

Deadlines To Keep In Mind To Stay a Compliant Company in Hong Kong



SU	MO	TU	WE	TH	FR	SA
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Contents

Deadlines to keep in mind to stay a compliant company in Hong Kong	1
Quick summary of all the key filings to be done	2
Deadlines with the Inland Revenue Department	2
Deadlines with the Companies Registry	4

Tax and filing deadlines are the bane for many company directors, but we can be fairly certain they're here to stay.

Whether you're a Type A ("*Deadlines are easy!*") or Type B ("*Wait — what deadline?!*") entrepreneur, we've put together this handy guide for you. It summarises the various filings and their respective deadlines that Hong Kong registered companies must follow to avoid paying penalties. Some deadlines are across the board for all companies — such as tax deadlines in April every year — and some are variable depending on your financial year end or whenever changes or developments happen in your company.



Grab your calendars, and be sure to take notes! If you'd rather focus on growing your business instead of all these deadlines, you can stop reading now and trust our experienced [corporate secretaries](#) with these important tasks.

Quick summary of all the key filings to be done

Apart from taxes, there are other key filings and obligations that Hong Kong companies must submit or perform on time. Otherwise, higher filing fees or late penalties may be imposed by the Inland Revenue Department (IRD) or the Companies Registry.

Here's a list of them:

- Profits tax return (or corporate taxes)
- Employer's return, even if your company has no employees
- Annual return
- Annual general meeting: not a filing per se, but an obligation that must be carried out unless exempted by your shareholders
- Business renewal
- Updates on all changes to your company's information

As there are 2 main authorities you'll need to file with, we've divided this guide into:

- Deadlines with the Inland Revenue Department
- Deadlines with the Companies Registry

Deadlines with the Inland Revenue Department

Every April, there are two major Hong Kong tax filing deadlines to take note of: profits tax return, and employer's return. These deadlines apply to all companies in Hong Kong.

Other than the annual filing for the above, you're also required to submit employer's return forms to IRD whenever employees join or leave your company. We'll explain more below.

Profits Tax Return

Deadline for filing

- IRD will release the annual tax return on the first working day of April every year. You must submit your company's profits tax return within 1 month of receiving the notice, for the year of assessment ended 31 March.
- For newly formed companies, the profits tax return must be filed at least 18 months after the incorporation date, and then within 12 months after the first tax return is filed.

Profits return form to fill up on eTAX

- BIR52 for corporations. (See [sample from IRD's website.](#))

Documents to be submitted, unless your company is either small or dormant

- Audited financial statements, including auditor's report and the balance sheet
- Profit and loss accounts for the year of assessment ended 31 March
- A tax computation

Profits Tax Return

Supplementary forms to fill up on eTAX, where applicable

- S1: Person electing for two-tiered profits tax rates
- S2: Transfer pricing
- S3: Expenditure on research & development
- S4: Expenditure on energy efficient building installation
- S5: Ship-owner
- S6: Professional reinsurer
- S7: Authorized captive insurer
- S8: Qualifying corporate treasury centre
- S9: Qualifying aircraft lessor
- S10: Qualifying aircraft leasing manager
- S11: Qualifying ship lessor
- S12: Qualifying ship leasing manager
- S13: Specified insurer
- S14: Licensed insurance broker company

You can [download the supplementary forms from IRD's website.](#)

If you're unsure which forms apply to your company, it's best to consult your tax accountant.

Small companies must prepare audited financial statements even though they're not required to submit them to the Inland Revenue Department, unless specifically requested.

Find out more about [profits tax returns in Hong Kong](#).

Employer's Return (once a year filing)

Deadline for filing

- Similar to profits tax return, IRD will issue the employer's return on the first working day of April.
- You must submit your company's employer's return within one month of receiving the notice, for the year of assessment ended 31 March.

Employer's return form to fill up on eTAX

- BIR56A for corporations (see [BIR56A sample from IRD's website](#))

Supplementary forms to fill up on eTAX, where applicable

- IR56B per employee under employment as of 31 March, who earned at least HK\$132,000 during the year of assessment
- IR56M per person not on your payroll (such as a freelancer, consultant, specialist) that your company paid more than HK\$25,000 during the year of assessment (see [IR56M sample from IRD's website](#))
- IR6036B per sub-contractor that your company paid more than HK\$200,000 during the year of assessment (see [IR6036B sample from IRD's website](#))

Employer's Return (ad-hoc filing)

For new employees

Submit the IR56E to the IRD within three months of employment (see [IR56E sample from IRD's website](#))

For employees who leave your company

Submit the IR56F within one month of their departure (see [IR56F sample from IRD's website](#))

For employees who will be leaving Hong Kong

Submit the IR56G one month prior to the expected departure date (see [IR56G sample from IRD's website](#))

Deadlines with the Companies Registry

Every year, all Hong Kong companies must conduct an Annual General Meeting and submit their annual return to the Companies Registry. There's also a separate business renewal that must be completed, although the government has provided a three-year renewal option to reduce the hassle.

Finally, whenever there are changes in your company related to your registered office address, company secretary, or company directors, you must report these to the Companies Registry promptly so that your records with them are kept up to date.

Let's look into each of these filing obligations.

Annual return

Your company's annual return is due within 42 days of your incorporation anniversary every year. The cost of filing your company's annual return, called the 'registration fee', is HK\$105.

The 42-day period includes Sundays and public holidays. If the 42nd day falls on a Sunday or a public holiday, the due date will be extended to the next working day. However, if the 42nd day falls on a Saturday, there will be no adjustments to the due date. Submissions of the annual return via post must reach the registry by Friday. Otherwise, even if your submission reaches them the following Monday, the higher registration fee of \$870 will apply.



Registration fees for annual returns due between 1 October 2020 and 30 September 2022 are waived under the Companies (Fees) (Amendment) Regulation 2020, provided you file them on time.

Annual General Meeting

Under traditional regulations, companies must hold Annual General Meetings (AGM) to seek shareholders' approval on the audited financial statements. Once the financial statements have been approved, companies must then submit a copy to the Companies Registry as part of their annual return.

However, in recent years, the Hong Kong government has allowed for companies to do away with AGMs if the shareholders agree to do so, or if the shareholders prefer to make decisions through written resolutions instead.

Single shareholder companies don't need to hold AGMs.

If you plan to organise an AGM, you'll need to work backwards from when your annual returns are due. You must also factor in the mandatory 21-day notice period to shareholders to determine the latest date you can hold your AGM and remain compliant with the regulations.

Business registration renewal

You must renew your business registration at least one month before expiry every year, or once every three years if you had previously chosen the 3-year renewal option.

Changes to business information

To avoid late filing penalties, you must update the Companies Registry within 15 days of the effective date of changes to your:

- your registered office address
- your company secretary
- your company directors
- the particulars of the company secretary and company directors

We deal with the admin. You focus on your business.

If you'd rather not worry about the complex forms, their confusing code names, and the various filing deadlines, schedule a free call with us to find out about our company secretary and [accounting services in Hong Kong](#). Our Osome chartered accountants and highly experienced company secretaries strive to make compliance as pain-free as possible for you.



Got any questions?
[Chat with us](#) today!

