



稅務局
香港九龍啟德協調道5號
稅務中心

INLAND REVENUE DEPARTMENT

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

網址 Web site: 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.

來函編號：

Your Ref.:

來函請敘明本局檔案號碼

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
3rd Floor, Wing On House
71 Des Voeux Road, Central
Hong Kong

電話：2594 3162

Tel. No.:

傳真：

2519 9025

Fax No.:

電郵：

E-mail:

發出日期：

28 February 2024

Date of Issue:

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 abolish all demand-side management measures for residential properties, namely Special Stamp Duty (“SSD”), Buyer’s Stamp Duty (“BSD”) and the Ad Valorem Stamp Duty (“AVD”) rate of 7.5% at Part 1 of Scale 1. Unless otherwise provided, any instrument executed **on 28 February 2024 or thereafter** for the sale and purchase or transfer of residential property will no longer be subject to SSD and BSD. **With effect from 28 February 2024**, the AVD rate of 7.5% at Part 1 of Scale 1 is to be replaced by rates that are the same as the existing AVD rates at Scale 2. The relevant amendment bill to take forward the proposals, namely the Stamp Duty (Amendment) Bill 2024 (“the Bill”), will be introduced into the Legislative Council (“the 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 2024 (“the Order”) under the Public Revenue Protection Ordinance (Cap. 120). The Order will be in force for a maximum of four months starting from 28 February 2024. With the Order to give effect to the Bill, any instrument for residential property transaction executed on 28 February 2024 or thereafter is immediately not subject to SSD, BSD and the AVD rate of 7.5% at Part 1 of Scale 1 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 on 28 June 2024.

For the stamping of any chargeable instrument executed on 28 February 2024 or thereafter, please advise your members of the following:

IR 678(1) (6/2022)

就本信件的要求及於本局處理你的申請，要求，通知的處理中提供個人資料屬自願性質。然而，如你未能提供充分資料，本局可能無法處理你的申請／要求／通知。本局會把你提供的資料，用於執行本局專責執行的法例。本局並可在法律授權或准許的情況下，向任何其他人士或機構披露／轉移該等資料的任何或全部內容。你也有權要求查閱及改正你的個人資料，但屬《個人資料（私隱）條例》豁免披露的情況除外。如欲查閱或改正個人資料，請致函稅務局主任（地址為香港郵政總局郵箱132號），同時請註明你於本局的檔案號碼。

The provision of personal data required by this letter and during the processing of your application/request/notification is voluntary. However, if you do not provide sufficient information, the Department may not be able to process your application/request/notification. The Department will use the information provided by you for the purposes of the Ordinances administered by it and may disclose/transfer any or all of such information to any other parties provided that the disclosure/transfer is authorized or permitted by law. Except where there is an exemption provided under the Personal Data (Privacy) Ordinance, you have the right to request access to and correction of your personal data. You should send such request in writing to the Assessor at G.P.O. Box 132, Hong Kong and quote your file number in this Department.

E-Stamping and Conventional Stamping

- (1) The submission of Statutory Declaration – Application for Charging AVD at Lower Rates (Scale 2) / Exemption of Buyer's Stamp Duty (Form IRSD131 or IRSD131A) by duty payers will no longer be required.
- (2) For a residential property transaction effected on or after 28 February 2024 in which the purchaser is a Hong Kong permanent resident and acquires the property on his or her own behalf, the subject instrument can still be stamped by e-Stamping. However, as an interim measure pending system enhancement to the e-Stamping Platform, the applicant must declare under "Part F: Buyer's Stamp Duty" that the purchaser has completed the BSD Declaration Forms in the stamping application and will be submitted to the Stamp Office within 30 days (see the attached screen capture). In practice, the Stamp Office would not require the purchaser to submit the BSD declaration form subsequently.

For more detailed information about the proposals, you and your Members are welcome to visit our website (www.ird.gov.hk) on the Frequently Asked Questions of Demand-side Management Measures for Residential Properties. If you have any further enquiries, please feel free to contact the undersigned at 2594 3162.

Yours sincerely,



(Ms CHAN Lok-ning, Loraine)
for Collector of Stamp Revenue

The applicant should declare (i) the buyer was a HKPR and did not acquire the property on behalf of any other person; and (ii) the buyer has completed the BSD Declaration Forms, which will be submitted to the Stamp Office within 30 days.

Part E: Special Stamp Duty

Whether the agreement for sale / assignment under this stamping application is subject to Special Stamp Duty?

- ☐ Yes
☐ No

Part F: Buyer's Stamp Duty

The buyer(s) declared that he/she was / they were Hong Kong Permanent Resident(s) and did not acquire the property on behalf of any other person.

- ☐ Yes (The buyer(s) has / have completed the BSD Declaration Forms in this stamping application and will be submitted to the Stamp Office within 30 days.)
☐ No
Not applicable