



## APAC payroll newsletter

Running payroll across APAC is always challenging for international organisations. Organisations need to observe payroll trends in the region and in specific countries, and pay attention to details to do business with confidence. To do the right thing from the start, our APAC payroll newsletter for 2021 Q4 highlights some unique payroll requirements for some of the region's top business destinations, so that organisations can make running payroll a breeze, save time, reduce risks, and get a clear picture of the business.

[Australia](#)   [Hong Kong](#)   [Indonesia](#)   [Korea](#)   [Philippines](#)   [Taiwan](#)   [Vietnam](#)  
[China](#)   [India](#)   [Japan](#)   [Malaysia](#)   [Singapore](#)   [Thailand](#)

### Global payroll services

Managing global payroll across multiple countries can be challenging for many businesses. You may face different payment dates and deadlines, local rules and regulations, types of deductions, frequency of payments, and a variety of reporting requirements. It can also be problematic and inefficient using multiple local providers and hiring specialists in countries to service only a few employees.

How can we help you?

Mazars offers a comprehensive multi-country payroll outsourcing service that is seamless and efficient. By centralizing your global payroll services with one experienced firm, you retain greater control over the various regulations required to comply with payroll across multiple countries.

For more information, please visit our [Global Payroll Services](#).



# Australia

## Updates

### Super choice rules for new employees

- Employer obligations for identifying appropriate superannuation funds for new employees commences on 1 November 2021. While it is just one added step in the existing process, it will be an important one to ensure that the recent changes to the superannuation legislation deliver the benefits to employees that have been promised.
  - From 1 November 2021, where a new employee does not provide their superannuation fund details to the employer, an extra compliance step is now required to be undertaken by the employer.
  - The employer will be obliged to contact the ATO to access information on whether or not an employee has a “stapled super fund”. If the ATO advise that there is a stapled fund for the employee, then the employer must pay superannuation into that fund. However, if there is no stapled fund and the employee has not provided superannuation details, an Employer may then contribute the required superannuation for that employee to a complying default fund as they do now.
  - This change aims to stop your new employees paying extra account fees for unintended super accounts set up when they start a new job.

### Employment in a post lockdown Australia

- Below are some commonly asked questions around vaccinations in the workplace.
  - 1. Do I need to make sure my employees are vaccinated to open my business?**
    - The answer to this question is complex as it varies for different industries and occupations, across States and Territories. Many States and Territories have issued Health Directives which mandate vaccination for employees in specific industries.
    - Where you operate in an industry or occupation covered by a Health Directive you must comply with that Health Directive, and this may mean that you are not able to have unvaccinated employees engaged in your industry or occupation. Due to the complexity of this issue, we encourage clients to call us directly for specific information on how these Health Directives effect your industry or employees.
  - 2. How do I know if my employees are vaccinated?**
    - It is permissible to ask employees if they have been vaccinated and to ask for proof of vaccination. However, you do need to be aware that such information is sensitive information

and therefore any records kept of such information must be kept with the highest level of security and used only for the purpose it was collected.

- Employees may be willing to consent to your information being used for a related purpose such as notifying your clients or customers that your workforce is vaccinated. However, employers should obtain such consent on an individual basis and be very transparent about what such consent will mean in terms of the sensitive information.
- Where an employee asserts a genuine medical exemption, you may request a copy of the relevant documentation. Some clients have been provided with what appear to be questionable medical exemptions. In some instances, these purported exemptions have not in fact been valid. Given the sensitivity of this issue we encourage clients who find themselves in this position to contact us for advice prior to challenging the employee's medical certification.

### **3. What can I do if my employees do not want to return to the workplace?**

- This is a common concern. Many employees are either fearful of returning to a workplace where they may be exposed to Covid-19, or in our experience more commonly, they have become accustomed to working from home and are reluctant to give it up. Where work is undertaken is a decision for the employer and not the employee. Therefore, reluctant employees (provided it is safe for them to do so), can be directed to return to the workplace
- We recommend that employers work collaboratively with employees who are reluctant to return to the workplace prior to issuing them with a direction to return. In our experience there may be instances where a mutually beneficial outcome can be reached which meets the genuine needs of both the employer and employee. However, where a compromise is not achievable, or where an employer does not wish to continue a work from home model within their workplace, they may direct employees to return to the workplace and employees must comply.
- Employers should however be aware that some employees may be able to make an application for flexible work arrangements under a Modern Award or the Fair Work Act, 2009, where such an application is made, an employer must genuinely consider such applications.

### **4. In my industry, I am only allowed to service vaccinated customers – how do I protect my employees?**

- In many States and Territories there is currently (or proposed) obligations placed on employers by Governments to only allow vaccinated employees and vaccinated customers to access their workplaces. Some employers have also made this decision themselves, to provide a higher level of protection to their employees, in the absence of a specific Health Directive. Although the rationale for such Health Directives or employer decisions is clear, we are aware that there are employees and employers experiencing distress as they anticipate the prospect of conflict which may arise if they refuse service or access to a worksite, to someone who has elected not to be vaccinated.
- This creates a risk as employers remain responsible for providing a safe workplace in such circumstances. There are likely steps that employers can take to minimise the risk. However, all employers in such situations should consider offering their employees specialist training in conflict resolution to improve their capacity to effectively manage such situations and de-

escalate conflict should it arise. Such skills will remain invaluable to your employees in the future as unfortunately we are all exposed to difficult customers or clients, from time to time.

**5. Can I mandate vaccination for my workforce?**

- The legal framework on this topic for those employers who are not covered by a Health Directive is still developing, however it is fair to say that the published decisions to date, have supported an employer's ability to do so as a WH&S strategy to mitigate the risks of Covid-19 in a workplace. There are however many challenges to such decisions, and to the Health Directives themselves, pending hearing or decision in a number of jurisdictions both in the Industrial Tribunals and in the civil courts.
- As a WH&S strategy employers need to be cognisant that they must make a genuine assessment of the workplace risks and whether mandatory vaccination is an appropriate mitigation strategy for their workforce.
- Employers who are covered by a Modern Award or Enterprise Bargaining Agreement are highly likely to have a genuine consultation obligation with their workforce prior to introducing a directive to mandate vaccination. Best practice would require that any employer who is contemplating such a mandate would consult with their workforce generally and work collaboratively to resolve any barriers with the workforce of individuals. Employers should ensure that any such policy provided an exemption for genuine medical exemption and a process for determining how such employees will be supported.
- The greatest risk for employers, in our view, is not in making the decision to direct mandatory vaccination, but in the process used to implement that direction. Employers who fail to follow best practice in actively engaging with their workforce and bringing them along on the journey of mandatory vaccination are more likely to experience disputation.

**6. Which businesses have already announced mandatory vaccination?**

- A number of large employers have publicly announced their introduction of mandatory vaccination or their intention to do so in the immediate future. Many State and Territory governments have also mandated vaccination for public sector employees particularly in the health and emergency services areas.
- We are also aware of much smaller businesses who have successfully worked with their workforces to achieve full vaccination, sometimes by collaboration and sometimes by a mandatory direction. Many employers unsurprisingly do not intend to go public, for fear of backlash and they are, of course, not required to do so.

For more information, go to:

- [Mazars in Australia website](#)
- [Human Resources consulting](#)
- [Latest news](#)



# China

## Updates

### Annual one lump sum bonuses extended till end of 2023

- Resident individual: the annual lump bonuses shall be separately taxed on the basis of the amount by dividing the annual lump sum bonuses by 12 months.
- Non-Resident individual: the several months bonuses obtained in one month shall be amortized in 6 months for tax calculation, without deductions.

Level	Monthly Taxable Income	Tax Rate (%)	Quick Deduction
1	if not exceeding CNY3,000	3	CNY 0
2	for the part exceeding CNY3,000 but no more than CNY12,000	10	CNY 210
3	for the part exceeding CNY12,000 but no more than CNY25,000	20	CNY 1,410
4	for the part exceeding CNY25,000 but no more than CNY35,000	25	CNY 2,660
5	for the part exceeding CNY35,000 but no more than CNY55,000	30	CNY 4,410
6	for the part exceeding CNY55,000 but no more than CNY80,000	35	CNY 7,160
7	for the part exceeding CNY80,000	45	CNY 15,160

### Equity incentives as stock options

- Resident individual: the equity incentives shall be separately taxed on the basis of the full amount separately.
- Non-Resident individual: the equity incentives shall be amortized in six months for tax calculation, without deductions.

**Allowances and subsidies for foreign individuals extended till end of 2023**

- Following the announcement of SAT (State Administration of Taxation) and Ministry of Finance on 31 December 2021, Personal income tax exemption on Allowances and Subsidies for Foreign Individuals will be extended till the end of 2023.
- Foreign individuals can enjoy the preferential tax-exemption policies on allowances for housing subsidies, language training expenses and children's education expenses, home leave flight ticket, etc. in accordance with the Cai Shui Zi [1994] No.20, the Guo Shui Fa [1997] No.54.
- The allowances must be mentioned in the labor contract and supported by relevant tax invoices or/and supporting document and declared at the tax bureau in order to benefit of personal income tax exemption.

For more information, go to:

- [Mazars in China website](#)
- [Latest news](#)



No updates

For more information, go to:

- [Mazars in Hong Kong website](#)
- [Latest news](#)



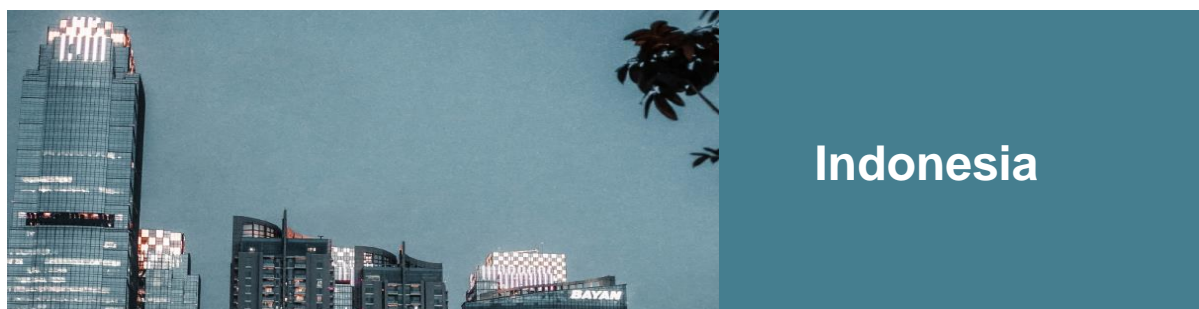
## India

### No updates

For more information, go to:

- [Mazars in India website](#)
- [Latest news](#)





## Updates

On 7 October 2021, the House of Representatives ratified the Law on Harmonization of Tax Regulations (“UU HPP”). Key changes are highlighted below:

### 1. General provisions and tax procedures

- ID or Nomor Induk Kependudukan (“NIK”) will apply as Tax ID for new individual taxpayers. But it does not mean that all individuals must pay tax. Tax is liable on the conditions below:
  - Annual income exceeds the non-taxable income threshold; or
  - Gross turnover beyond IDR 500 million per annum for entrepreneurs that apply the 0.5% final income tax.
- UU HPP introduces equitable imposition of sanctions through lowering of tax penalty related to tax disputes.
- Taxpayer’s Power of Attorney can be anyone who has competence in tax (exception is given if the tax attorney appointed is a related party).
- The government has discretion to appoint certain party (for example: provider of electronic transaction facilities) as a tax withholder/collector for transactions involving multiple parties. This is a solution due to the rapid growth dynamic economy transactions, including those that involve providers of e-commerce facilities, that enable tax collection efficiently, simply, and effectively.
- To realize the benefits and form of Indonesia’s active role in global tax cooperation, active collection assistance can be carried out to partner countries as well as requests for tax collection assistance to partner countries which are carried out reciprocally.

### 2. Income tax

- Changes are made in tax rates and tax brackets for individual taxpayers:

Bracket	Previous Income Range	Tariff	New Income Range	Tariff
I	0 to IDR 50 million	5%	0 to IDR 60 million	5%
II	IDR 50 million to 250 million	15%	IDR 60 million to 250 million	15%

Bracket	Previous Income Range	Tariff	New Income Range	Tariff
III	IDR 250 million to 500 million	25%	IDR 250 million to 500 million	25%
IV	Above IDR 500 million	30%	IDR 500 million to 5 billion	30%
V	-	-	Above IDR 5 billion	35%

- Non-taxable threshold remains the same under HPP Law i.e., IDR 4.5 million per month or IDR 54 million per annum for individuals of single status.
- Definitions of benefit-in-kinds as deductible expense or not tax object are clarified.
- There is a final tax exemption (normally at 0.5%) for entrepreneurs with gross revenue up to IDR 500 million a year.
- The tax rate for corporate taxpayers will remain at 22% for FY2022 and beyond (it was supposed to be reduced at 20% starting FY2022 in previous regulation).

For more information, go to:

- [Mazars in Indonesia website](#)
- [Latest news](#)



## Japan

No updates

For more information, go to:

- [Mazars in Japan website](#)
- [Latest news](#)



## Updates

### Social insurance: change of 2022 rates

- From 1 January 2022, the health insurance rate has increased from 6.86% to 6.99%. Long-term care insurance rate also increased from 11.52% to 12.27% in 2022.
- The employment insurance rate for 2022 will increase from 1.6% to 1.8%, from 1 July 2022.

Insurance rate change	2021 Premium burdened on employer	2021 Premium burdened on employee	2022 Premium burdened on employer	2022 Premium burdened on employee
Health insurance	Monthly average wage x 3.43% x (1+11.52%)	Monthly average wage x 3.43% x (1+11.52%)	Monthly average wage x 3.495% x (1+12.27%)	Monthly average wage x 3.495% x (1+12.27%)
Employment insurance	Wage x (0.8% + Premium by Business Size)	Wage x 0.8%	Wage x (0.9% + Premium by Business Size)	Wage x 0.9%

### Minimum wage for 2022

- Announced on 5 August 2021, the minimum wage for 2022 is KRW 9,160 per hour.
- If converted into monthly wage, it would be KRW 1,914,440 for 40 hours of regular work per week, based on 209 hours per month including paid weekly holidays. The same minimum wage is applied to all workplaces regardless of industry type.

### Implementation of 'Childcare Leave System for Pregnant Women' and 'Change of Attendance and Quitting time System'

- The Ministry of Employment and Labor announced that the 'Childcare Leave System' and the 'Change of Attendance and Quitting time System' for pregnant workers implemented on 19 November to protect them.
  - Childcare Leave System for Pregnant workers:
    - With the revision of "Equal Employment Opportunity and Work-family Balance Assistance Act", pregnant workers can take childcare leave, from 19 November 2021.

In the past, childcare leave could only be used by workers with children under the age of 8 or under the second grade of elementary school, so there was a limit for pregnant workers to use childcare leave when they needed it to protect their health.

- Workers who want to use childcare leave during pregnancy must apply to the employer 30 days before the scheduled start date of the leave. An employee may use childcare leave over several occasions, limited to twice, but childcare leave during pregnancy is not included in the number of occasions of childcare leave so that the pregnant workers can be free to use it for their health.
  - For childcare leave used during pregnancy, childcare leave benefits in accordance with the “Employment Insurance Act” will be paid through the Employment Insurance Fund. In order to reduce the burden on employers who grant childcare leave, the incentive for employment security during the period of childbirth and childcare is also supported.
- Change of Attendance and Quitting time System for Pregnant Workers:
- With the revision of the “Labor Standards Act”, pregnant workers can change their attendance time while maintaining the prescribed working hours per day. Workers who want to change the attendance and quitting time must submit the application to the employer 3 days prior to the scheduled start date of change in working hours, attaching a medical certificate from a doctor to confirm the pregnancy. Employers must allow pregnant workers to change their attendance time unless there is a special reason. This commenced on 19 November 2021.
  - As a reminder, female workers who are within 12 weeks or after 36 weeks of pregnancy can apply for reduced working hours system by 2 hours a day.

**Amendments to the enforcement decree of the Labor Standards Act (Enforcement Date: November 19, 2021)**

- The amendment to the "Enforcement Decree of the Labor Standards Act" was reviewed and passed at the Cabinet meeting on 16 November 2021 was enforced on 19 November 2021.
- With the revision of “Labor Standards Act”, the employer must issue a payslip stating the items prescribed by Presidential Decree, such as wage components, calculation method, and deduction details, when paying wages to workers. And it can be delivered in writing or as an electronic document in accordance with the “Electronic Document Act”.
- In order to reduce the burden of employers regarding the issuance of wage statements, a ‘Payslip creation’ program is provided free of charge through the website of the Ministry of Employment and Labor. (<https://moel.go.kr/wageCalMain.do>)
- Employers can choose between the 'individual creation' method, which allows to create a payslip manually for one worker, and the 'batch creation' method, which allows to create pay slips for multiple workers at once.

**Normalization of entrance for foreign workers**

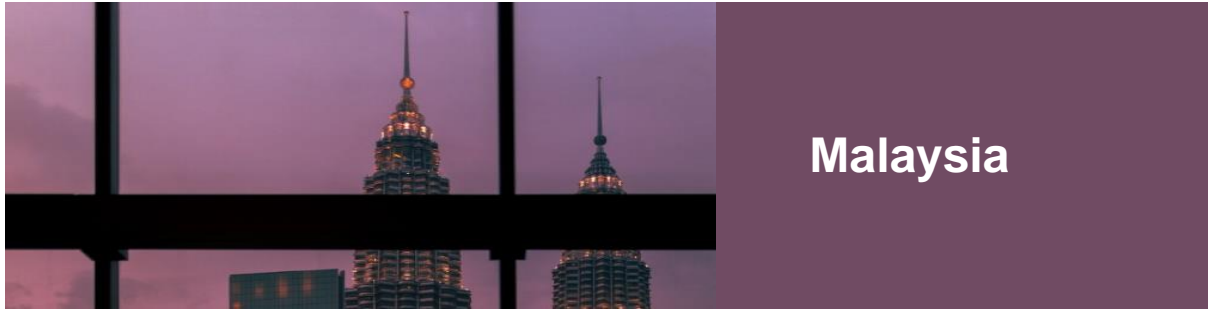
- The government decided to normalize the entry of foreign workers under E-9 visa, on the premise of pre- and post-entry quarantine measures, such as vaccinations, at the meeting of Covid-19 central disaster and safety countermeasures headquarters on 5 November 2021.
- According to each country's quarantine risk level, the entry for all 16 sending countries is allowed in principle. In case of the countries with high quarantine risk A), Visa issuance is resumed 14 days after vaccination (WHO-approved vaccine) in the sending country, and entry is permitted only if the PCR test result at a hospital designated by the diplomatic mission abroad is negative within 72 hours before boarding.
- In case of the other countries B), the entry is allowed if the PCR test result is negative regardless of whether vaccinated, but the vaccination must be completed in Korea after entering the country.

Countries with high quarantine risk A) (5 countries)	Other countries B) (11 countries)
Myanmar, Philippines, Pakistan, Uzbekistan, Kyrgyzstan	Cambodia, Vietnam, Thailand, East Timor, Laos, China, Nepal, Sri Lanka, Mongolia, Bangladesh, Indonesia
As of November 5, 2021	As of November 5, 2021

- The upper limit of the number of people entering the country, which was limited to 100 people per day and 600 people per week, will also be abolished for the prompt entry of about 50,000 foreign workers waiting to enter the country. All foreign workers, regardless of whether vaccinated, must undergo a 10-day quarantine period at a facility operated and managed by the government after entering the country.
- The Ministry of Employment and Labor is planning to have a consultation with 16 sending countries so that the entry of foreign workers can be normalized as soon as possible, and domestically, to encourage workplaces' vaccination by exempting quarantine inspections upon completion of vaccination and giving priority when assigning new immigrant foreign workers, etc., in order to prevent the spread of Covid-19.

For more information, go to:

- [Mazars in Korea website](#)
- [Latest news](#)



## Updates

### **Extension of Employees Provident Fund (“EPF”) minimum statutory contribution rate**

- During the tabling of Budget 2022, the Government decided to extend the minimum statutory contribution rate for employees at 9% for another 6 months which will take effect from January 2022 wages (February 2022 contribution) until June 2022 wages (July 2022 contribution), after which the minimum statutory contribution rate for employees returns to 11%.
- Members can opt out of the extension if they choose to.

### **Human Resource Development Corporation (“HRD”) levy resumes**

- Under the Pembangunan Sumber Manusia Berhad Act 2001 (“PSMB Act 2001”), employers of the new sectors who registered before 31 December 2021 were given an exemption of HRD levy until 31 December 2021.
- Levy payment for the new registered employers under the First Schedule PSMB Act 2001 resumes for January 2022.
- All new registered employers are required to make the levy payment for January 2022 salary before or on 15 February 2022.

### **Wage Subsidy Programme 5.0 (“WSP 5.0”)**

- The Government announced during Budget 2022 that Wage Subsidy Programme (WSP) be extended for another 3 months for tourism sector still impacted by COVID-19 pandemic.
- This programme is specific for employers in the tourism sector and all its employees without salary eligibility limit who experienced a reduction of 30% or more in its October / November / December 2021 monthly sales or revenue in comparison to any of the months before the Covid-19 pandemic in years 2019/2020/2021.
- Employers and its employees are to be registered under Social Security Organisation (“SOCSO”) before 1 January 2022 to be eligible.
- Each application is capped at 500 employees with monthly wage subsidy of RM600 for 3 months.

### **Income tax relief**

- From the year of assessment 2022, the scope of tax relief for SOCSO contribution by a private sector employee is expanded to include employee’s contribution through the Employment Insurance System (“EIS”) and tax relief limit is increased from RM250 to RM350.

For more information, go to:

- [Mazars in Malaysia website](#)
- [Latest news](#)





## Philippines

### Updates

#### **SSS releases Circular No. 2021-21, giving better online filing retirement benefit claims using your MY.SSS Portal account**

The Social Security System has issued [Circular No. 2021-21](#) last 28 December 2021 which defines guidelines for enhanced online filing of retirement benefit claim through the My.SSS portal with the goal of streamlining, simplifying, and automating the benefit processes.

This has been implemented pursuant to Social Security Commission Resolution No. 660-s.2021 and to comply with the Ease of Doing Business and Efficient Government Services Delivery Act of 2018.

This supersedes Circular No. 2020-018 dated 22 July 2020 on the Online Filing of Retirement Benefit Claim Through the SSS Website.

#### **1. Coverage**

- All qualified employee-members, self-employed (SE), voluntary members (VMs) and land-based Overseas Filipino Worker (OFW) members shall file their retirement benefit claim online through the My.SSS portal, subject to the guidelines under this Circular.

#### **2. Pre-requisites for Online Filing**

- Member must be registered in the SSS Website to be able to apply for retirement benefit claim online through the My.SSS portal.
- Member must have a UMID card enrolled as ATM or an approved disbursement account in the Disbursement Account Enrolment Module (DAEM) in the My.SSS portal.

#### **3. Policies on Online Filing of Retirement Benefit Claim**

- For employee-members who are sixty (60) to sixty-four (64) years old as of date of retirement, the following conditions shall apply:
  - If with contribution/s within twelve (12) months prior to the month of retirement, a request for online certification shall be sent to the employer. The latest employer per SSS record shall certify the employee-member's date of separation from employment through the employer's account in the My.SSS portal; and
  - If with no contribution/s within 12 months prior to the month of retirement, a Certificate of Separation shall not be required.
- SE members who are sixty (60) to sixty-four (64) years old as of date of retirement and with posted contribution/s applicable after the month of cessation of business/self-employment,

per SSS record, shall have the following options before proceeding with online filing of retirement benefit claim through the My.SSS portal:

- To encode the correct date of cessation of business/self-employment;
- To refile the retirement benefit claim online on or after the applicable month of the last posted SE contribution; or
- To execute an online certification with undertaking that only contribution/s applicable up to the month of cessation of business/self-employment shall be considered in his/her retirement benefit claim and he/she understands that the SSS shall determine the handling of contribution/s not considered based on applicable policies.

Note: The SE member's reason for the said online certification shall only be because the posted contribution/s applicable after the month of cessation of business/self-employment was/were paid prior to cessation of business/self-employment but applicable for month/s after the cessation of business/self-employment (i.e., advance payment).

- For SE members who are sixty (60) to sixty-four (64) years old as of date of retirement, execution of an online certification with undertaking of his/her date of cessation of business/self-employment shall be required upon online submission of retirement benefit claim through the My.SSS portal, in lieu of uploading and submission of documents as proof.
- VM and land based OFW members who are sixty (60) to sixty-four (64) years old as of date of retirement and with posted contribution/s applicable on and/or after the month of online filing of retirement benefit claim through the My.SSS portal (i.e., advance payment), per SSS record, shall have the following options before proceeding with the said online filing:
  - To refile the retirement benefit claim online after the applicable month of the last posted VM or land based OFW contribution; or
  - To confirm the deletion of the said contribution/s and that he/she understands that the SSS shall determine the handling thereof based on applicable policies.
- Members may receive an on-screen notification to refile the retirement benefit claim online through the My.SSS portal on or after a specific month when his/her paid contributions for at least 120 months are prior to the semester of retirement, in order to qualify for pension benefit.
- Members may be required to upload supporting document/s and/or execute an online certification with undertaking to proceed with the online filing of retirement benefit claim through the My.SSS portal, or may receive notification to file at any SSS Branch Office (BO)/Foreign Representative Office (FRO), for the following conditions/cases:
  - With dependent child/children;
  - Racehorse Jockey;
  - Underground or Surface Mineworker;
  - Disapproval/Expiration of the request for online employer certification, as applicable in the case of employee-member; and/or

- Other conditions/cases as may be determined by the SSS.
- Members who are at least 60 years old and have paid less than 120 monthly contributions shall have the following options before proceeding with online filing of retirement benefit claim through the My.SSS portal:
  - To cancel the online filing and continue paying contributions to qualify for pension benefits, or
  - To proceed with the online filing for application of lump sum benefit and confirm his/her understanding that no other benefit is due thereafter except for funeral benefit.
- The member shall be required to certify that the information provided in his/her online filing of retirement benefit claim through My.SSS Portal are true, correct and accurate. The member, including any person/s involved, shall be held liable under all circumstances for any false information, misrepresentation and fraud in accordance with Section 28 of Republic Act No. 11199 and other applicable laws.
- Retirement benefit claims filed online through the My.SSS portal, including uploaded supporting documents and online certification with undertaking, shall be subject to further validation/review and processing prior to approval for payment.
- The processing time shall start upon the acknowledgement of the online submission of employee-member's retirement benefit claim through the My.SSS portal with complete requirements, including the approved online certification by employer for employee-member as applicable.
- The following e-mail notifications shall be sent to members regarding their retirement benefit claims submitted online through the My.SSS portal:
  - Acknowledgement of successful submission;
  - Approval/Disapproval/Expiration of the request for online employer certification, as applicable in the case of employee-member;
  - Approval/Rejection of claim; and/or
  - Other notification/s as deemed necessary by the SSS.
- The retirement benefit shall be credited to the member's UMID card enrolled as ATM or the preferred disbursement account in DAEM in the My.SSS portal, in accordance with applicable policies.
- Retirement benefit claims with any of the following conditions/cases shall be filed at any SSS BO/FRO:
  - With outstanding Stock Investment Loan Privatization Loan Program/Educational Technology Loan balance; Program (SILP)/ Loan/Vocational
  - Dependent child/children under guardianship;
  - Member is incapacitated, under guardianship, or confined in an applicable institution such as penitentiary, correctional institution or rehabilitation center;
  - Application of Portability Law or Bilateral Social Security Agreements;

- With adjustment or for re-adjudication of claim; and
- Unclaimed benefit of deceased member.

#### **4. Policies on Online Certification of Employer**

- The certifying employer must be:
  - With active status and registered in the My.SSS portal; and
  - The latest employer of separated employee-member per SSS record.
- The following e-mail notifications shall be sent to the certifying employer:
  - Request for employer's online certification of the date of separation from employment;
  - Acknowledgement of action taken by employer on the request; and/or
  - Expiration of request for employer's online certification.
- Retirement benefit claims of employee-members without the required online certification of employer shall automatically expire after ten (10) calendar days from the date of successful online submission. The member shall re-file the retirement benefit claim through the My.SSS portal.

#### **5. Implementation**

The existing policy on mandatory online filing of retirement benefit claims through the My.SSS portal of all employee-members, VM and land-based OFW members, and SE members whose age at the time of retirement is at least sixty-five (65) years old, shall remain valid subject to the guidelines under this Circular. In the case of SE members who are sixty (60) to sixty-four (64) years old, mandatory online filing shall be implemented six (6) months after the effectivity of this Circular.

### **SSS releases Circular No. 2021-19, providing online filing of Social Security, Sickness Notification, Sickness Benefit, and Sickness Benefit Reimbursement Application through My.SSS Portal in the SSS Website**

The Social Security System (SSS) provides further convenience when filing for its services by releasing their [Circular no. 2021-19](#) on 22 December 2021. It allows the online filing of Social Security (SS) and Employee's Compensation (EC), Sickness Notification (SN), Sickness Benefit Application (SBA), and Sickness Benefit Reimbursement Application (SBRA) through the MY.SSS portal webpage found in the SSS Website, effective as of 27 December 2021.

This circular is meant to supersede both Circular No. 2015-015 dated 30 October 2015, on the Electronic Sickness Notification for the Employed Members and Circular No. 2020-011 dated 11 May 2020, on the Online Filing of SBRA through the SSS website.

#### **1. Coverage**

- For SBA
  - All Self-employed (SE), Voluntary Members (VMs) Overseas Filipino Workers and Non-Working Spouse (NWS); and

- All employed members who are separated from employment and did not receive any advance payment of sickness benefit from their employers.
- For SN and SBRA
  - All employers including household employer.

**2. Pre-requisites for Online Filing**

- A registered My.SSS account in the SSS Website, and
- Approved disbursement account in the Disbursement Account Enrollment Module (DAEM) in the My.SSS portal in the SSS Website.

**3. Policies**

- All initial or new claims and the following cases for adjustment shall be filed online through the member's or employer's My.SSS account:
  - SSS system computation is higher than employer's computation;
  - Additional posted contributions will increase the amount of sickness benefit; and
  - Erroneous encoding by the employer of the following:
    - Number of company sick leave with pay for the current year, and
    - Date employee returned to work.
- Only the filing of SBA over the counter (OTC) or through drop box at any SSS Branch Office (BOY/Foreign Representative Office (FRO)/Medical Evaluation Center (MEC) shall be allowed until the full implementation of the mandatory online filing.
- The filer shall upload the required supporting document/s corresponding to the type of claim/adjustment being filed to proceed with the submission of the SN/SBA/SBRA. Uploaded documents shall be reviewed by SSS.
- All sickness claims shall be subject to medical evaluation and approval prior to payment.
- The receipt of the advance payment shall be confirmed/certified by the employee within seven (7) working days from the date of sending of e-mail by the SSS. In case member did not confirm receipt of the advance payment or failed to act within the prescribed period, the SBRA shall be rejected. Rejected claims shall be re-submitted/re-filed by the employer as a new transaction.
- Confirmation/certification of receipt of the advance payment by the employee for the SBRA filed by his/her employer shall be submitted through the employee's My.SSS account in the SSS Website.
- Confirmation/certification of employee shall not be required for claims which were already advanced but tagged by the employer as separated, Absence without Official Leave (AWOL) and deceased member in the online filing of SBRA.
- The filing date of the claim shall be as follows:
  - For SN and SBA - the date of successful submission of the claim; and

- For SBRA- the date of confirmation/certification of the employee or date of successful submission of the claim if the employee is already separated/AWOL or deceased.
- Claim which has been previously submitted but is not acceptable based on SSS' evaluation may be re-filed online by the member/employer as a new transaction upon compliance with SSS' requirements.
- An e-mail notification shall be sent to the member/employer for the following cases:
  - For SN and SBA:
    - Successful submission through the member's/employer's My.SSS account in the SSS Website; and
    - Approval/Rejection/Denial of the SN and SBA.
  - For SBRA:
    - Successful submission through the employer's My.SSS account in the SSS Website;
    - Successful submission of the confirmation of the employee;
    - Reminder to employer on the expiration of confirmation of receipt of advance payment by the employee;
    - Failure to confirm the receipt of advance payment by the employee; and
    - Approval/Rejection/Denial of the SBRA.
- The proceeds of EC sickness benefit claim shall be credited directly to the approved disbursement account of the employed and SE member in DAEM. The employer shall be required to select from the display list the employee's approved disbursement account in DAEM upon online filing of SN for EC sickness benefit claim.
- The following sickness benefit claims exempted from online filing shall be submitted OTC or through drop box at any SSS BO/FRO:
  - Denied claim reconsidered for payment;
  - Unclaimed benefit of deceased member, and
  - Unclaimed reimbursement of inactive/closed/terminated/retired employer.

#### 4. Transition and Implementation

- **27 December 2021** - SE/M/OFW/NWS members may file the SBA through any of the following:
  - OTC or through drop box at any SSS BO/FRO/MEC; or
  - Online through the My.SSS portal in the SSS Website.
- **27 December 2021** - Mandatory online filing of SN and SBRA under these guidelines.
- **14 March 2022** - Last day of option to file SBA through OTC/drop box at any SSS BO/FRO/MEC.
- **15 March 2022** - Start of mandatory online filing of SBA.

### **Special, regular, and national holidays for 2022**

The holidays have been set for 2022 as President Rodrigo Duterte signs [Proclamation No. 1236](#) on 29 October 2021, where he declared the regular, special, and non-working holidays for the whole year.

Due to the Covid-19 pandemic, 2 November (All Souls' Day), 24 December (Christmas Eve), and 31 December (New Year's Eve) were designated as **special working days**. This was done to help boost “economic productivity” and counteract the pandemic’s effect on the Philippine market.

The president is still scheduled to announce two other proclamations for the Islamic holidays, Eid’l Fitr and Eid’l Adha, since these dates have not yet to be determined in alignment with the Islamic calendar.

The announcement made no changes to the previous list created under [Proclamation No. 1107](#), which was signed on 26 February 2021.

The lists below show the regular and special holidays for 2022:

#### **Regular holidays**

- 1 January (Saturday) - New Year's Day
- 9 April (Saturday) - Araw ng Kagitingan (Day of Valor)
- 14 April - Maundy Thursday
- 15 April - Good Friday
- 1 May (Sunday) - Labor Day
- 12 June (Sunday) - Independence Day
- 29 August (Monday) - National Heroes' Day
- 30 November (Wednesday) - Bonifacio Day
- 25 December (Sunday) - Christmas Day
- 30 December (Friday) - Rizal Day

#### **Special non-working days**

- 1 February (Tuesday) - Chinese New Year
- 25 February (Friday) - EDSA People Power Revolution Anniversary
- 16 April - Black Saturday
- 21 August (Sunday) - Ninoy Aquino Day
- 1 November (Tuesday) - All Saints' Day
- 8 December (Thursday) - Feast of the Immaculate Conception of Mary

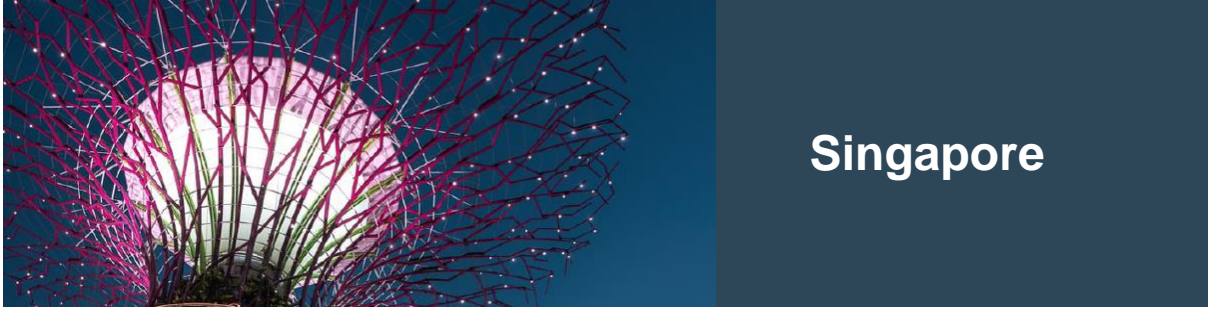
#### **Special working days**

- 2 November (Wednesday) - All Souls' Day
- 24 December (Saturday) - Christmas Eve
- 31 December (Saturday) - Last Day of the Year

For more information, go to:

- [Mazars in Philippines website](#)
- [Latest news](#)





No updates

For more information, go to:

- [Mazars in Singapore website](#)
- [Latest news](#)



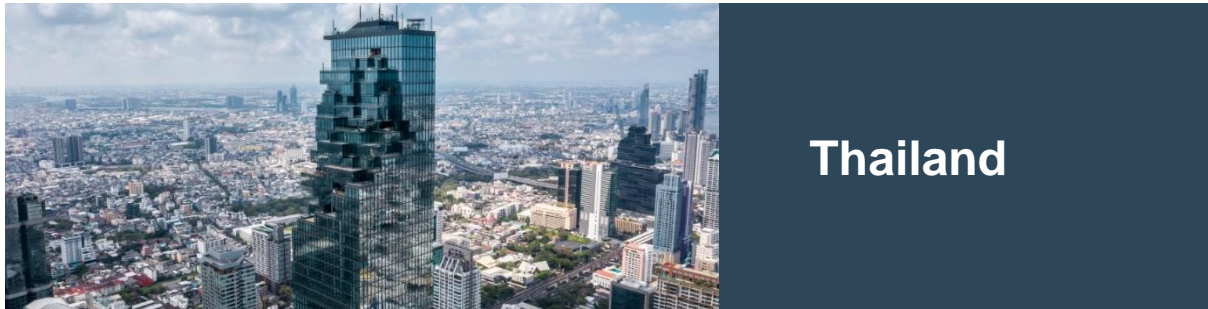
## Updates

### Increase in minimum wage

- Announced by Taiwan government in October 2022, the minimum wage has increased by roughly 5.21%, effective from 1 January 2022
- The monthly minimum wage is set to increase from TWD24,000 per month to TWD 25,250, while the hourly pay will be updated from TWD160 per hour up to TWD168.

For more information, go to:

- [Mazars in Taiwan website](#)



## Updates

### Financial support to SMEs who retain 95% of their Thai workers

- On 19 October 2021, the Cabinet approved a new Covid-19 relief measure to support SMEs financially if they retain 95% of their Thai employees or more in the next three months – from November 2021 to January 2022.
- An employer who is eligible for this support must meet the following conditions:
  - Must be participating in the Social Security Fund (“SSF”).
  - Must have less than 200 active Thai employees (in all branches), set out in Section 33 of the Social Security Act, registered in the SSF’s database as of 16 October 2021, as proof that it is an SME.
  - Must have access to the SSF’s e-service (any employers who still have not applied must do so and make monthly SSF contributions for October 2021 by 15 November 2021).
  - Must pay at least the minimum wage for each province and on time.
- The financial support of THB 3,000 per Thai employee per month will be paid monthly to the employer’s bank account on the last working day of each month, from November 2021 to January 2022, if an employer retains at least 95% of its Thai employees registered in the SSF’s database as of 16 November 2021.
- If the number of Thai employees as of 16 December 2021 and 16 January 2022 have increased compared to those registered in the SSF’s database as of 16 November 2021, the support will also be increased, but not by more than 5% for the number of Thai employees registered as of 16 November 2021.

For more information, go to:

- [Mazars in Thailand website](#)
- [Latest news](#)



## Vietnam

### Updates

#### Resolution 116/NQ-CP on Covid-19 support

- On 24 September 2021, the Government issued Resolution 116/NQ-CP on using the surplus of the unemployment insurance fund to support employees. Accordingly, employers (excluding state agencies, political organizations, socio-political organizations, people's armed forces and public non-business units covered by the frequent expenditure of State Budget) who are contributing unemployment insurance (“UI”) before 1 October 2021, will be entitled to a reduction of the contribution rate from 1% to 0% in the 12 months from 1 October 2021 to the end of 30 September 2022.
- In addition, employees of the mentioned above employer who are contributing UI as of 30 September 2021; employees whose employment contracts have already been terminated during the period from 1 January 2020 to 30 September 2021 and has the unutilized UI contribution periods, will be entitled to one-time support from VND 1,800,000 to VND 3,300,000/person depending on the unutilized UI contribution period.

#### Official Letter 4102/TCT-CS regarding Personal Income Tax (“PIT”) policy

- According to Official Letter 4102/TCT-DNNCN issued by the General Department of Taxation (“GDT”) on 25 October 2021, in case the employer spends all the amount obtained from the reduction of contributions to the Insurance Fund for Occupational Accidents and Diseases for employees to prevent and control Covid-19 according to the provisions of Decision No. 23/2021/QD-TTg dated 7 July 2021 issued by the Prime Minister, such amount shall be excluded from the taxable income subject to PIT of employees.

#### Official Letter 4110/TCT-DNNCN on expenses incurred related to the Covid-19 epidemic

- According to Official Letter 4110/TCT-DNNCN issued by the General Department of Taxation on 27 October 2021, medical isolation expenses due to the Covid-19 epidemic in Vietnam and abroad for business trips abroad (meals, accommodation costs; Covid-19 testing costs; expenses), transportation costs from the place of entry to Vietnam or from the place where the employee is subject to the case of being required to undergo medical isolation to the medical isolation facility; expenses for living needs during the medical isolation days; etc.) to comply with the request of the competent state agency and the expenses of testing for Covid-19 or buying a test kit for Covid-19 for employees, the cost of buying equipment for employees to protect employees from the risk of infection during work, and expenses for accommodation and meals of employees staying at enterprises operating under the "three on-spot" option, these expenses are not included in the employee's taxable income.

**Official letter 10943/BYT-MT guiding on Covid-19 prevention for people who are allowed to enter Vietnam for short-term work (under 14 days)**

- According to Official letter 10943/BYT-MT issued by the Ministry of Health dated 24 December 2021, people who are allowed to enter Vietnam for short-term work include:
  - People entering for diplomatic or official purposes;
  - People who enter the country for non-diplomatic purposes such as: Investors, experts, skilled workers, business managers, traders, market researchers, relatives and other subjects by agreement with each country;
  - People who come into contact with short-term immigrants during their work in Vietnam.
- Are not subject to medical isolation, but must strictly and fully comply with regulations on prevention and control of the Covid-19 epidemic, not contact the community and carry out necessary procedures as specified in this Official Letter to avoid cross-contamination during work and/or infecting the community.

**Reminder of regulation changes in 2022**

- Allocation of Personal Income Tax (“PIT”) according to actual working place of employees.
  - From 2022, the income-paying organization is required to allocate PIT payables to province(s) in which its employees actually work. In case an employee is transferred, rotated or seconded to other province(s), PIT shall be allocated to such province(s) on a real time basis (i.e., based on when income is paid). Allocation is required on a monthly/quarterly basis, but not required upon year-end PIT finalization.
- New forms for 2021 Tax Finalization and 2022 Tax filings.
  - From 1 January 2022, taxpayers will use tax declaration forms as prescribed in Appendix II of Circular 80/2021/TT-BTC (“Circular 80”). 2021 tax finalization forms are also promulgated in Circular 80.
- Increase of Social insurance (“SI”) contribution for expats working in Vietnam.
  - From 1 January 2022, expats are subject to Pension and Survivorship Fund contribution (a component of SI in Vietnam), whereby the SI contribution for expats shall increase respectively by 8% (which is borne by the expats) and 14% (which is borne by the employer). Currently, expats are only required for contributing to Sickness & Maternity Fund and Occupational Accident & Disease Fund.
  - SI and Unemployment Insurance (“UI”) contribution rates borne by employers after expiration of support policies due to the Covid-19 pandemic impact.
  - Employers are entitled to SI contribution (the portion of the Occupational Accident & Disease Fund) of 0% until 30 June 2022. From July 2022, the contribution rate will increase back to the ordinary rate of 0.5% (or 0.3% for some special cases) of the employees’ monthly salary fund.
  - Employers are entitled to UI contribution of 0% until 30 September 2022. From October 2022, the contribution rate will increase back to the ordinary rate of 1% of the employees’ monthly salary fund.

- Increase of retirement age.
  - Per the Labour Code 2019, the retirement age in 2022 of employees working under the standard labour conditions is 55 years and 8 months for female (increase of 4 months compared to 2021) and 60 years and 6 months for male (increase of 3 months compared to 2021).
- Increase of Trade Union Fee Use.
  - According to Decision 3308/QD-TLD issued by the Vietnam General Confederation of Labour dated 1 October 2021, as from 2022, trade unions at the company level is allowed to use 75% of the total trade union fee (increase of 4% compared to 2021) and 60% of the trade union membership fee (equal to that of 2021).
- Increase the cap of overtime (“OT”) hours to 300 hours/year.
  - Per Resolution 155/NQ-CP dated 08 December 2021 of the Government, the Ministry of Labour - Invalids and Social Affairs is required to study and adjust the cap allowed for OT hours in response to Covid-19 pandemic situation, which should not exceed 300 hours/year (currently, employees are only allowed to work OT for 40 hours/month and not exceeding 200 hours/year).

For more information, go to:

- [Mazars in Vietnam website](#)
- [Latest news](#)

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