



Statutory Declaration
Application for Partial Refund of Ad Valorem Stamp Duty and
Refund of Buyer's Stamp Duty by Eligible Incoming Talent

I, _____ (Name of Buyer / Transferee*),
holder of Hong Kong Identity Card No. _____ (____), of _____
_____ (Address),
solemnly and sincerely declare that:

1. I am the sole buyer / sole transferee / one of the buyers / one of the transferees* of the residential property described below ("the Property"):

_____ and I executed the Agreement for Sale and Purchase / Conveyance on Sale / Deed of Gift* to acquire the Property on _____ / _____ / _____ (DD/MM/YYYY) ^(Note 1).

2. On the above date of acquisition, I acquired the Property on my own behalf; and

- I was not a Hong Kong permanent resident ("HKPR") within the meaning of section 29A(1) of the Stamp Duty Ordinance ("the SDO") (Cap. 117) but was permitted to stay in Hong Kong under a scheme that is specified in Schedule 12 to the SDO ("Specified Scheme");
- I was not a HKPR within the meaning of section 29A(1) of the SDO nor covered by a Specified Scheme but I acquired the Property jointly with _____ (Name(s) of close relative(s) ^(Note 2)) who was/were covered by a Specified Scheme;
- I was not a beneficial owner of any other residential property in Hong Kong or any share or part thereof;
- I was not a beneficial owner of any other residential property in Hong Kong or any share or part thereof except that I was the beneficial owner of the residential property described below ("the Original Property"):

3. I have disposed of the Original Property within 12 months from the date of assignment of the Property and no refund of buyer's stamp duty and ad valorem stamp duty has been made for the Original Property.*

4. On the date of stamp duty refund application for the Property,

- I was not a vendor under an agreement for sale of any other residential property in Hong Kong that was made before the date of my acquisition of the Property; and that is unperformed, or otherwise remains outstanding;
- I remain a beneficial owner of the Property;
- No person other than me, other co-buyer(s) covered by a Specified Scheme (if applicable) and my or our close relative(s) (if applicable) is a beneficial owner of the Property;
- I have become, and remain a HKPR within the meaning of section 29A(1) of the SDO.

5. A true copy of my Hong Kong Identity Card is now produced and exhibited hereto.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Ordinance (Cap. 11).

DECLARED by the said _____)

at _____)

_____, Hong Kong)

this _____ day of _____)

(Signature of Declarant)

Before me,

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

* Please delete whichever is not applicable.

Please tick the appropriate box(es)

Note 1: The date of acquisition of the property is the date of the first agreement if there is more than one agreement or, if there is no agreement for sale, the date of conveyance on sale / deed of gift.

Note 2: Close relative has the same meaning as “closely related persons” under section 29AD of the SDO, i.e. 2 persons are closely related if one of them is the parent, spouse, child, brother or sister of the other. If there are more than two persons, they are closely related if each of the persons is a parent, spouse, child, brother or sister of each of the other persons.

WARNING

According to 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.

Under section 11(2) of the SDO, any person who with intent to defraud the Government executes any instrument in which all the facts and circumstances affecting the liability of any instrument to stamp duty, or the amount of the stamp duty chargeable on an instrument are not fully and truly set forth therein commits an offence. Section 60 of the SDO provides that any person who commits or attempts to commit any offence under the ordinance shall be liable to a fine at level 6 and to imprisonment for 1 year.

Personal Information Collection Statement

1. 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.
2. 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 other government or statutory bodies including the Immigration Department, and any other third parties provided that the disclosure/transfer is authorized or permitted by law.
3. You have the right to request access to and correction of your personal data held by the Department. Such request should be addressed to the Superintendent of Stamp Office at 1/F, Inland Revenue Centre, 5 Concorde Road, Kai Tak, Kowloon, Hong Kong.