalty;

(2) Where statutory circumstances for a lighter or mitigated penalty exist, the tax authority shall decide, in accordance with law, to impose a lighter or mitigated penalty;

(3) Tax administrative penalty cases that are complex, highly disputed, subject to a relatively heavy penalty, wide-ranging in impact, or where a mitigated penalty is proposed, shall be subject to collective deliberation and decision.

4. When exercising discretion in tax administrative penalties, tax authorities shall perform their notification obligations in accordance with law and protect the rights of taxpayers and fee payers to request recusal, make statements and arguments, and request a hearing.

5. Where the Benchmarks are inconsistent with subsequently promulgated or implemented laws, administrative regulations and departmental rules on taxation, the latter shall prevail. The STA will continuously and dynamically revise and update the Benchmarks in light of the enactment, amendment and repeal of laws, administrative regulations and departmental rules, and will announce updates to the public in a timely manner.

6. This Announcement shall take effect on 1 November 2026. Where regional tax administrative penalty discretion benchmarks are inconsistent with the Benchmarks in this Announcement, the Benchmarks in this Announcement shall apply.

For a tax violation committed before this Announcement takes effect in respect of which the tax authority has not yet rendered a tax administrative penalty decision, the provisions in force at the time the tax violation was committed shall apply, except where applying this Announcement is more favorable to the taxpayer or fee payer.

This Announcement is hereby given.

Annexes: 1. National Tax Administrative Penalty Discretion Benchmarks (2026 Edition) — 2. List of "Minor Violation, No Penalty" Items for Tax Administrative Penalties

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

State Taxation Administration — 28 September 2026

Annex 1 — National Tax Administrative Penalty Discretion Benchmarks (2026 Edition)

The Benchmarks cover 66 tax violation items in 9 categories. For each item the Benchmarks set out the statutory basis and, under five penalty tiers — Minor (no penalty), Lighter, General, Heavier and Severe — the applicable conditions and the specific penalty standard. The Benchmarks refine and quantify the discretion conferred by current tax laws, administrative regulations and departmental rules; they create no new penalty items and do not alter the statutory types or ranges of penalties.

Category I — Violations of Tax Registration Administration (Items 1–10)

Item 1 — Failure by a taxpayer to apply for tax registration or deregistration within the prescribed time limit

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 60, paragraph 1, item (1): Where a taxpayer commits any of the following acts, the tax authority shall order rectification within a time limit and may impose a fine of not more than RMB 2,000; where the circumstances are serious, a fine of not less than RMB 2,000 and not more than RMB 10,000 shall be imposed: (1) failing to apply for tax registration, change of registration or deregistration within the prescribed time limit.

Item 2 — Failure by a taxpayer to change its tax registration within the prescribed time limit

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 60, paragraph 1, item (1): Where a taxpayer commits any of the following acts, the tax authority shall order rectification within a time limit and may impose a fine of not more than RMB 2,000; where the circumstances are serious, a fine of not less than RMB 2,000 and not more than RMB 10,000 shall be imposed: (1) failing to apply for tax registration, change of registration or deregistration within the prescribed time limit.

Item 3 — Failure by a taxpayer to go through tax registration

Statutory basis: Measures for the Administration of Tax Registration, Article 40: Where a taxpayer fails to go through tax registration, the tax authority shall, within 3 days of discovery, order rectification within a time limit; where rectification is not made by the deadline, a penalty shall be imposed in accordance with Article 60, paragraph 1 of the Law of the People's Republic of China on the Administration of Tax Collection. Law of the People's Republic of China on the Administration of Tax Collection, Article 60, paragraph 1: Where a taxpayer commits any of the following acts, the tax authority shall order rectification within a time limit and may impose a fine of not more than RMB 2,000; where the circumstances are serious, a fine of not less than RMB 2,000 and not more than RMB 10,000 shall be imposed.

Item 4 — Failure by a taxpayer to go through verification or renewal procedures for its tax registration certificate as required

Statutory basis: Implementation Rules of the Law of the People's Republic of China on the Administration of Tax Collection, Article 90: Where a taxpayer fails to go through the verification or renewal procedures for its tax registration certificate as required, the tax authority shall order rectification within a time limit and may impose a fine of not more than RMB 2,000; where the circumstances are serious, a fine of not less than RMB 2,000 and not more than RMB 10,000 shall be imposed.

Item 5 — Failure by a taxpayer to report all of its bank accounts to the tax authority as required

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 60, paragraph 1, item (4): Where a taxpayer commits any of the following acts, the tax authority shall order rectification within a time limit and may impose a fine of not more than RMB 2,000; where the circumstances

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

are serious, a fine of not less than RMB 2,000 and not more than RMB 10,000 shall be imposed: (4) failing to report all of its bank accounts to the tax authority as required.

Item 6 — Use of a tax registration certificate by a taxpayer other than as required, or lending, altering, damaging, selling or forging a tax registration certificate

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 60, paragraph 3: Where a taxpayer uses its tax registration certificate other than as required, or lends, alters, damages, sells or forges a tax registration certificate, a fine of not less than RMB 2,000 and not more than RMB 10,000 shall be imposed; where the circumstances are serious, a fine of not less than RMB 10,000 and not more than RMB 50,000 shall be imposed.

Item 7 — Obtaining a tax registration certificate by fraud through providing false supporting materials or other means

Statutory basis: Measures for the Administration of Tax Registration, Article 41: Where a taxpayer obtains a tax registration certificate by fraud through providing false supporting materials or other means, a fine of not more than RMB 2,000 shall be imposed; where the circumstances are serious, a fine of not less than RMB 2,000 and not more than RMB 10,000 shall be imposed. Where the taxpayer is suspected of other violations, the matter shall be handled in accordance with the relevant laws and administrative regulations.

Item 8 — Failure by a withholding agent to go through tax withholding registration as required

Statutory basis: Measures for the Administration of Tax Registration, Article 42: Where a withholding agent fails to go through tax withholding registration as required, the tax authority shall, within 3 days of discovery, order rectification within a time limit and may impose a fine of not more than RMB 1,000.

Item 9 — Failure by a bank or other financial institution to record a taxpayer's tax registration certificate number in the taxpayer's account, or to record a production or business taxpayer's account number in its tax registration certificate, as required under the Law on the Administration of Tax Collection

Statutory basis: Implementation Rules of the Law of the People's Republic of China on the Administration of Tax Collection, Article 92: Where a bank or other financial institution fails to record a taxpayer's tax registration certificate number in the taxpayer's account, or fails to record a production or business taxpayer's account number in its tax registration certificate, as required under the Law on the Administration of Tax Collection, the tax authority shall order rectification within a time limit and may impose a fine of not less than RMB 10,000 and not more than RMB 50,000.

Item 10 — Failure by a domestic institution or individual that contracts out engineering work or labor services to a non-resident to report the relevant matters to the in-charge tax authority as required

Statutory basis: Interim Measures for the Tax Administration of Non-Resident Contractors of Engineering Projects and Providers of Labor Services, Article 33: Where a domestic institution or individual that contracts out engineering work or labor services fails to report the relevant matters to the in-charge tax authority as required under Articles 5, 7, 8 and 9 of these Measures, the tax authority shall order rectification within a time limit and may impose a fine of not more than RMB 2,000; where the circumstances are serious, a fine of not less than RMB 2,000 and not more than RMB 10,000 shall be imposed.

Category II — Violations of Books and Voucher Administration (Items 11–15)

Item 11 — Failure by a taxpayer to keep books of account or keep accounting vouchers and related materials as required

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 60, paragraph 1, item (2): Where a taxpayer commits any of the following acts, the tax authority shall order rectification within a time limit and may impose a fine of not more than RMB 2,000; where the circumstances are serious, a fine of not less than RMB 2,000 and not more than RMB 10,000 shall be imposed: (2) failing to keep books of account, or to keep accounting vouchers and related materials, as required.

Item 12 — Failure by a taxpayer to submit its financial and accounting systems or methods and accounting software to the tax authority for the record as required

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 60, paragraph 1, item (3): Where a taxpayer commits any of the following acts, the tax authority shall order rectification within a time limit and may impose a fine of not more than RMB 2,000; where the circumstances are serious, a fine of not less than RMB 2,000 and not more than RMB 10,000 shall be imposed: (3) failing to submit its financial and accounting systems or methods and accounting software to the tax authority for the record as required.

Item 13 — Failure by a taxpayer to install or use tax control devices as required, or damaging or altering tax control devices without authorization

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 60, paragraph 1, item (5): Where a taxpayer commits any of the following acts, the tax authority shall order rectification within a time limit and may impose a fine of not more than RMB 2,000; where the circumstances are serious, a fine of not less than RMB 2,000 and not more than RMB 10,000 shall be imposed: (5) failing to install or use tax control devices as required, or damaging or altering tax control devices without authorization.

Item 14 — Failure by a withholding agent to keep books of account for tax withheld and collected on behalf of others, or to keep the relevant accounting vouchers and materials, as required

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 61: Where a withholding agent fails to keep books of account for tax withheld and collected on behalf of others, or to keep the relevant accounting vouchers and materials, as required, the tax authority shall order rectification within a time limit and may impose a fine of not more than RMB 2,000; where the circumstances are serious, a fine of not less than RMB 2,000 and not more than RMB 5,000 shall be imposed.

Item 15 — Illegally printing, lending, reselling, altering or forging tax payment vouchers

Statutory basis: Implementation Rules of the Law of the People's Republic of China on the Administration of Tax Collection, Article 91: Where a person illegally prints, lends, resells, alters or forges tax payment vouchers, the tax authority shall order rectification and impose a fine of not less than RMB 2,000 and not more than RMB 10,000; where the circumstances are serious, a fine of not less than RMB 10,000 and not more than RMB 50,000 shall be imposed; where a crime is constituted, criminal liability shall be pursued in accordance with law.

Category III — Violations of Tax Filing Administration (Items 16–18)

Item 16 — Failure by a taxpayer to file tax returns and submit tax materials within the prescribed time limit

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 62: Where a taxpayer fails to file tax returns and submit tax materials within the prescribed time limit, or a withholding agent fails to submit statements of tax withheld and collected on behalf of others and related materials to the tax authority within the prescribed time limit, the tax authority shall order rectification within a time limit and may impose a fine of not more than RMB 2,000; where the circumstances are serious, a fine of

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

not less than RMB 2,000 and not more than RMB 10,000 may be imposed.

Item 17 — Failure by a withholding agent to submit statements of tax withheld and collected on behalf of others and related materials to the tax authority within the prescribed time limit

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 62: Where a taxpayer fails to file tax returns and submit tax materials within the prescribed time limit, or a withholding agent fails to submit statements of tax withheld and collected on behalf of others and related materials to the tax authority within the prescribed time limit, the tax authority shall order rectification within a time limit and may impose a fine of not more than RMB 2,000; where the circumstances are serious, a fine of not less than RMB 2,000 and not more than RMB 10,000 may be imposed.

Item 18 — Fabrication of a false tax computation basis by a taxpayer or withholding agent

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 64, paragraph 1: Where a taxpayer or withholding agent fabricates a false tax computation basis, the tax authority shall order rectification within a time limit and impose a fine of not more than RMB 50,000.

Category IV — Violations of Tax (Fee) Collection Administration (Items 19–30)

Item 19 — Tax evasion: forging, altering, concealing or destroying books of account or accounting vouchers without authorization; overstating expenses or omitting or understating income in the books of account; refusing to file after being notified by the tax authority, or filing false tax returns, resulting in non-payment or underpayment of tax payable

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 63, paragraph 1: Where a taxpayer forges, alters, conceals or destroys books of account or accounting vouchers without authorization, or overstates expenses or omits or understates income in the books of account, or refuses to file after being notified by the tax authority or files false tax returns, resulting in non-payment or underpayment of tax payable, the tax authority shall recover the tax not paid or underpaid and any late payment surcharges, and impose a fine of not less than 50% and not more than 5 times the amount of tax not paid or underpaid; where a crime is constituted, criminal liability shall be pursued in accordance with law.

Where the taxpayer actively cooperates with the tax inspection, or voluntarily pays in full the tax recovered in the inspection before the tax authority renders its tax treatment decision, the lowest standard of each tier may apply.

Item 20 — Tax evasion by a withholding agent: forging, altering, concealing or destroying books of account or accounting vouchers without authorization; overstating expenses or omitting or understating income in the books of account; refusing to file after being notified by the tax authority, or filing false tax returns, resulting in non-payment or underpayment of tax withheld or collected

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 63, paragraph 2: Where a withholding agent uses the means set out in the preceding paragraph and fails to pay or underpays tax withheld or collected, the tax authority shall recover the tax not paid or underpaid and any late payment surcharges, and impose a fine of not less than 50% and not more than 5 times the tax not paid or underpaid; where a crime is constituted, criminal liability shall be pursued in accordance with law.

Where the taxpayer actively cooperates with the tax inspection, or voluntarily pays in full the tax recovered in the inspection before the tax authority renders its tax treatment decision, the lowest standard of each tier may apply.

Item 21 — Failure by a taxpayer to file tax returns, resulting in non-payment or underpayment of tax payable

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 64, paragraph 2: Where a taxpayer fails to file tax returns and consequently fails to pay or underpays tax payable, the tax authority shall recover the tax not paid or underpaid and any late payment surcharges, and impose a fine of not less than 50% and not more than 5 times the tax not paid or underpaid.

Where the taxpayer actively cooperates with the tax inspection, or voluntarily pays in full the tax recovered in the inspection before the tax authority renders its tax treatment decision, the lowest standard of each tier may apply.

Item 22 — A taxpayer in arrears transferring or concealing property to obstruct the tax authority's recovery of tax owed

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 65: Where a taxpayer in arrears transfers or conceals property to obstruct the tax authority's recovery of the tax owed, the tax authority shall recover the tax owed and any late payment surcharges, and impose a fine of not less than 50% and not more than 5 times the tax owed; where a crime is constituted, criminal liability shall be pursued in accordance with law.

Item 23 — Fraudulently obtaining state export tax refunds through false export reporting or other deceptive means

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 66: Where a person fraudulently obtains state export tax refunds through false export reporting or other deceptive means, the tax authority shall recover the fraudulently obtained refunds and impose a fine of 1 to 5 times the refunds fraudulently obtained; where a crime is constituted, criminal liability shall be pursued in accordance with law. The tax authority may also suspend export tax refund processing for the person for a prescribed period.

Where the person actively cooperates with the tax inspection and voluntarily returns in full the fraudulently obtained refunds before the tax authority renders its tax treatment decision, the lowest standard of each tier may apply. For fraudulent obtainment of state export tax refunds, export tax refund processing shall be suspended in accordance with the relevant provisions.

Item 24 — Refusal to pay tax by violence or threats

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 67: Refusal to pay tax by violence or threats constitutes tax resistance; in addition to recovery by the tax authority of the tax refused and any late payment surcharges, criminal liability shall be pursued in accordance with law. Where the circumstances are minor and no crime is constituted, the tax authority shall recover the tax refused and any late payment surcharges and impose a fine of 1 to 5 times the tax refused.

Item 25 — Failure by a taxpayer or withholding agent to pay or underpay tax payable or tax to be remitted within the prescribed time limit, and continued failure after being ordered by the tax authority to pay within a time limit

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 68: Where a taxpayer or withholding agent fails to pay or underpays tax payable or tax to be remitted within the prescribed time limit and continues to fail after being ordered by the tax authority to pay within a time limit, the tax authority may, in addition to taking compulsory enforcement measures under Article 40 of this Law to recover the tax not paid or underpaid, impose a fine of not less than 50% and not more than 5 times the tax not paid or underpaid.

Item 26 — Failure by a withholding agent to withhold or collect tax that should have been withheld or collected

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 69: Where a withholding agent fails to withhold or collect tax that should have been withheld or collected, the tax authority shall recover the tax from the taxpayer and impose on the withholding agent a fine of not less than 50% and not more than 3 times the tax that should have been withheld or collected but was not.

Item 27 — Illegally providing bank accounts, invoices, certificates or other conveniences for a taxpayer or withholding agent, resulting in non-payment or underpayment of tax or fraudulent obtainment of state export tax refunds

Statutory basis: Implementation Rules of the Law of the People's Republic of China on the Administration of Tax Collection, Article 93: Where a person illegally provides bank accounts, invoices, certificates or other conveniences for a taxpayer or withholding agent, resulting in non-payment or underpayment of tax or fraudulent obtainment of state export tax refunds, the tax authority may, in addition to confiscating the illegal gains, impose a fine of not more than 1 time the tax not paid, underpaid or fraudulently obtained.

Item 28 — Refusal by a taxpayer to have tax withheld or collected on its behalf; continued refusal to pay after the tax authority, following the withholding agent's report, directly recovers the tax and late payment surcharges from the taxpayer

Statutory basis: Implementation Rules of the Law of the People's Republic of China on the Administration of Tax Collection, Article 94: Where a taxpayer refuses to have tax withheld or collected on its behalf, the withholding agent shall report to the tax authority, which shall directly recover the tax and late payment surcharges from the taxpayer; where the taxpayer refuses to pay, the matter shall be handled in accordance with Article 68 of the Law on the Administration of Tax Collection. Law of the People's Republic of China on the Administration of Tax Collection, Article 68: Where a taxpayer or withholding agent fails to pay or underpays tax payable or tax to be remitted within the prescribed time limit and continues to fail after being ordered by the tax authority to pay within a time limit, the tax authority may, in addition to taking compulsory enforcement measures under Article 40 of this Law, impose a fine of not less than 50% and not more than 5 times the tax not paid or underpaid.

Item 29 — Violation of tax laws or administrative regulations by a tax agent, causing a taxpayer to fail to pay or underpay tax

Statutory basis: Implementation Rules of the Law of the People's Republic of China on the Administration of Tax Collection, Article 98: Where a tax agent violates tax laws or administrative regulations, causing a taxpayer to fail to pay or underpay tax, the tax agent shall, in addition to the taxpayer paying or making up the tax payable and late payment surcharges, be fined not less than 50% and not more than 3 times the tax not paid or underpaid by the taxpayer.

Item 30 — Failure by an employer to pay or underpay social insurance contributions within the prescribed time limit, and continued failure after being ordered by the tax authority to pay within a time limit

Statutory basis: Social Insurance Law of the People's Republic of China, Article 86: Where an employer fails to pay social insurance contributions in full and on time, the social insurance premium collection authority shall order it to pay or make up the contributions within a time limit, and shall impose a daily late payment surcharge of 0.05% from the date of arrears; where the employer still fails to pay after the time limit, the relevant administrative department shall impose a fine of 1 to 3 times the amount in arrears.

Category V — Violations of Tax Inspection Administration (Items 31–33)

Item 31 — Evasion of, refusal of, or obstruction of tax authority inspections by other means by a taxpayer or withholding agent

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 70: Where a taxpayer or withholding agent evades, refuses or otherwise obstructs tax authority inspections, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000; where the circumstances are serious, a fine of not less than RMB 10,000 and not more than RMB 50,000 shall be imposed. Implementation Rules of the Law of the People's Republic of China on the Administration of Tax Collection, Article 96: Where a taxpayer or withholding agent commits any of the following acts, penalties shall be imposed in accordance with Article 70 of the Law on the Administration of Tax Collection: (1) providing false materials, failing to report truthfully, or refusing to provide relevant materials; (2) refusing or preventing the tax authority from recording, audio-recording, video-recording, photographing or copying circumstances and materials related to the case; (3) transferring, concealing or destroying relevant materials during the inspection; (4) committing other acts of failing to accept tax inspections in accordance with law.

Item 32 — Refusal by the account-opening bank or other financial institution of a taxpayer or withholding agent to accept the tax authority's lawful inspection of deposit accounts, refusal to execute the tax authority's decisions to freeze deposits or withhold tax, or assistance to the taxpayer or withholding agent in transferring deposits after receiving the tax authority's written notice, resulting in loss of tax revenue

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 73: Where the account-opening bank or other financial institution of a taxpayer or withholding agent refuses to accept the tax authority's lawful inspection of the deposit accounts, refuses to execute the tax authority's decisions to freeze deposits or withhold tax, or, after receiving the tax authority's written notice, assists the taxpayer or withholding agent in transferring deposits, resulting in loss of tax revenue, the tax authority shall impose a fine of not less than RMB 100,000 and not more than RMB 500,000 on the institution, and a fine of not less than RMB 1,000 and not more than RMB 10,000 on the directly responsible persons in charge and other directly liable persons.

Item 33 — Refusal by relevant entities when the tax authority lawfully inspects taxpayers' relevant information at railway stations, docks, airports, postal enterprises and their branches

Statutory basis: Implementation Rules of the Law of the People's Republic of China on the Administration of Tax Collection, Article 95: Where the tax authority, in accordance with Article 54, item (5) of the Law on the Administration of Tax Collection, inspects taxpayers' relevant information at railway stations, docks, airports, postal enterprises and their branches, and the relevant entities refuse, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000; where the circumstances are serious, a fine of not less than RMB 10,000 and not more than RMB 50,000 shall be imposed.

Category VI — Violations of Invoice and Voucher Administration (Items 34–59)

Item 34 — Failure to issue an invoice where an invoice should be issued

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 33, item (1): Where any of the following circumstances exists in violation of these Measures, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000, and illegal gains shall be confiscated: (1) failing to issue an invoice where an invoice should be issued, failing to issue invoices in one go across all copies in the prescribed time limit, order and columns, or failing to affix the special invoice seal.

Item 35 — Failure to issue invoices in one go across all copies in the prescribed time limit, order and columns

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 33, item (1): Where any of the following circumstances exists in violation of these Measures, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000, and illegal gains shall be confiscated: (1) failing to issue an invoice where an invoice should be issued, failing to issue invoices in one

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

go across all copies in the prescribed time limit, order and columns, or failing to affix the special invoice seal.

Item 36 — Failure to affix the special invoice seal

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 33, item (1): Where any of the following circumstances exists in violation of these Measures, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000, and illegal gains shall be confiscated: (1) failing to issue an invoice where an invoice should be issued, failing to issue invoices in one go across all copies in the prescribed time limit, order and columns, or failing to affix the special invoice seal.

Item 37 — Failure to submit invoice issuance data to the in-charge tax authority on time when issuing invoices with tax control devices

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 33, item (2): Where any of the following circumstances exists in violation of these Measures, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000, and illegal gains shall be confiscated: (2) failing to submit invoice issuance data to the in-charge tax authority on time when issuing invoices with tax control devices.

Item 38 — Failure to file the software program description materials used by non-tax-control electronic devices with the in-charge tax authority for the record when issuing invoices with such devices

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 33, item (3): Where any of the following circumstances exists in violation of these Measures, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000, and illegal gains shall be confiscated: (3) failing to file the software program description materials used by non-tax-control electronic devices with the in-charge tax authority for the record, or failing to keep or submit invoice issuance data as required, when issuing invoices with such devices.

Item 39 — Failure to keep or submit invoice issuance data as required when issuing invoices with non-tax-control electronic devices

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 33, item (3): Where any of the following circumstances exists in violation of these Measures, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000, and illegal gains shall be confiscated: (3) failing to file the software program description materials used by non-tax-control electronic devices with the in-charge tax authority for the record, or failing to keep or submit invoice issuance data as required, when issuing invoices with such devices.

Item 40 — Using invoice books out of their binding

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 33, item (4): Where any of the following circumstances exists in violation of these Measures, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000, and illegal gains shall be confiscated: (4) using invoice books out of their binding.

Item 41 — Expanding the scope of invoice use

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 33, item (5): Where any of the following circumstances exists in violation of these Measures, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000, and illegal gains shall be confiscated: (5) expanding the scope of invoice use.

Item 42 — Using other vouchers in place of invoices

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 33, item (6): Where any of the following circumstances exists in violation of these Measures, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000, and illegal gains shall be confiscated: (6) using other vouchers in place of invoices. Implementation Rules of the Measures of the People's Republic of China for the Administration of Invoices, Article 40: The use of other vouchers in place of invoices under Article 33, item (6) of the Measures for the Administration of Invoices includes: (1) using other vouchers in place of invoices where an invoice should be issued but is not; (2) where an invoice should be obtained but is not, using vouchers other than invoices or self-made vouchers for tax deduction, export tax refunds, pre-tax deductions and financial reimbursement; (3) obtaining non-compliant invoices and using them for tax deduction, export tax refunds, pre-tax deductions and financial reimbursement. Where such acts constitute evasion of tax payment, fraudulent obtainment of export tax refunds or falsely issuing invoices, they shall be handled in accordance with the Law of the People's Republic of China on the Administration of Tax Collection and the Measures of the People's Republic of China for the Administration of Invoices.

Item 43 — Issuing invoices beyond the prescribed region

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 33, item (7): Where any of the following circumstances exists in violation of these Measures, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000, and illegal gains shall be confiscated: (7) issuing invoices beyond the prescribed region.

Item 44 — Failure to cancel invoices upon verification as required

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 33, item (8): Where any of the following circumstances exists in violation of these Measures, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000, and illegal gains shall be confiscated: (8) failing to cancel invoices upon verification as required.

Item 45 — Failure to store and keep invoices as required

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 33, item (9): Where any of the following circumstances exists in violation of these Measures, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000, and illegal gains shall be confiscated: (9) failing to store and keep invoices as required.

Item 46 — Carrying, mailing or transporting blank invoices beyond the prescribed region of use, and carrying, mailing or transporting blank invoices into or out of the country

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 34, paragraph 1: Where a person carries, mails or transports blank invoices beyond the prescribed region of use, or carries, mails or transports blank invoices into or out of the country, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000; where the circumstances are serious, a fine of not less than RMB 10,000 and not more than RMB 30,000 shall be imposed; and illegal gains shall be confiscated.

Item 47 — Loss of invoices

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 34: Where a person carries, mails or transports blank invoices beyond the prescribed region of use, or carries, mails or transports blank invoices into or out of the country, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000; where the circumstances are serious, a fine of not less than RMB 10,000 and not more than RMB 30,000 shall be imposed; and illegal gains shall be confiscated. Where invoices are lost or deliberately damaged, penalties shall be imposed in accordance with the preceding paragraph.

Item 48 — Deliberate damage to invoices

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 34: Where a person carries, mails or transports blank invoices beyond the prescribed region of use, or carries, mails or transports blank invoices into or out of the country, the tax authority shall order rectification and may impose a fine of not more than RMB 10,000; where the circumstances are serious, a fine of not less than RMB 10,000 and not more than RMB 30,000 shall be imposed; and illegal gains shall be confiscated. Where invoices are lost or deliberately damaged, penalties shall be imposed in accordance with the preceding paragraph.

Item 49 — Falsely issuing invoices

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 35, paragraph 1: Where a person falsely issues invoices in violation of these Measures, the tax authority shall confiscate the illegal gains; where the amount falsely issued is not more than RMB 10,000, a fine of not more than RMB 50,000 may also be imposed; where the amount falsely issued exceeds RMB 10,000, a fine of not less than RMB 50,000 and not more than RMB 500,000 shall also be imposed; where a crime is constituted, criminal liability shall be pursued in accordance with law.

Item 50 — Illegally issuing invoices on behalf of others

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 35: Where a person falsely issues invoices in violation of these Measures, the tax authority shall confiscate the illegal gains; where the amount falsely issued is not more than RMB 10,000, a fine of not more than RMB 50,000 may also be imposed; where the amount falsely issued exceeds RMB 10,000, a fine of not less than RMB 50,000 and not more than RMB 500,000 shall also be imposed; where a crime is constituted, criminal liability shall be pursued in accordance with law. Where a person illegally issues invoices on behalf of others, penalties shall be imposed in accordance with the preceding paragraph.

Item 51 — Privately printing, forging or altering invoices; stealing, intercepting, tampering with, selling or disclosing invoice data

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 36: Where a person privately prints, forges or alters invoices, illegally manufactures special anti-forgery products for invoices, forges invoice supervision seals, or steals, intercepts, tampers with, sells or discloses invoice data, the tax authority shall confiscate the illegal gains, confiscate and destroy the tools and illegal articles used, and impose a fine of not less than RMB 10,000 and not more than RMB 50,000; where the circumstances are serious, a fine of not less than RMB 50,000 and not more than RMB 500,000 shall also be imposed; where a crime is constituted, criminal liability shall be pursued in accordance with law. Where the Law of the People's Republic of China on the Administration of Tax Collection provides for the penalty in the preceding paragraph, those provisions shall apply.

Item 52 — Illegally manufacturing special anti-forgery products for invoices and forging invoice supervision seals

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 36: Where a person privately prints, forges or alters invoices, illegally manufactures special anti-forgery products for invoices, forges invoice supervision seals, or steals, intercepts, tampers with, sells or discloses invoice data, the tax authority shall confiscate the illegal gains, confiscate and destroy the tools and illegal articles used, and impose a fine of not less than RMB 10,000 and not more than RMB 50,000; where the circumstances are serious, a fine of not less than RMB 50,000 and not more than RMB 500,000 shall also be imposed; where a crime is constituted, criminal liability shall be pursued in accordance with law. Where the Law of the People's Republic of China on the Administration of Tax Collection provides for the penalty in the preceding paragraph, those provisions shall apply.

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

Item 53 — Lending, transferring, or introducing others to transfer invoices

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 37, item (1): Where any of the following circumstances exists, the tax authority shall impose a fine of not less than RMB 10,000 and not more than RMB 50,000; where the circumstances are serious, a fine of not less than RMB 50,000 and not more than RMB 500,000 shall be imposed; and illegal gains shall be confiscated: (1) lending, transferring, or introducing others to transfer invoices, invoice supervision seals and special anti-forgery products for invoices.

Item 54 — Lending, transferring, or introducing others to transfer invoice supervision seals and special anti-forgery products for invoices

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 37, item (1): Where any of the following circumstances exists, the tax authority shall impose a fine of not less than RMB 10,000 and not more than RMB 50,000; where the circumstances are serious, a fine of not less than RMB 50,000 and not more than RMB 500,000 shall be imposed; and illegal gains shall be confiscated: (1) lending, transferring, or introducing others to transfer invoices, invoice supervision seals and special anti-forgery products for invoices.

Item 55 — Accepting, issuing, storing, carrying, mailing or transporting invoices that one knows or should know are privately printed, forged, altered, illegally obtained or abolished

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 37, item (2): Where any of the following circumstances exists, the tax authority shall impose a fine of not less than RMB 10,000 and not more than RMB 50,000; where the circumstances are serious, a fine of not less than RMB 50,000 and not more than RMB 500,000 shall be imposed; and illegal gains shall be confiscated: (2) accepting, issuing, storing, carrying, mailing or transporting invoices that one knows or should know are privately printed, forged, altered, illegally obtained or abolished.

Item 56 — Illegally printing invoices

Statutory basis: Law of the People's Republic of China on the Administration of Tax Collection, Article 71: Where a person illegally prints invoices in violation of Article 22 of this Law, the tax authority shall destroy the illegally printed invoices, confiscate the illegal gains and the tools used, and impose a fine of not less than RMB 10,000 and not more than RMB 50,000; where a crime is constituted, criminal liability shall be pursued in accordance with law.

Item 57 — Violating invoice administration regulations, causing other entities or individuals to fail to pay or underpay tax or to fraudulently obtain tax

Statutory basis: Measures of the People's Republic of China for the Administration of Invoices, Article 39: Where a person violates invoice administration regulations, causing other entities or individuals to fail to pay or underpay tax or to fraudulently obtain tax, the tax authority shall confiscate the illegal gains and may also impose a fine of not more than 1 time the tax not paid, underpaid or fraudulently obtained.

Item 58 — Failure by a withholding agent to issue tax vouchers as required

Statutory basis: Measures for the Administration of Tax Vouchers, Article 54, paragraph 2: Where a withholding agent fails to issue tax vouchers in accordance with these Measures, a fine of not more than RMB 1,000 may be imposed according to the seriousness of the circumstances.

Item 59 — Violation of the Measures for the Administration of Tax Vouchers and related provisions by a taxpayer that fills out tax vouchers on its own

Statutory basis: Measures for the Administration of Tax Vouchers, Article 56: Where a taxpayer that fills out tax vouchers on its own violates these Measures and related provisions, the tax authority shall stop its receipt and self-filling of tax vouchers and order cancellation of all tax vouchers within a time limit; where the

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

circumstances are serious, a fine of not more than RMB 1,000 may be imposed.

Category VII — Violations of Tax Payment Guarantee Administration (Items 60–62)

Item 60 — Provision of guarantees by a taxpayer, tax payment guarantor or withholding agent through deception, concealment or other means

Statutory basis: Interim Measures for Trial Tax Payment Guarantees, Article 4, paragraph 1: A withholding agent required to provide a tax payment guarantee in accordance with Article 88 of the Law of the People's Republic of China on the Administration of Tax Collection shall be governed by these Measures. Article 31, paragraph 1: Where a taxpayer or tax payment guarantor provides a guarantee through deception, concealment or other means, the tax authority shall impose a fine of not more than RMB 1,000; where the act constitutes a business activity, a fine of not more than RMB 10,000 shall be imposed.

Item 61 — Illegally providing convenience for a taxpayer or tax payment guarantor to implement false tax payment guarantees

Statutory basis: Interim Measures for Trial Tax Payment Guarantees, Article 31, paragraph 2: Where a person illegally provides convenience for a taxpayer or tax payment guarantor to implement false tax payment guarantees, the tax authority shall impose a fine of not more than RMB 1,000.

Item 62 — Provision of a guarantee by a taxpayer through deception, concealment or other means, causing loss of tax payable

Statutory basis: Interim Measures for Trial Tax Payment Guarantees, Article 32: Where a taxpayer provides a guarantee through deception, concealment or other means, causing loss of tax payable, the tax authority shall, in accordance with Article 68 of the Law of the People's Republic of China on the Administration of Tax Collection, impose a fine of not less than 50% and not more than 5 times the tax not paid or underpaid. Law of the People's Republic of China on the Administration of Tax Collection, Article 68: Where a taxpayer or withholding agent fails to pay or underpays tax payable or tax to be remitted within the prescribed time limit and continues to fail after being ordered by the tax authority to pay within a time limit, the tax authority may, in addition to taking compulsory enforcement measures under Article 40 of this Law, impose a fine of not less than 50% and not more than 5 times the tax not paid or underpaid.

Category VIII — Violations of Tax-Related Professional Service Administration (Items 63–65)

Item 63 — Violation of the day-to-day administration provisions for tax-related professional services by institutions providing tax-related professional services and their personnel

Statutory basis: Measures for the Administration of Tax-Related Professional Services (for Trial Implementation), Article 33, paragraph 1: Where the circumstances listed in Article 31, paragraph 1 exist and are relatively serious or rectification is not made by the deadline, a fine of not more than RMB 1,000 shall be imposed on the institution and not more than RMB 500 on the personnel; where the circumstances are serious, a fine of not more than RMB 2,000 shall be imposed on the institution and not more than RMB 1,000 on the personnel.

Article 31, paragraph 1: Where any of the following circumstances exists in violation of these Measures, the in-charge tax authority shall issue reminders, order rectification within a time limit or conduct admonitory talks, deduct credit points or place the institution on the negative credit record (except for the circumstances in items (1) and (2)); where the circumstances are relatively serious or rectification is not made by the deadline, the in-charge tax authority shall place the institution on the key supervision list, deduct credit points, lower its credit rating or place it on the negative credit record (except for the circumstances in items (1) and (2)), and issue risk reminders to the client and the in-charge tax authority at the client's location; where the circumstances are serious, the in-charge tax authority shall publicly announce the institution as a

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

discredited tax-related service entity, issue risk reminders to the client and the in-charge tax authority at the client's location, and the tax-related business it represents shall be handled by it and its client jointly on-site at the tax authority:

(1) using the name of a tax agent firm without completing administrative registration;

(2) providing tax-related professional services without submitting the basic information of the institution and its tax-related service personnel as required;

(3) failing to submit service engagement agreements and business information for tax-related professional services as required;

(4) the submitted basic information, service engagement agreements or business information being inconsistent with the facts;

(5) obstructing the tax authority in performing its duties under these Measures;

(6) handling business as the client's tax clerk rather than as tax-related service personnel, or otherwise handling business under a false identity;

(7) handling tax-related business on behalf of others without truthfully completing and signing tax documents such as returns;

(8) engaging in relevant tax-related professional services without the corresponding professional competence;

(9) tax-related service personnel providing tax-related professional services in their own name in violation of the provisions;

(10) other acts violating the administration provisions of the tax authority.

Item 64 — Disruption of tax order by a tax-related professional service institution and its tax-related service personnel, causing a client to fail to pay or underpay tax or to fraudulently obtain tax incentives

Statutory basis: Measures for the Administration of Tax-Related Professional Services (for Trial Implementation), Article 33, paragraph 2: Where a person violates tax laws and administrative regulations, causing a client to fail to pay or underpay tax or to fraudulently obtain tax incentives, the tax-related professional service institution and its tax-related service personnel shall be penalized in accordance with the Law of the People's Republic of China on the Administration of Tax Collection and its Implementation Rules; where the institution has been penalized in accordance with law but its personnel have not, a fine of not more than RMB 1,000 shall be imposed on the directly responsible personnel; where the circumstances are relatively serious, a fine of not more than RMB 2,000 shall be imposed; where the circumstances are serious, a fine of not more than RMB 5,000 shall be imposed.

Item 65 — Other acts of a tax-related professional service institution and its tax-related service personnel that disrupt tax order

Statutory basis: Measures for the Administration of Tax-Related Professional Services (for Trial Implementation), Article 33, paragraph 3: Where the circumstances in Article 32, items (2) to (9) exist and the person has not been penalized in accordance with the relevant laws and regulations, a fine of not more than RMB 2,000 shall be imposed on the institution and not more than RMB 1,000 on the personnel; where the circumstances are relatively serious, a fine of not more than RMB 5,000 shall be imposed on the institution and not more than RMB 2,000 on the personnel; where the circumstances are serious, a fine of not more than RMB 10,000 shall be imposed on the institution and not more than RMB 5,000 on the personnel.

Article 32, items (2) to (9): Where a tax-related professional service institution and its tax-related service personnel commit any of the following acts, the in-charge tax authority shall place them on the key supervision list, deduct credit points, lower their credit rating or place them on the negative credit record, and issue risk reminders to the client and the in-charge tax authority at the client's location; where the circumstances are relatively serious, the in-charge tax authority shall publicly announce them as discredited tax-related service entities, issue risk reminders to the client and the in-charge tax authority at the client's location, and the tax-related business they represent shall be handled by them and the client jointly on-site at the tax authority; where the circumstances are serious, the tax authority of a city divided into districts or an autonomous prefecture shall publicly announce them as seriously discredited tax-related service entities, issue risk reminders to the client and the in-charge tax authority at the client's location, the tax-related business they represent shall be handled by them and the client jointly on-site at the tax authority, the information shall be reported to the relevant departments for supervision and joint punishment, the tax authority that administratively registered a tax agent firm shall declare its Administrative Registration Certificate of Tax Agent Firm invalid and request the market regulation department to revoke its business license, and the national association of tax agents shall be requested to cancel its tax agent professional qualification registration, withdraw its professional qualification certificate and make a public announcement, while accounting firms, law firms, bookkeeping agencies and other tax-related professional service institutions and their personnel shall be referred by the tax authority to other industry authorities and industry associations for corresponding handling:

(2) issuing false opinions by failing to practice in accordance with the professional standards for tax-related professional services;

(3) soliciting business by improper means such as concealment, fraud, bribery, collusion, kickbacks, improper promises, malicious undercutting, and false tax-related publicity and advertising, harming the state's tax interests or the interests of clients or others;

(4) openly distorting the interpretation of tax policies and disrupting normal tax order;

(5) instigating, inducing or helping others to commit tax-related violations;

(6) taking advantage of the service to seek improper benefits;

(7) extorting taxpayers or withholding agents in the name of tax authorities and tax officials;

(8) conveying improper benefits to tax authority staff, their spouses, children and other relatives and other specified relations, or instigating or inducing clients to convey improper benefits;

(9) other acts violating tax and related laws and regulations.

Category IX — Violations of Tax-Related Information Reporting (Item 66)

Item 66 — Failure by an internet platform enterprise to report tax-related information as required

Statutory basis: Provisions on the Reporting of Tax-Related Information by Internet Platform Enterprises, Article 10: Where an internet platform enterprise commits any of the following acts, the tax authority shall order rectification within a time limit; where rectification is not made by the deadline, a fine of not less than RMB 20,000 and not more than RMB 100,000 shall be imposed; where the circumstances are serious, suspension of business for rectification shall be ordered and a fine of not less than RMB 100,000 and not more than RMB 500,000 shall be imposed: (1) failing to report or provide tax-related information within the prescribed time limit; (2) concealing, falsely reporting or omitting tax-related information, or the tax-related information being untruthful, inaccurate or incomplete due to reasons attributable to the internet platform enterprise; (3) refusing to report or provide tax-related information.

Source: https://www.danyoungcpa.com/national-tax-administrative-penalty-discretion-benchmarks-of-china-2026/

Annex 2 — List of "Minor Violation, No Penalty" Items for Tax Administrative Penalties

This List applies under Article 33, paragraph 1 of the Administrative Penalty Law of the People's Republic of China: where a violation is minor and rectified in a timely manner without harmful consequences, no administrative penalty shall be imposed. For each of the following items, the applicable condition is: voluntarily rectified before discovery by the tax authority, or rectified within the rectification period ordered by the tax authority, without harmful consequences (unless otherwise stated for the item).

Notes

1. Unless otherwise specified in the Benchmarks, "not less than", "not more than" and "within" are inclusive of the stated figure, while "less than" and "more than" are exclusive of it.

2. Unless otherwise specified in the Benchmarks, the "amount falsely issued", "amount illegally issued on behalf of others" and "invoice amount" mean the amount stated in the amount column of the invoice.

3. Unless otherwise specified in the Benchmarks, "other relatively serious circumstances" and "other serious circumstances" include, but are not limited to, failure to cooperate with tax inspections, egregious means of violation, relatively wide social impact, and serious harmful consequences.

4. Unless otherwise specified in the Benchmarks, "refusal to rectify" includes, but is not limited to, the tax administrative counterpart expressly indicating that it will not rectify, or still failing to rectify after the tax authority's tax guidance, policy application administration, or risk reminders.

5. In the Benchmarks, "individual" includes natural persons and individual industrial and commercial households.

6. In the Benchmarks, "first within one year" means the first occurrence within one calendar year. In Item 66, "two or more cumulative occasions within one year" is calculated on a rolling 12-month basis, and "two cumulative occasions" is calculated over the period of existence.

7. In the Benchmarks, "first", "two or more", "twice" and "more than twice" refer to the number of records of the same violation by the tax administrative counterpart in the tax administration system. The "occurrence" in Items 16 and 17 refers to the number of late filings. Late filings of two or more taxes within the same filing period are deemed one violation.

8. In the Benchmarks, "two years" and "five years" mean, respectively, the 24 months and 60 months preceding the date on which the tax administrative counterpart's violation was discovered.

Disclaimer: This is an unofficial English translation of the National Tax Administrative Penalty Discretion Benchmarks (2026 Edition) issued by the State Taxation Administration of the People's Republic of China (STA Announcement No. 20 of 2026). It is provided for reference only. The original Chinese text published by the State Taxation Administration is the sole authoritative version. This translation does not constitute legal, tax or accounting advice; readers should consult qualified professionals for matters concerning their specific circumstances. Dan Young Business Consultancy makes no representation as to the accuracy or completeness of this translation.