



## 稅務局

香港九龍啟德協調道 5 號  
稅務中心

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IN ANY COMMUNICATION PLEASE QUOTE OUR FILE NO.

檔案號碼：  
File No.:

SDO-11-10-4-1(5)

Ms Heidi Chu  
Secretary General  
The Law Society of Hong Kong  
3<sup>rd</sup> Floor, Wing On House  
71 Des Voeux Road, Central  
Hong Kong

## INLAND REVENUE DEPARTMENT

INLAND REVENUE CENTRE,  
5 CONCORDE ROAD, KAI TAK,  
KOWLOON, HONG KONG.

網址 Web site: [www.ird.gov.hk](http://www.ird.gov.hk)

來函請寄「香港郵政總局郵箱 132 號稅務局局長收」

ALL CORRESPONDENCE SHOULD BE ADDRESSED TO:—

COMMISSIONER OF INLAND REVENUE,  
G.P.O. BOX 132, HONG KONG.

電話 : 2594 3162

Tel. No.:

傳 真 : 2519 9025

Fax No.:

電 郵 :

E-mail:

發出日期 :

Date of Issue: 22 February 2023

By email and by post

Dear Ms Chu,

### Stamp Duty Ordinance (Cap. 117) ("the Ordinance")

As you may be aware, the Financial Secretary has just proposed to amend the Ordinance to adjust the value bands on which the ad valorem stamp duty (AVD) at Scale 2 rates apply. Unless otherwise provided, the new value bands will be applicable to any instrument executed **at 11:00 a.m. on 22 February 2023 and thereafter** for the sale and purchase or transfer of residential or non-residential property that is chargeable to AVD at Scale 2 rates. The relevant amendment bill to take forward the adjustment, namely the Stamp Duty (Amendment) Bill 2023 (the Bill), will be introduced into the Legislative Council (LegCo) shortly.

To give full force and effect of law to the Bill before its enactment, the Government has made the Public Revenue Protection (Stamp Duty) Order 2023 (the Order) under the Public Revenue Protection Ordinance (Cap. 120). The Order will be in force for a maximum of four months starting from 22 February 2023. With the Order to give effect to the Bill, the new value bands will be applicable to any instrument for residential or non-residential property transaction executed at 11:00 a.m. on 22 February 2023 and thereafter that is chargeable with AVD at Scale 2 rates immediately pending the scrutiny of the Bill by the LegCo. The Government aims to have the Bill passed by the LegCo before the Order ceases to have effect from 22 June 2023.

For the stamping of any chargeable instrument executed on 22 February 2023, please advise your members the following:

#### (a) E-Stamping

If the instrument is executed before 11:00 a.m. on 22 February 2023, the instrument will be subject to AVD at old Scale 2 rates. If the instrument is executed on 22 February 2023 at 11:00 am or thereafter up to the end of the day, the instrument will be subject to AVD at new Scale 2 rates. For the latter case, the Stamp Office will issue letter subsequently to the applicant asking for confirmation of the execution time of the instrument.

#### (b) Conventional Stamping

If the instrument is executed before 11:00 a.m. on 22 February 2023, the instrument will be subject to AVD at old Scale 2 rates. If the instrument is executed on 22 February 2023 at 11:00 am or thereafter up to the end of the day, the applicant should confirm in writing the execution time of the instrument. The written confirmation has to be attached to the stamping application form for the processing of the Stamp Office.

For more detailed information about the proposed new value bands, you and your Members are welcome to visit our website ([www.ird.gov.hk](http://www.ird.gov.hk)) on the Frequently Asked Questions and Examples of AVD – Scale 1 and Scale 2. If you have any further enquiries, please feel free to contact the undersigned at 2594 3162.

Yours sincerely,



(TSE Chi-keung)  
for Collector of Stamp Revenue