Stamp Duty (Amendment) (No. 2) Ordinance 2026

Contents

Section Page

HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 5 OF 2026

L.S.

John KC LEE
Chief Executive
16 July 2026

An Ordinance to amend the Stamp Duty Ordinance to provide for the calculation and payment of stamp duty in respect of certain instruments in a currency other than Hong Kong dollars; and to provide for related matters.

[ ]

Enacted by the Legislative Council.

1. Short title and commencement

(1) This Ordinance may be cited as the Stamp Duty (Amendment) (No. 2) Ordinance 2026.

(2) This Ordinance comes into operation on a day to be appointed by the Secretary for Financial Services and the Treasury by notice published in the Gazette.

2. Stamp Duty Ordinance amended

The Stamp Duty Ordinance (Cap. 117) is amended as set out in sections 3 to 10.

3. Section 5A amended (collection agreement with recognized exchange company or authorized ATS provider)

After section 5A(3)—

Add

“(3A) In calculating the amount of interest under subsection (3) in relation to a default in delivering any account or in paying any amount, if the amount by reference to which the amount of interest is to be calculated (***base amount***) is expressed in a currency other than Hong Kong dollars, the base amount is to be substituted by its equivalent expressed in Hong Kong dollars at the rate of exchange prevailing on the relevant date.

(3B) For the purposes of subsection (3A), the rate of exchange of a currency prevailing on the relevant date is the buying rate for the currency, as determined by the Monetary Authority, for telegraphic transfers at the commencement of business on—

(a) the relevant date; or

(b) if that date is a Sunday or a general holiday—the business day immediately preceding that date.

(3C) In this section—

relevant date (有關日期), in relation to a default, means—

(a) the date of the default; or

(b) if the default continues for more than one day—the date on which the default first occurs.”.

4. Section 18 amended (calculation of stamp duty as regards foreign currency)

(1) Section 18, heading—

Repeal

“**Calculation of stamp duty as regards foreign currency**”

Substitute

“**Substitution of Hong Kong dollars for non-Hong Kong currency in calculation of stamp duty**”.

(2) After section 18(2)—

Add

“(3) Subsection (1) does not apply to an instrument to which section 18AA applies.”.

5. Section 18AA added

After section 18—

Add

“18AA. Calculation and payment of stamp duty in respect of instrument consideration or value of which is denominated in non-Hong Kong currency

(1) This section applies to an instrument that is—

(a) chargeable with stamp duty under head 2(1) in the First Schedule; and

(b) specified in column 2 of Part 2 of Schedule 14.

(2) The stamp duty chargeable under this Ordinance on the instrument is—

(a) to be calculated in the currency specified in column 3 of Part 2 of Schedule 14 opposite the instrument; and

(b) to be paid in that currency.”.

6. Section 18A amended (fraction of $1 reckoned as $1)

(1) Section 18A, heading, after "**as $1**"—

Add

"**etc.**".

(2) Section 18A—

Renumber the section as section 18A(1).

(3) Section 18A(1), before ", any fraction"—

Add

"in Hong Kong dollars".

(4) After section 18A(1)—

Add

"(2) Where any monies payable to the Collector or the Government under this Ordinance fall to be calculated under this Ordinance in a currency other than Hong Kong dollars, any fraction of 1 unit of the currency included in such monies is to be reckoned as 1 unit of the currency.

(3) For the purposes of subsection (2), in relation to a currency specified in column 3 of Part 2 of Schedule 14, a unit of the currency is the unit specified in column 4 of that Part opposite the currency.".

7. Section 51 amended (manner of making, and time for taking up, allowance)

After section 51(1)—

Add

"(1A) For the purposes of subsection (1)(a)(i), the money in lieu is to be given in the currency in which the stamp duty concerned is paid under this Ordinance.".

8. Section 63C added

After section 63B—

Add

"63C. Amendment of Schedule 14

The Secretary for Financial Services and the Treasury may, by notice published in the Gazette, amend Schedule 14.".

9. First Schedule amended

First Schedule, within the square brackets—

Repeal

"13, 18D"

Substitute

"13, 18AA, 18D".

10. Schedule 14 added

After Schedule 13—

Add

“Schedule 14

[ss. 18AA, 18A & 63C]

Instrument for which Stamp Duty is to be Calculated and Paid in Currency other than Hong Kong Dollars

Part 1

Interpretation

1. In this Schedule—

dual-counter stock (雙櫃台證券) means a Hong Kong stock in 2 tranches denominated in different currencies both of which may be traded in 2 counters, which are designated by a recognized exchange company (in accordance with the rules of the company) as the primary counter and the secondary counter of the stock;

rules (規章), in relation to a recognized exchange company, has the same meaning as it has in relation to a recognized exchange company in section 1 of Part 1 of Schedule 1 to the Securities and Futures Ordinance (Cap. 571);

sale or purchase (售賣或購買) has the meaning given by section 19(16).

Part 2

Instrument

Column 1 Item	Column 2 Instrument	Column 3 Currency	Column 4 Unit
1.	A contract note for the sale or purchase of a dual-counter stock in accordance with the rules of the recognized exchange company where the amount of the consideration or its value is denominated in Renminbi	Renminbi	Yuan”.