P2P 網路借貸平台利息所得扣繳新規定

稅務法令新訊

要旨：

財政部於 115 年 8 月 6 日發布台財稅字第 11504580740 號解釋令，明確規範網路借貸平台（「P2P 平台」）應辦理利息所得扣繳之責任，以因應近年金融科技及網路借貸業務快速發展所衍生之稅務實務問題。

解析：

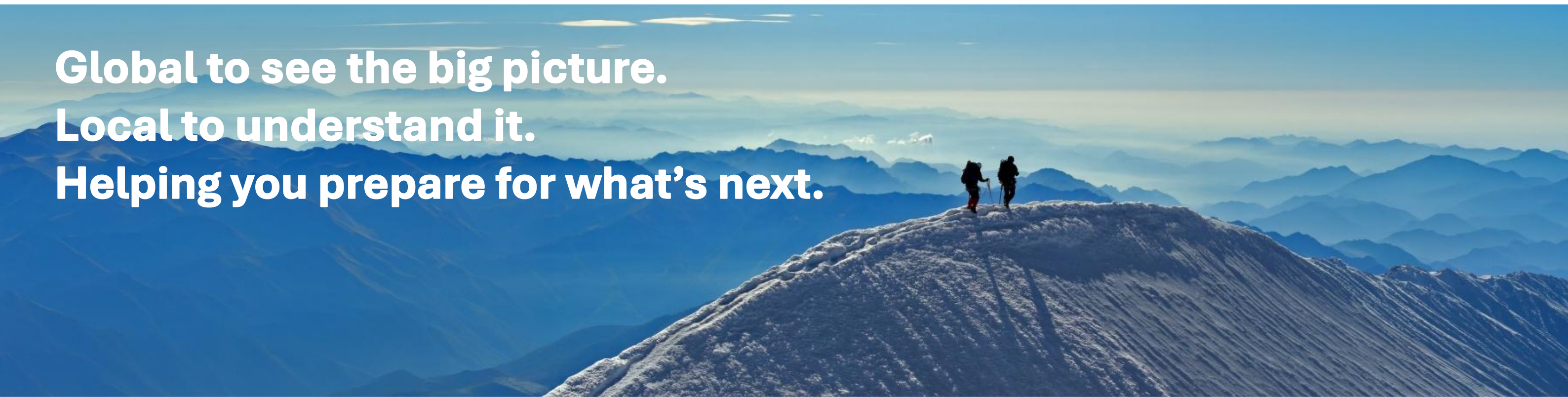
P2P 網路借貸平台作為較為創新的融資管道，使借款人與出借人能夠直接匹配，省去傳統銀行作為中介的角色，也無須執行嚴格背景與信用審查等環節；除了使借款人可以更輕易取得資金，也讓出借人能夠獲得較一般存款更好的利息報酬。

根據前開解釋令，提供網路借貸媒合服務且負責管理借貸雙方資金流向之 P2P 平台業者，如符合控管借貸雙方款項之金流移轉、利息款項由平台指示銀行或電子支付機構管理或由平台代為收付之特徵時；由於平台對借貸資金及利息給付具有實質控制與管理權限，因此認定其為利息所得之實際給付人，屬所得稅法所稱之扣繳義務人，應負責履行扣繳義務。

因此，平台於支付借貸利息予出借人時，應依規定辦理扣繳稅款申報及填發扣（免）繳憑單。當 P2P 平台業者已負責辦理利息所得扣繳相關事宜時，借款人雖作為付出利息者，亦無須再就該利息所得辦理扣繳，如此有助於簡化借貸雙方之稅務作業程序。

該解釋令自發布日（115 年 8 月 6 日）起生效。針對發布日前之利息所得，出借人仍應將所收取利息併入當年度綜合所得總額申報所得稅，P2P 平台業者無須補辦扣（免）繳憑單申報及填發作業。

此乃財政部首次明確界定 P2P 平台業者於借貸交易中的扣繳義務角色，將扣繳責任集中於實際掌控資金流及利息支付之平台業者，有助於降低借貸雙方之稅務遵循成本，同時也能提升利息所得申報的正確性及完整性。相關業者宜儘速檢視內部作業流程，以避免因未履行扣繳義務而產生稅務風險。



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