

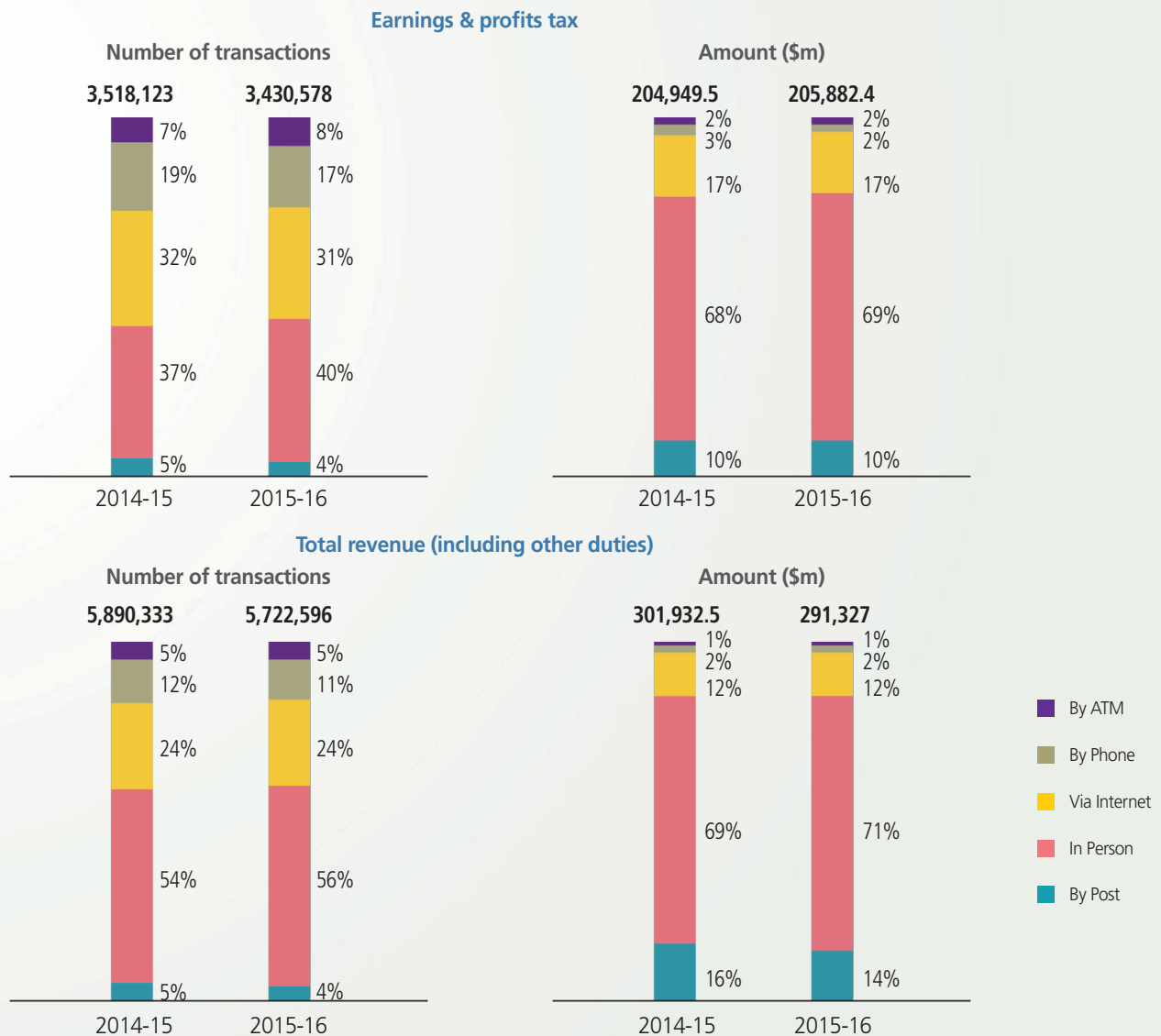
4 Collection

Revenue collected by the Department includes tax, additional tax, surcharge and fines. **Schedules 13 and 14** provide details of additional tax, surcharge and fines imposed by the Department in respect of earnings and profits tax during 2015-16.

Collection of Tax

Taxpayers can conveniently settle their tax liabilities by various payment methods, including electronic payment (by phone, bank ATM or via the Internet), payment in person or payment by post. Starting from 7 December 2015, taxpayers can also settle their tax liabilities by e-Cheque / e-Cashier Order. For earnings and profits tax, electronic payment remains most popular. 56% of the earnings and profits tax payment transactions in 2015-16 were made through electronic means. **Figure 24** shows the respective percentages of the different payment methods used by taxpayers under earnings and profits tax and total revenue.

Figure 24 Payment methods



Refund of Tax

Tax refunds were made mainly due to two reasons, namely, overpayment of tax by taxpayers and revision of assessments. There were 612,637 refund cases in 2015-16, representing an increase of 15.1%. The total amount of refunds was \$14.77 billion, representing an increase of \$2.99 billion or 25.4% compared with the previous year (Figure 25).

Figure 25 Tax refunds

Type of tax	2014-15		2015-16	
	Number	Amount (\$m)	Number	Amount (\$m)
Profits tax	44,310	6,580.3	46,969	7,135.4
Salaries tax	423,833	3,239.1	495,074	3,906.6
Property tax	16,723	176.5	16,782	173.6
Personal assessment	27,447	332.8	29,051	348.6
Others	19,721	1,452.8	24,761	3,204.4
Total	<u>532,034</u>	<u>11,781.5</u>	<u>612,637</u>	<u>14,768.6</u>

Recovery of Tax in Default

Taxpayers should pay tax on or before the due date shown on the demand notes issued to them. The vast majority of taxpayers settle their tax liabilities in a timely manner.

A late payment surcharge of 5% will generally be imposed where tax is in default. If tax debts remain outstanding for more than six months after the due date, the Department may impose a further surcharge of 10% on the total unpaid amount.

Any tax in default is immediately recoverable. Recovery notices can be issued to employers, bankers, debtors and persons holding money on behalf of the defaulting taxpayers to effect collection. Actions may also be commenced in the District Court. **Figure 26** summarises different types of recovery actions taken by the Department.

Figure 26 Recovery action



Upon entry of judgment, a defaulting taxpayer becomes liable to legal costs and interest on judgment debt for the period from the date of commencement of proceedings to the date of full settlement in addition to the outstanding tax. **Figure 27** shows the legal costs and judgment interest collected during 2015-16.

Figure 27 Legal costs and judgment interest collected in 2015-16

	\$	\$
Court cost		
Court fees	785,195	
Execution fees	24,708	809,903
Fixed cost		313,471
Judgment interest		
Pre-judgment interest	2,299,168	
Post-judgment interest	23,253,541	25,552,709
Total costs and interest collected		26,676,083

Furthermore, the Commissioner may apply to a District Judge to prevent a person with tax in default from leaving Hong Kong. If the District Judge is satisfied that it is in the public interest to ensure that the person does not depart from Hong Kong, or if he returns, does not depart again, without first paying the tax or furnishing security to the satisfaction of the Inland Revenue Department for payment of that tax, he shall issue the “departure prevention direction”. The person concerned has the right to appeal to the Court of First Instance of the High Court against the District Judge’s decision.