

CONTROLLING OFFICER'S REPLY

FSTB(Tsy)029

(Question Serial No. 2985)

Head: (76) Inland Revenue Department

Subhead (No. & title): ()

Programme: (1) Assessing Functions

Controlling Officer: Commissioner of Inland Revenue (TAM Tai Pang)

Director of Bureau: Secretary for Financial Services and the Treasury

Question:

- A) Please provide the details of the ad valorem stamp duty (AVD) collected in the past three financial years in the table below:

2018-19			
Consideration or value of the property (whichever is the higher)	No. of cases	Average amount of AVD	Average percentage of AVD to the consideration of the property
\$2,000,000 or below			
\$2,000,001 to \$3,000,000			
\$3,000,001 to \$4,000,000			
\$4,000,001 to \$6,000,000			
\$6,000,001 to \$8,000,000			
\$8,000,001 to \$10,000,000			
\$10,000,001 to \$20,000,000			
\$20,000,001 to \$30,000,000			
\$30,000,001 to \$50,000,000			
\$50,000,001 to \$100,000,000			
Above \$100,000,000			

2019-20			
Consideration or value of the property (whichever is the higher)	No. of cases	Average amount of AVD	Average percentage of AVD to the consideration of the property
\$2,000,000 or below			
\$2,000,001 to \$3,000,000			
\$3,000,001 to \$4,000,000			
\$4,000,001 to \$6,000,000			
\$6,000,001 to \$8,000,000			
\$8,000,001 to \$10,000,000			
\$10,000,001 to \$20,000,000			
\$20,000,001 to \$30,000,000			
\$30,000,001 to \$50,000,000			
\$50,000,001 to \$100,000,000			
Above \$100,000,000			

2020-21			
Consideration or value of the property (whichever is the higher)	No. of cases	Average amount of AVD	Average percentage of AVD to the consideration of the property
\$2,000,000 or below			
\$2,000,001 to \$3,000,000			
\$3,000,001 to \$4,000,000			
\$4,000,001 to \$6,000,000			
\$6,000,001 to \$8,000,000			
\$6,000,001 to \$10,000,000			
\$10,000,001 to \$20,000,000			
\$20,000,001 to \$30,000,000			
\$30,000,001 to \$50,000,000			
\$50,000,001 to \$100,000,000			
Above \$100,000,000			

B) Please provide the information regarding the levy of AVD under Scale 1 and Scale 2 respectively over the past three years in the table below:

2018-19				
Consideration or value of the property (whichever is the higher)	Transactions charged with stamp duty at Scale 1 rates (i.e. double stamp duty rates)		Transactions charged with stamp duty at Scale 2 rates (i.e. the original AVD rates)	
	No. of transactions	Average amount of AVD levied	No. of transactions	Average amount of AVD levied
\$2,000,000 or below				
\$2,000,001 to \$3,000,000				
\$3,000,001 to \$4,000,000				
\$4,000,001 to \$6,000,000				
\$6,000,001 to \$8,000,000				
\$8,000,001 to \$10,000,000				
\$10,000,001 to \$20,000,000				
\$20,000,001 to \$30,000,000				
\$30,000,001 to \$50,000,000				
\$50,000,001 to \$100,000,000				
Above \$100,000,000				

2019-20				
Consideration or value of the property (whichever is the higher)	Transactions charged with stamp duty at Scale 1 rates (i.e. double stamp duty rates)		Transactions charged with stamp duty at Scale 2 rates (i.e. the original AVD rates)	
	No. of transactions	Average amount of AVD levied	No. of transactions	Average amount of AVD levied
\$2,000,000 or below				
\$2,000,001 to \$3,000,000				
\$3,000,001 to \$4,000,000				
\$4,000,001 to \$6,000,000				
\$6,000,001 to \$8,000,000				
\$8,000,001 to \$10,000,000				
\$10,000,001 to \$20,000,000				
\$20,000,001 to \$30,000,000				
\$30,000,001 to \$50,000,000				
\$50,000,001 to \$100,000,000				
Above \$100,000,000				

2020-21 (From April 2020 to 25 November 2020)				
Consideration or value of the property (whichever is the higher)	Transactions charged with stamp duty at Scale 1 rates (i.e. double stamp duty rates)		Transactions charged with stamp duty at Scale 2 rates (i.e. the original AVD rates)	
	No. of transactions	Average amount of AVD levied	No. of transactions	Average amount of AVD levied
\$2,000,000 or below				
\$2,000,001 to \$3,000,000				
\$3,000,001 to \$4,000,000				
\$4,000,001 to \$6,000,000				
\$6,000,001 to \$8,000,000				
\$8,000,001 to \$10,000,000				
\$10,000,001 to \$20,000,000				
\$20,000,001 to \$30,000,000				
\$30,000,001 to \$50,000,000				
\$50,000,001 to \$100,000,000				
Above \$100,000,000				

2020-21 (From 26 November 2020 onwards)				
Consideration or value of the property (whichever is the higher)	Transactions charged with stamp duty at Scale 1 rates (i.e. double stamp duty rates)		Transactions charged with stamp duty at Scale 2 rates (i.e. the original AVD rates)	
	No. of transactions	Average amount of AVD levied	No. of transactions	Average amount of AVD levied
\$2,000,000 or below				
\$2,000,001 to \$3,000,000				
\$3,000,001 to \$4,000,000				
\$4,000,001 to \$6,000,000				
\$6,000,001 to \$8,000,000				
\$8,000,001 to \$10,000,000				
\$10,000,001 to \$20,000,000				
\$20,000,001 to \$30,000,000				
\$30,000,001 to \$50,000,000				
\$50,000,001 to \$100,000,000				
Above \$100,000,000				

Asked by: Hon LAM Kin-fung, Jeffrey (LegCo internal reference no.: 31)

Reply:

A) Details on the ad valorem stamp duty (AVD) collected by the Inland Revenue Department (IRD) in the past three financial years are set out as follows:

2018-19			
Consideration or value of the property (\$)	No. of cases (Notes 1 & 2)	Average amount of AVD (\$) (Note 3)	Average percentage of AVD to the consideration of the property
2,000,000 or below	16 726	15,167	1.25%
2,000,001 to 3,000,000	6 653	66,328	2.57%
3,000,001 to 4,000,000	7 162	117,475	3.24%
4,000,001 to 6,000,000	19 303	191,793	3.73%
6,000,001 to 8,000,000	12 259	336,221	4.79%
8,000,001 to 10,000,000	8 129	483,007	5.41%
10,000,001 to 20,000,000	10 456	809,304	5.93%
20,000,001 to 30,000,000	2 292	1,679,527	6.93%
30,000,001 to 50,000,000	1 523	2,724,283	7.20%
50,000,001 to 100,000,000	718	5,245,423	7.71%
100,000,001 or above	339	21,854,433	8.48%

2019-20			
Consideration or value of the property (\$)	No. of cases (Notes 1 & 2)	Average amount of AVD (\$) (Note 3)	Average percentage of AVD to the consideration of the property
2,000,000 or below	11 387	13,708	1.14%
2,000,001 to 3,000,000	5 346	61,651	2.34%
3,000,001 to 4,000,000	5 776	110,909	3.05%
4,000,001 to 6,000,000	18 985	179,743	3.49%
6,000,001 to 8,000,000	13 002	308,230	4.42%
8,000,001 to 10,000,000	8 912	416,261	4.66%
10,000,001 to 20,000,000	8 663	721,136	5.39%
20,000,001 to 30,000,000	1 495	1,575,038	6.43%
30,000,001 to 50,000,000	1 142	2,591,660	6.79%
50,000,001 to 100,000,000	545	4,603,397	6.94%
100,000,001 or above	188	18,437,002	7.94%

2020-21 (As at 28 February 2021)			
Consideration or value of the property (\$)	No. of cases (Notes 1 & 2)	Average amount of AVD (\$) (Note 3)	Average percentage of AVD to the consideration of the property
2,000,000 or below	11 621	9,815	0.80%
2,000,001 to 3,000,000	5 281	52,101	2.03%
3,000,001 to 4,000,000	5 351	101,796	2.83%
4,000,001 to 6,000,000	17 984	167,317	3.28%
6,000,001 to 8,000,000	15 712	278,236	3.98%
8,000,001 to 10,000,000	11 090	377,626	4.16%
10,000,001 to 20,000,000	10 989	646,296	4.84%
20,000,001 to 30,000,000	1 539	1,334,211	5.47%
30,000,001 to 50,000,000	968	2,169,378	5.80%
50,000,001 to 100,000,000	425	4,215,914	6.24%
100,000,001 or above	151	19,523,769	8.12%

Note 1 : Each instrument stamped is counted as one separate case.

Note 2: Excluding cases that stamp duty was paid on deeds of gift which do not have stated consideration.

Note 3 : The analysis is based on the AVD collected at the time of initial stamping, which represents the stated consideration in the instrument. The amount involved does not include any subsequent adjustment such as payment arising from further stamping (in case the stated consideration is below the market value of the property), refund (because of cancellation of the property transaction), or partial refund (for change of residential properties, or acquisitions of properties for redevelopment).

B) The numbers of cases chargeable at Scale 1 and Scale 2 rates and the average amounts of AVD collected in the past three financial years are set out below:

2018-19				
Consideration or value of the property (\$)	Transactions charged at Scale 1 rates (Note 4)		Transactions charged at Scale 2 rates	
	No. of transactions (Note 1)	Average amount of AVD levied (\$) (Note 2)	No. of transactions (Note 1)	Average amount of AVD levied (\$) (Note 3)
2,000,000 or below	12 921	19,594	3 805	132
2,000,001 to 3,000,000	3 379	93,862	3 274	37,912
3,000,001 to 4,000,000	2 250	196,738	4 912	81,168
4,000,001 to 6,000,000	2 466	457,523	16 837	152,873
6,000,001 to 8,000,000	1 867	779,115	10 392	256,652
8,000,001 to 10,000,000	1 572	1,103,457	6 557	334,258

10,000,001 to 20,000,000	2 742	1,658,290	7 714	507,526
20,000,001 to 30,000,000	794	2,937,715	1 498	1,012,637
30,000,001 to 50,000,000	601	4,453,050	922	1,597,398
50,000,001 to 100,000,000	347	7,825,983	371	2,831,799
100,000,001 or above	191	32,220,741	148	8,476,291

2019-20				
Consideration or value of the property (\$)	Transactions charged at Scale 1 rates (Note 4)		Transactions charged at Scale 2 rates	
	No. of transactions (Note 1)	Average amount of AVD levied (\$) (Note 2)	No. of transactions (Note 1)	Average amount of AVD levied (\$) (Note 3)
2,000,000 or below	7 951	19,587	3 436	103
2,000,001 to 3,000,000	2 340	91,222	3 006	38,633
3,000,001 to 4,000,000	1 533	192,418	4 243	81,459
4,000,001 to 6,000,000	1 700	453,590	17 285	152,809
6,000,001 to 8,000,000	1 230	833,635	11 772	253,333
8,000,001 to 10,000,000	946	1,100,377	7 966	335,019
10,000,001 to 20,000,000	1 676	1,648,426	6 987	498,703
20,000,001 to 30,000,000	457	2,827,417	1 038	1,023,654
30,000,001 to 50,000,000	391	4,459,401	751	1,619,240
50,000,001 to 100,000,000	204	7,649,960	341	2,780,820
100,000,001 or above	93	28,207,241	95	8,872,453

2020-21 (1 April 2020 to 25 November 2020)				
Consideration or value of the property (\$)	Transactions charged at Scale 1 rates (Note 4)		Transactions charged at Scale 2 rates	
	No. of transactions (Note 1)	Average amount of AVD levied (\$) (Note 2)	No. of transactions (Note 1)	Average amount of AVD levied (\$) (Note 3)
2,000,000 or below	5 589	18,374	2 115	100
2,000,001 to 3,000,000	1 610	84,374	1 732	37,717
3,000,001 to 4,000,000	897	188,479	2 891	80,004
4,000,001 to 6,000,000	789	437,015	12 084	150,999
6,000,001 to 8,000,000	562	810,498	10 617	253,285
8,000,001 to 10,000,000	446	1,087,849	7 236	341,203
10,000,001 to 20,000,000	1 027	1,639,348	6 261	497,784
20,000,001 to 30,000,000	229	2,671,403	811	1,022,876
30,000,001 to 50,000,000	177	4,216,567	523	1,601,145
50,000,001 to 100,000,000	103	8,163,644	212	2,870,367
100,000,001 or above	47	41,390,511	61	7,407,950

2020-21 (26 November 2020 to 28 February 2021)				
Consideration or value of the property (\$)	Transactions charged at Scale 1 rates (Note 4)		Transactions charged at Scale 2 rates	
	No. of transactions (Note 1)	Average amount of AVD levied (\$) (Note 2)	No. of transactions (Note 1)	Average amount of AVD levied (\$) (Note 3)
2,000,000 or below	339	31,648	3 578	119
2,000,001 to 3,000,000	155	120,369	1 784	31,008
3,000,001 to 4,000,000	68	366,252	1 495	79,900
4,000,001 to 6,000,000	137	636,627	4 974	151,254
6,000,001 to 8,000,000	109	966,497	4 424	253,541
8,000,001 to 10,000,000	84	1,252,458	3 324	339,511
10,000,001 to 20,000,000	311	1,936,527	3 390	501,373
20,000,001 to 30,000,000	41	3,497,085	458	1,023,288
30,000,001 to 50,000,000	30	4,812,846	238	1,562,359
50,000,001 to 100,000,000	8	6,797,188	102	2,823,658
100,000,001 or above	12	20,406,501	31	9,870,071

Note 1: Each instrument stamped is counted as one separate case.

Note 2: The analysis is based on the AVD collected at the time of initial stamping, which represents the stated consideration in the instrument. The amount involved does not include any subsequent adjustment such as payment arising from further stamping (in case the stated consideration is below the market value of the property), refund (because of cancellation of the property transaction), or partial refund (for change of residential properties, or acquisitions of properties for redevelopment).

Note 3: The transactions include cases where residential property and non-residential property were acquired under a single instrument and Scale 2 rates apply in respect of the residential property of these cases. On or before 25 November 2020, the relevant instrument concerned was partly charged with stamp duty at Scale 2 rates in respect of the residential property and partly at Scale 1 rates in respect of the non-residential property. These cases are classified as “transactions charged at Scale 2 rates”.

Note 4: Part 1 of Scale 1 rates applies to residential property. Part 2 of Scale 1 rates applies to instruments executed on or before 25 November 2020 for the sale and purchase or transfer of non-residential property.