

File No.:\_\_\_\_/\_\_\_

## **Statutory Declaration**

	I,	, (Full Name of De	clarant), holder of Hong Kong
dentity	Card No./Passport No.*:	, of	
			(Address),
olemnly	y and sincerely declare:		
	I have a direct or indirect benefic (Note 1), namely	·	with Business Registration
	Number:, which is claprovided in Schedule 16E to the I year of assessment managed by an eligible single famile	Inland Revenue Ordinance.  The said family-owner.	e (Cap. 112) ("IRO") during the
•	I am the (renatural person denoted as "Person A	elationship) ofA" in section 4(1)(a) of Scl	(full name of hedule 16E to the IRO) (Note 3).
	The facts herein deposed to are with	hin my own knowledge.	
	AND I make this solemn Declared and by virtue of the Oaths and Decl	•	•
at	ECLARED by the said	)	
	isday of		(Signature of Declarant)

Before me,

Notary Public/ Justice of the Peace / Solicitor / Commissioner for Oaths\*

<sup>\*</sup>Delete whichever inapplicable

## WARNING

Under section 36 of the Crimes Ordinance (Cap. 200), any person who knowingly and wilfully makes (otherwise than on oath) a statement false in a material particular in a statutory declaration shall be guilty of an offence and shall be liable on conviction upon indictment to imprisonment for 2 years and to a fine.

The IRO provides heavy penalties for any person who makes an incorrect statement. EVASION OF TAX IS A CRIMINAL OFFENCE. MAXIMUM PENALTY is a fine of \$50,000 PLUS a further fine of 3 times the undercharged amount and imprisonment for 3 years.

## **Personal Information Collection Statement**

The provision of personal data required by this form and during the processing of your application is voluntary. However, if you do not provide sufficient information, the Department may not be able to process your application. 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 held by the Department. You should send such request in writing to the Assessor at GPO Box 132, Hong Kong and quote your file number in this Department.

IR1480 (4/2023) Page 2

## NOTES AND INSTRUCTIONS FOR FORM IR1480

- 1." Section 5 of Schedule 16E to the Inland Revenue Ordinance (Cap. 112) ("IRO") provides the meaning of "family owned investment holding vehicle" ("FIHV"). An entity, whether established or created in or outside Hong Kong, is an FIHV for a year of assessment if:
  - gzegr v'y j gtg"c"ej ctkcdrg"kpukwkqp"qt"vtwuv'qh"c"r wdrke"ej ctcevgt"yi cv''ku"gzgo r v''htqo "vcz" wpf gt"ugevkqp":: "qh"yi g"KTQ \*õej ctkcdrg"gpvkv{ö+'ku"kpxqnxgf" \*P qvg" 6+: "qpg" qt "o qtg" yi cp" qpg" o go dgt" qh" c" hco kn{ (Note 3)" j cu" cv' rgcuv'; 7' ." kp"ci i tgi cvg." qh" yi g" dgpghkekcn' kpvgtguv'\*y j gyi gt"f ktgev''qt"kpf ktgev+"kp" yi g"gpvkv{"cv'cm' vko gu''f wtkpi "yi g''dcuku''r gtkqf 'hqt''yi g" {gct"qh'cuuguuo gpv="cpf"
  - (b) the entity is not a business undertaking for general commercial or industrial purposes mentioned in section 20AM(6) of the IRO.
- 2." Section 2 of Schedule 16E to the IRO provides the meaning of an eligible single family office ("ESF Office") of a family. A family office means a private company which is normally managed or controlled in Hong Kong and one which provides services to specified persons (Note 5) of a family. A family office is an ESF Office of a family for a year of assessment if:
  - gzegr v'y j gtg"c"ej ctkcdrg"gpvkv{"(Note 4) ku"kpxqrxgf."qpg"qt"o qtg"yj cp"qpg"o go dgt"qh"yj g" hco kn{"j cu"cv'rgcuv"; 7' ." kp" ci i tgi cvg."qh" yj g"dgpghkekcn' kpvgtguv' \*y j gyj gt" f ktgev'qt" kpf ktgev+" kp" yj g"hco kn{"qhhkeg"cv'cm'vko gu'f wtkpi "yj g"dcuku'r gtkqf "hqt"yj g"{ gct"qh'cuuguuo gpv=
  - (b) the family office satisfies the safe harbour rule in relation to the family for the year of assessment;
  - (c) the family office provides services to specified persons (Note 5) of the family during the basis period for the year of assessment; and
  - (d) the fees for the provision of those services mentioned in (c) above are chargeable to profits tax under section 14 of the IRO for the same year.
- 3." The meanings of "family" and "member" of family have been given in section 4 of Schedule 16E to the IRO. Please fill in the relationship with the natural person denoted as "Person A" in section 4(1)(a) of Schedule 16E (e.g. spouse, child, father, mother, brother, sister, etc.).
- 4." A charitable entity may have up to 25% of the beneficial interest (whether direct or indirect) in an FIHV and/or an ESF Office. This is subject to the conditions that:
  - (a) at least 75%, in aggregate, of the beneficial interest (whether direct or indirect) of the FIHV and/or ESF Office must be held by family members; and
  - (b) the percentage of the beneficial interest (whether direct or indirect) that an unrelated person has in the FIHV and/or ESF Office, or if there is more than one unrelated person, the total percentage of such beneficial interest, does not exceed 5%.

"Unrelated person" in relation to a particular family means an entity in which no member of the family has a beneficial interest (whether direct or indirect); or a natural person who is not a member of the family. An unrelated person does not include a charitable entity.

- 5. "Specified person", in relation to a family, means:
  - (a) an FIHV that is related to the family;
  - (b) a family-owned special purpose entity ("FSPE") (Note 6) in which an FIHV mentioned in (a) above has a beneficial interest (whether direct or indirect);
  - (c) an interposed FSPE of an FIHV mentioned in (a) above; and
  - (d) a member of the family.
- 6. An entity, whether established or created in or outside Hong Kong, is an FSPE if:
  - (a) an FIHV has a beneficial interest (whether direct or indirect) in the entity;
  - (b) the entity is established or created (however described) solely:
    - (i) for holding (whether directly or indirectly) and administering one or more investee private companies;
    - (ii) for holding (whether directly or indirectly) and administering any asset that falls within a class specified in Schedule 16C to the IRO; or
    - (iii) for the purposes mentioned in (b)(i) and (ii) above;
  - (c) the entity does not carry on any trade or activity (including executing a legal document) except for either or both of the purposes mentioned in (b)(i) and (ii) above; and
  - (d) the entity is neither an FIHV nor an investee private company.