

立法會
Legislative Council

LC Paper No. CB(3) 915/10-11

Ref : CB(3)/B/TH/1 (10-11)

Tel : 2869 9206

Date : 17 June 2011

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 22 June 2011

Stamp Duty (Amendment) (No. 2) Bill 2010

Committee stage amendments

Members were informed vide LC Paper No. CB(3) 899/10-11 issued on 15 June 2011 that the President had given permission for the Secretary for Transport and Housing to move her proposed amendments to the above Bill at the Council meeting of 22 June 2011. Members are invited to note that the President has also given permission for Hon Abraham SHEK Lai-him, subject to the Bill receiving a Second Reading, to move his proposed amendments to the Bill.

2. As directed by the President, the amendments are attached for Members' consideration.

(Desmond LAM)
for Clerk to the Legislative Council

Encl.

Stamp Duty (Amendment) (No. 2) Bill 2010

Committee Stage

Amendments to be moved by the Honourable Abraham SHEK Lai-him, SBS, J.P.

- | <u>Clause</u> | <u>Amendment Proposed</u> |
|---------------|--|
| 8 | <p>In the proposed section 29CA(2), by deleting the full stop and substituting -</p> <p style="padding-left: 40px;">“, and for the purpose of this section and that head, special stamp duty is not chargeable if a person acquired residential property comprising land without any building erected thereon and disposes of the property before any building is erected on the land, within the 24-month period.”.</p> |
| 8 | <p>In the proposed section 29CA, by adding -</p> <p style="padding-left: 40px;">“(11) For the purpose of this section and head 1(1B) in the First Schedule, if a person acquired residential property from another person under an instrument on which stamp duty is not chargeable pursuant to section 29H(3) or 45, the date of acquisition of the property by that person shall be deemed to be the date on which the other person had acquired the property.”.</p> |
| 10 | <p>In the proposed section 29DA(2), by deleting the full stop and substituting -</p> <p style="padding-left: 40px;">“, and for the purpose of this section and that head, special stamp duty is not chargeable if a person acquired residential property comprising land without any building erected thereon and disposes of the property before any building is erected on the land, within the 24-month period.”.</p> |
| 10 | <p>In the proposed section 29DA, by adding -</p> <p style="padding-left: 40px;">“(13B) For the purpose of this section and head 1(1AA) in the First Schedule, if a person acquired residential property from another person under an instrument on which stamp duty is not chargeable pursuant to section 29H(3) or 45, the date of</p> |

acquisition of the property by that person shall be deemed to be the date on which the other person had acquired the property.”.

New By adding –

“13A. Section 69 added

Before the First Schedule –

Add

“69. Expiry of Stamp Duty (Amendment) Ordinance 2011

- (1) The amendments to this Ordinance effected by the Stamp Duty (Amendment) Ordinance 2011 (of 2011) shall expire at midnight on 19 May 2012.
- (2) The Legislative Council may by resolution amend subsection (1) by substituting for the date specified therein such date as may be specified in the resolution.”.