
Stamp Duty (Amendment) Ordinance 2026

Contents

Section	Page
1.	Short title and commencement A45
2.	Stamp Duty Ordinance amended A47
3.	Section 29AI amended (scales of rates applicable to conveyances on sale chargeable with ad valorem stamp duty) A47
4.	Section 29AIA amended (scales of rates applicable to instruments effecting exchange between residential property and non-residential property) A47
5.	Section 29AK amended (certain conveyances on sale of residential property together with car parking space to Hong Kong permanent residents chargeable with ad valorem stamp duty at Scale 2 rates) A47
6.	Section 29AM amended (conveyances on sale of property for replacing other property disposed of under certain Ordinances chargeable with ad valorem stamp duty at Scale 2 rates) A49
7.	Section 29AN amended (other conveyances on sale chargeable with ad valorem stamp duty at Scale 2 rates) A51
8.	Section 29BA amended (scales of rates applicable to agreements for sale chargeable with ad valorem stamp duty) A51

Section	Page
9.	Section 29BAB amended (scales of rates applicable to agreements for exchange between residential property and non-residential property) A53
10.	Section 29BC amended (certain agreements for sale of residential property together with car parking space to Hong Kong permanent residents chargeable with ad valorem stamp duty at Scale 2 rates) A53
11.	Section 29BE amended (agreements for sale of property for replacing other property disposed of under certain Ordinances chargeable with ad valorem stamp duty at Scale 2 rates) A55
12.	Section 29BF amended (agreements for sale made pursuant to court orders chargeable with ad valorem stamp duty at Scale 2 rates) A57
13.	Section 79 added A57
79.	Transitional provisions for Stamp Duty (Amendment) Ordinance 2026 A57
14.	First Schedule amended A63

HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 3 OF 2026



John KC LEE
Chief Executive
28 May 2026

An Ordinance to amend the Stamp Duty Ordinance to give effect to a proposal in the Budget introduced by the Government for the 2026–2027 financial year to increase the ad valorem stamp duty chargeable on a conveyance on sale or an agreement for sale of residential property if the amount or value of the consideration exceeds \$100,000,000; to add a new Scale 3 to head 1(1) and (1A) in the First Schedule to the Ordinance so that the existing Scale 1 and Scale 2 apply to residential property and the new Scale 3 applies to non-residential property; and to make related amendments.

[26 February 2026]

Enacted by the Legislative Council.

1. Short title and commencement

- (1) This Ordinance may be cited as the Stamp Duty (Amendment) Ordinance 2026.
- (2) This Ordinance is deemed to have come into operation on 26 February 2026.

2. Stamp Duty Ordinance amended

The Stamp Duty Ordinance (Cap. 117) is amended as set out in sections 3 to 14.

3. Section 29AI amended (scales of rates applicable to conveyances on sale chargeable with ad valorem stamp duty)

Section 29AI(b)—

Repeal

“Scale 2”

Substitute

“Scale 3”.

4. Section 29AIA amended (scales of rates applicable to instruments effecting exchange between residential property and non-residential property)

Section 29AIA(2)(b)—

Repeal

“Scale 2”

Substitute

“Scale 3”.

5. Section 29AK amended (certain conveyances on sale of residential property together with car parking space to Hong Kong permanent residents chargeable with ad valorem stamp duty at Scale 2 rates)

(1) Section 29AK, heading—

Repeal

“at Scale 2”

Substitute

“respectively at Scale 2 and Scale 3”.

- (2) Section 29AK(1)—

Repeal

“Scale 2 of head 1(1) in the First Schedule”

Substitute

“the scales specified in subsection (1A)”.

- (3) After section 29AK(1)—

Add

“(1A) For the purposes of subsection (1), the scales are—

- (a) for the single residential property—Scale 2 of head 1(1) in the First Schedule; and**
- (b) for the car parking space—Scale 3 of head 1(1) in the First Schedule.”.**

6. Section 29AM amended (conveyances on sale of property for replacing other property disposed of under certain Ordinances chargeable with ad valorem stamp duty at Scale 2 rates)

- (1) Section 29AM, heading—

Repeal

“property for replacing other property”

Substitute

“residential property for replacing another residential property”.

- (2) Section 29AM(1), after “conveyance on sale”—

Add

“of residential property”.

- (3) Section 29AM(1)(b), after “another”—

Add

“residential”.

- (4) Section 29AM(1)—

Repeal paragraph (d)

Substitute

“(d) the date of disposal of the original property is earlier than the date of acquisition by the transferee of the replacement property.”.

- (5) Section 29AM—

Repeal subsection (3).

7. Section 29AN amended (other conveyances on sale chargeable with ad valorem stamp duty at Scale 2 rates)

- (1) Section 29AN, heading, after “sale”—

Add

“of residential property”.

- (2) Section 29AN, after “conveyance on sale”—

Add

“of residential property”.

- (3) Section 29AN(c), after “mortgaged property”—

Add

“that is residential property”.

8. Section 29BA amended (scales of rates applicable to agreements for sale chargeable with ad valorem stamp duty)

- (1) Section 29BA—

Repeal

“Note 1A”

Substitute

“Notes 1A and 1B”.

(2) Section 29BA(b)—

Repeal

“Scale 2”

Substitute

“Scale 3”.

9. **Section 29BAB amended (scales of rates applicable to agreements for exchange between residential property and non-residential property)**

Section 29BAB(2)(b)—

Repeal

“Scale 2”

Substitute

“Scale 3”.

10. **Section 29BC amended (certain agreements for sale of residential property together with car parking space to Hong Kong permanent residents chargeable with ad valorem stamp duty at Scale 2 rates)**

(1) Section 29BC, heading—

Repeal

“at Scale 2”

Substitute

“respectively at Scale 2 and Scale 3”.

(2) Section 29BC(1)—

Repeal

“Scale 2 of head 1(1A) in the First Schedule”

Substitute

“the scales specified in subsection (1A)”.

- (3) After section 29BC(1)—

Add

“(1A) For the purposes of subsection (1), the scales are—

- (a) for the single residential property—Scale 2 of head 1(1A) in the First Schedule; and
- (b) for the car parking space—Scale 3 of head 1(1A) in the First Schedule.”.

11. Section 29BE amended (agreements for sale of property for replacing other property disposed of under certain Ordinances chargeable with ad valorem stamp duty at Scale 2 rates)

- (1) Section 29BE, heading—

Repeal

“property for replacing other property”

Substitute

“residential property for replacing another residential property”.

- (2) Section 29BE(1), after “agreement for sale”—

Add

“of residential property”.

- (3) Section 29BE(1)(b), after “another”—

Add

“residential”.

- (4) Section 29BE(1)—

Repeal paragraph (d)

Substitute

“(d) the date of disposal of the original property is earlier than the date of acquisition by the purchaser of the replacement property.”.

(5) Section 29BE—

Repeal subsection (3).

12. Section 29BF amended (agreements for sale made pursuant to court orders chargeable with ad valorem stamp duty at Scale 2 rates)

(1) Section 29BF, heading, after “sale”—

Add

“of residential property”.

(2) Section 29BF, after “agreement for sale”—

Add

“of residential property”.

13. Section 79 added

After section 78—

Add

“79. Transitional provisions for Stamp Duty (Amendment) Ordinance 2026

(1) In this section—

additional stamp duty (附加印花稅)—

(a) in relation to an applicable instrument that is chargeable with stamp duty under Part 1 of Scale 1 of head 1(1) in the First Schedule, means the difference between that stamp duty and the stamp duty chargeable on the instrument under Part 1 of Scale 1 of head 1(1)

- in the First Schedule to the pre-amended Ordinance;
- (b) in relation to an applicable instrument that is chargeable with stamp duty under Scale 2 of head 1(1) in the First Schedule, means the difference between that stamp duty and the stamp duty chargeable on the instrument under Scale 2 of head 1(1) in the First Schedule to the pre-amended Ordinance;
 - (c) in relation to an applicable instrument that is chargeable with stamp duty under Part 1 of Scale 1 of head 1(1A) in the First Schedule, means the difference between that stamp duty and the stamp duty chargeable on the instrument under Part 1 of Scale 1 of head 1(1A) in the First Schedule to the pre-amended Ordinance; and
 - (d) in relation to an applicable instrument that is chargeable with stamp duty under Scale 2 of head 1(1A) in the First Schedule, means the difference between that stamp duty and the stamp duty chargeable on the instrument under Scale 2 of head 1(1A) in the First Schedule to the pre-amended Ordinance;

Amendment Ordinance (《修訂條例》) means the Stamp Duty (Amendment) Ordinance 2026 (3 of 2026);

applicable instrument (適用文書) means an instrument that is—

- (a) executed on or after 26 February 2026 and before the gazettal date; and

- (b) chargeable with stamp duty under Part 1 of Scale 1 of head 1(1), Scale 2 of head 1(1), Part 1 of Scale 1 of head 1(1A), or Scale 2 of head 1(1A), in the First Schedule;

gazettal date (刊憲日期) means the date of publication of the Amendment Ordinance in the Gazette;

pre-amended Ordinance (《未經修訂條例》) means this Ordinance as in force immediately before 26 February 2026.

- (2) If, but for this section, the time for stamping an applicable instrument with any additional stamp duty payable on the instrument begins before the gazettal date—
 - (a) that time for stamping is to be replaced by a period of 30 days commencing immediately after the gazettal date; and
 - (b) if stamp duty had been paid on the instrument according to Part 1 of Scale 1 of head 1(1), Scale 2 of head 1(1), Part 1 of Scale 1 of head 1(1A), or Scale 2 of head 1(1A), in the First Schedule to the pre-amended Ordinance, section 9 applies only in relation to the additional stamp duty if it is not paid within the period specified in paragraph (a).
- (3) The pre-amended Ordinance continues to apply to—
 - (a) an instrument that was executed before 26 February 2026;
 - (b) an agreement for sale that supersedes another agreement for sale made between the same parties and on the same terms before that day; or

(c) a conveyance on sale that is executed in conformity with an agreement for sale made before that day,
as if section 14 of the Amendment Ordinance had not been enacted.”.

14. First Schedule amended

(1) First Schedule, within the square brackets—

Repeal

“& 73”

Substitute

“, 73 & 79”.

(2) First Schedule, head 1(1), Scale 1, Part 1—

Repeal paragraph (k)

Substitute

“(k) where the amount or value of the consideration exceeds \$21,739,120 but does not exceed \$100,000,000 and the instrument is certified in accordance with section 29 at \$100,000,000

(k) 4.25% of the amount or value of the consideration

- | | |
|---|---|
| <p>(l) where the amount or value of the consideration exceeds \$100,000,000 but does not exceed \$109,574,470 and the instrument is certified in accordance with section 29 at \$109,574,470</p> <p>(m) in any other case</p> | <p>(l) \$4,250,000 plus 30% of the amount by which the amount or value of the consideration exceeds \$100,000,000</p> <p>(m) 6.5% of the amount or value of the consideration”.</p> |
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- (3) First Schedule, head 1(1), Scale 2—

Repeal paragraph (k)**Substitute**

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| <p>“(k) where the amount or value of the consideration exceeds \$21,739,120 but does not exceed \$100,000,000 and the instrument is certified in accordance with section 29 at \$100,000,000</p> | <p>(k) 4.25% of the amount or value of the consideration</p> |
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| (l) where the amount or value of the consideration exceeds \$100,000,000 but does not exceed \$109,574,470 and the instrument is certified in accordance with section 29 at \$109,574,470 | (l) \$4,250,000 plus 30% of the amount by which the amount or value of the consideration exceeds \$100,000,000 |
| (m) in any other case | (m) 6.5% of the amount or value of the consideration”. |
- (4) First Schedule, head 1(1), before the following—
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| “And see sections 2, 4, 22, 23, 24, 25, 27, 28, 29, 39, 43, 44 and 45 | ” |
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- Add**
- “SCALE 3—
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| (a) where the amount or value of the consideration does not exceed \$4,000,000 and the instrument is certified in accordance with section 29 at \$4,000,000 | (A) (a) \$100 |
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| (b) where the amount or value of the consideration exceeds \$4,000,000 but does not exceed \$4,323,780 and the instrument is certified in accordance with section 29 at \$4,323,780 | (b) \$100 plus 20% of the amount by which the amount or value of the consideration exceeds \$4,000,000 |
| (c) where the amount or value of the consideration exceeds \$4,323,780 but does not exceed \$4,500,000 and the instrument is certified in accordance with section 29 at \$4,500,000 | (c) 1.5% of the amount or value of the consideration |
| (d) where the amount or value of the consideration exceeds \$4,500,000 but does not exceed \$4,935,480 and the instrument is certified in accordance with section 29 at \$4,935,480 | (d) \$67,500 plus 10% of the amount by which the amount or value of the consideration exceeds \$4,500,000 |

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| (e) where the amount or value of the consideration exceeds \$4,935,480 but does not exceed \$6,000,000 and the instrument is certified in accordance with section 29 at \$6,000,000 | (e) 2.25% of the amount or value of the consideration |
| (f) where the amount or value of the consideration exceeds \$6,000,000 but does not exceed \$6,642,860 and the instrument is certified in accordance with section 29 at \$6,642,860 | (f) \$135,000 plus 10% of the amount by which the amount or value of the consideration exceeds \$6,000,000 |
| (g) where the amount or value of the consideration exceeds \$6,642,860 but does not exceed \$9,000,000 and the instrument is certified in accordance with section 29 at \$9,000,000 | (g) 3% of the amount or value of the consideration |

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|--|---|
| (h) where the amount or value of the consideration exceeds \$9,000,000 but does not exceed \$10,080,000 and the instrument is certified in accordance with section 29 at \$10,080,000 | (h) \$270,000 plus 10% of the amount by which the amount or value of the consideration exceeds \$9,000,000 |
| (i) where the amount or value of the consideration exceeds \$10,080,000 but does not exceed \$20,000,000 and the instrument is certified in accordance with section 29 at \$20,000,000 | (i) 3.75% of the amount or value of the consideration |
| (j) where the amount or value of the consideration exceeds \$20,000,000 but does not exceed \$21,739,120 and the instrument is certified in accordance with section 29 at \$21,739,120 | (j) \$750,000 plus 10% of the amount by which the amount or value of the consideration exceeds \$20,000,000 |

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| (k) in any other case | (k) 4.25% of the amount or value of the consideration

(B) 30 days after the execution; but see Note 2 to this sub-head

(C) All parties, and all other persons executing; but see Note 2 to this sub-head”. |
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(5) First Schedule, head 1(1)—

Repeal Note 1B

Substitute

“Note 1B

- (a) Scale 2 of this sub-head applies in relation to the stamp duty chargeable on a conveyance on sale by which a leasehold interest in residential property is transferred to, or vested in, a person by another person (*transferor*) if it is shown to the satisfaction of the Collector that the leasehold interest was acquired by the transferor under an instrument that was stamped or chargeable with stamp duty under sub-head (2)
- (b) Scale 3 of this sub-head applies in relation to the stamp duty chargeable on a conveyance on sale by which a leasehold interest in non-residential property is transferred to, or vested in, a person by another person (*transferor*) if it is shown to the satisfaction

of the Collector that the leasehold interest was acquired by the transferor under an instrument that was stamped or chargeable with stamp duty under sub-head (2)”.

- (6) First Schedule, head 1(1)—

Repeal Note 1C

Substitute

“Note 1C

- (a) Scale 2 of this sub-head applies in relation to the stamp duty chargeable on a lease of residential property or an agreement for a lease of residential property if the lease or agreement is chargeable with stamp duty as a conveyance on sale under section 27(1) by virtue of section 27(4)
- (b) Scale 3 of this sub-head applies in relation to the stamp duty chargeable on a lease of non-residential property or an agreement for a lease of non-residential property if the lease or agreement is chargeable with stamp duty as a conveyance on sale under section 27(1) by virtue of section 27(4)”.

- (7) First Schedule, head 1(1)—

Repeal Note 1

Substitute

“Note 1

- (a) Scale 2 of this sub-head applies in relation to the stamp duty chargeable by reference to it by virtue of sub-head (2)(a), in a case where part of the consideration for a lease of residential property consists of rent, as if paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k) and (l) in Scale 2 and the

words “in any other case” in paragraph (m) in Scale 2 were omitted

- (b) Scale 3 of this sub-head applies in relation to the stamp duty chargeable by reference to it by virtue of sub-head (2)(a), in a case where part of the consideration for a lease of non-residential property consists of rent, as if paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) in Scale 3 and the words “in any other case” in paragraph (k) in Scale 3 were omitted”.

- (8) First Schedule, head 1(1A), Scale 1, Part 1—

Repeal paragraph (k)

Substitute

“(k) where the amount or value of the consideration exceeds \$21,739,120 but does not exceed \$100,000,000 and the instrument is certified in accordance with section 29G at \$100,000,000

(k) 4.25% of the amount or value of the consideration

- | | |
|--|---|
| <p>(l) where the amount or value of the consideration exceeds \$100,000,000 but does not exceed \$109,574,470 and the instrument is certified in accordance with section 29G at \$109,574,470</p> <p>(m) in any other case</p> | <p>(l) \$4,250,000 plus 30% of the amount by which the amount or value of the consideration exceeds \$100,000,000</p> <p>(m) 6.5% of the amount or value of the consideration”.</p> |
|--|---|
- (9) First Schedule, head 1(1A), Scale 2—

Repeal paragraph (k)**Substitute**

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|---|--|
| <p>“(k) where the amount or value of the consideration exceeds \$21,739,120 but does not exceed \$100,000,000 and the instrument is certified in accordance with section 29G at \$100,000,000</p> | <p>(k) 4.25% of the amount or value of the consideration</p> |
|---|--|

(l) where the amount or value of the consideration exceeds \$100,000,000 but does not exceed \$109,574,470 and the instrument is certified in accordance with section 29G at \$109,574,470

(l) \$4,250,000 plus 30% of the amount by which the amount or value of the consideration exceeds \$100,000,000

(m) in any other case

(m) 6.5% of the amount or value of the consideration”.

(10) First Schedule, English text, head 1(1A), Scale 2, paragraph (C)—

Repeal

“him”

Substitute

“that party”.

(11) First Schedule, head 1(1A), before the following—

“And see section 4 and Part IIIA

Add

”

“SCALE 3—

- | | |
|--|--|
| (a) where the amount or value of the consideration does not exceed \$4,000,000 and the instrument is certified in accordance with section 29G at \$4,000,000 | (A) (a) \$100 |
| (b) where the amount or value of the consideration exceeds \$4,000,000 but does not exceed \$4,323,780 and the instrument is certified in accordance with section 29G at \$4,323,780 | (b) \$100 plus 20% of the amount by which the amount or value of the consideration exceeds \$4,000,000 |
| (c) where the amount or value of the consideration exceeds \$4,323,780 but does not exceed \$4,500,000 and the instrument is certified in accordance with section 29G at \$4,500,000 | (c) 1.5% of the amount or value of the consideration |

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|--|--|
| (d) where the amount or value of the consideration exceeds \$4,500,000 but does not exceed \$4,935,480 and the instrument is certified in accordance with section 29G at \$4,935,480 | (d) \$67,500 plus 10% of the amount by which the amount or value of the consideration exceeds \$4,500,000 |
| (e) where the amount or value of the consideration exceeds \$4,935,480 but does not exceed \$6,000,000 and the instrument is certified in accordance with section 29G at \$6,000,000 | (e) 2.25% of the amount or value of the consideration |
| (f) where the amount or value of the consideration exceeds \$6,000,000 but does not exceed \$6,642,860 and the instrument is certified in accordance with section 29G at \$6,642,860 | (f) \$135,000 plus 10% of the amount by which the amount or value of the consideration exceeds \$6,000,000 |

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|---|--|
| (g) where the amount or value of the consideration exceeds \$6,642,860 but does not exceed \$9,000,000 and the instrument is certified in accordance with section 29G at \$9,000,000 | (g) 3% of the amount or value of the consideration |
| (h) where the amount or value of the consideration exceeds \$9,000,000 but does not exceed \$10,080,000 and the instrument is certified in accordance with section 29G at \$10,080,000 | (h) \$270,000 plus 10% of the amount by which the amount or value of the consideration exceeds \$9,000,000 |
| (i) where the amount or value of the consideration exceeds \$10,080,000 but does not exceed \$20,000,000 and the instrument is certified in accordance with section 29G at \$20,000,000 | (i) 3.75% of the amount or value of the consideration |

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|---|--|
| <p>(j) where the amount or value of the consideration exceeds \$20,000,000 but does not exceed \$21,739,120 and the instrument is certified in accordance with section 29G at \$21,739,120</p> <p>(k) in any other case</p> | <p>(j) \$750,000 plus 10% of the amount by which the amount or value of the consideration exceeds \$20,000,000</p> <p>(k) 4.25% of the amount or value of the consideration</p> <p>(B) 30 days after the relevant date (within the meaning of section 29B(3)); but see Notes 2 and 3 to this sub-head</p> <p>(C) All parties except a party who on the relevant date (within the meaning of section 29B(3)) does not know that the agreement affects that party, and all other persons executing”.</p> |
|---|--|

(12) First Schedule, head 1(1A)—

Repeal Note 1A

Substitute

“Note 1A

Scale 2 of this sub-head applies in relation to the stamp duty chargeable on an agreement for sale of residential property if it is shown to the satisfaction of the Collector that—

- (a) the agreement is an instrument which, if implemented, would be implemented by a conveyance on sale; and
- (b) the conveyance on sale would, by the operation of paragraph (a) of Note 1B to sub-head (1), be chargeable with stamp duty under Scale 2 of sub-head (1)

Note 1B

Scale 3 of this sub-head applies in relation to the stamp duty chargeable on an agreement for sale of non-residential property if it is shown to the satisfaction of the Collector that—

- (a) the agreement is an instrument which, if implemented, would be implemented by a conveyance on sale; and
- (b) the conveyance on sale would, by the operation of paragraph (b) of Note 1B to sub-head (1), be chargeable with stamp duty under Scale 3 of sub-head (1)”.