

**The Administration's response to the submission from
the Hon James To Kun-sun of 22 April 2013
(LC Paper No. CB(1)906/12-13(01) refers)**

This paper serves to respond to the submission dated 22 April 2013 from the Hon James To Kun-sun and referred to us by the LegCo Secretariat on the same date.

2. Under section 27(1) of the Stamp Duty Ordinance (Cap.117), any conveyance of immovable property operating as a voluntary disposition inter vivos, i.e. gift of immovable property, shall be chargeable with stamp duty as a conveyance on sale on the value of the property conveyed. Hence, unless the transaction is exempted (such as where the transferor and transferee are close relatives), non-Hong Kong permanent residents acquiring a residential property on or after 27 October 2012 by way of a gift will be liable to the Buyer's Stamp Duty under the proposed section 29DB(1) of and the proposed head 1(1AAB) under the First Schedule to the Stamp Duty (Amendment) Bill 2012.

**Transport and Housing Bureau
April 2013**