

Chapter 117 STAMP DUTY ORDINANCE**Schedule 1**

[sections 4, 5, 5A, 19, 20,
29, 29A, 29C, 29D,
29G, 29H, 29I,
30, 45 & 47B]
(Amended 34 of 2003 s. 8)

Nature of Instrument	(A) Stamp Duty (B) Time for stamping (C) Persons liable
<p>HEAD 1: IMMOVABLE PROPERTY IN HONG KONG</p> <p>Agreement for Lease, See LEASE and section 16</p> <p>Agreement or Contract for Sale of equitable interest, See AGREEMENT FOR SALE and section 29E, and CONVEYANCE ON SALE and section 26</p> <p>(1) CONVEYANCE ON SALE</p> <p>(a) where the amount or value of the consideration does not exceed \$2000000 and the instrument is certified in accordance with section 29 at \$2000000</p> <p>(b) where the amount or value of the consideration exceeds \$2000000 but does not exceed \$2351760 and the instrument is certified in accordance with section 29 at \$2351760</p> <p>(c) where the amount or value of the consideration exceeds \$2351760 but does not exceed \$3000000 and the instrument is certified in accordance with section 29 at \$3000000</p> <p>(d) where the amount or value of the consideration exceeds \$3000000 but does not exceed \$3290320 and the instrument is certified in accordance with section 29 at \$3290320</p>	<p>(A) (a) \$100 (Replaced L.N. 32 of 2007)</p> <p>(b) \$100 plus 10% of the amount by which the amount or value of the consideration exceeds \$2000000 (Replaced L.N. 32 of 2007)</p> <p>(c) 1.5% of the amount or value of the consideration (Replaced L.N. 32 of 2007)</p> <p>(d) \$45000 plus 10% of the amount by which the amount or value of the consideration exceeds \$3000000 (Replaced L.N. 90 of 1999 and 44 of 1999 s. 22. Amended L.N. 32 of 2007)</p>

Nature of Instrument	(A) Stamp Duty (B) Time for stamping (C) Persons liable
(e) where the amount or value of the consideration exceeds \$3290320 but does not exceed \$4000000 and the instrument is certified in accordance with section 29 at \$4000000	(e) 2.25% of the amount or value of the consideration (Replaced L.N. 90 of 1999 and 44 of 1999 s. 22. Amended L.N. 32 of 2007)
(f) where the amount or value of the consideration exceeds \$4000000 but does not exceed \$4428570 and the instrument is certified in accordance with section 29 at \$4428570	(f) \$90000 plus 10% of the amount by which the amount or value of the consideration exceeds \$4000000 (Replaced L.N. 90 of 1999 and 44 of 1999 s. 22. Amended L.N. 32 of 2007)
(g) where the amount or value of the consideration exceeds \$4428570 but does not exceed \$6000000 and the instrument is certified in accordance with section 29 at \$6000000	(g) 3% of the amount or value of the consideration (Replaced L.N. 90 of 1999 and 44 of 1999 s. 22. Amended L.N. 32 of 2007)
(h) where the amount or value of the consideration exceeds \$6000000 but does not exceed \$6720000 and the instrument is certified in accordance with section 29 at \$6720000	(h) \$180000 plus 10% of the amount by which the amount or value of the consideration exceeds \$6000000 (Added L.N. 90 of 1999 and 44 of 1999 s. 22. Amended L.N. 32 of 2007)
(i) in any other case	(i) 3.75% of the amount or value of the consideration (Added L.N. 90 of 1999 and 44 of 1999 s. 22. Amended L.N. 32 of 2007)
	(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 (Replaced 36 of 1994 s. 3)

And see sections 2, 4, 22, 23, 24, 25, 26, 27, 28, 29, 39, 43, 44 and 45

Nature of Instrument	(A) Stamp Duty (B) Time for stamping (C) Persons liable
<p>Note 1 This sub-head shall apply 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 consists of rent, as if paragraphs (a) to (h) and the words "in any other case" in paragraph (i) were omitted (Amended L.N. 90 of 1999 and 44 of 1999 s. 22; L.N. 32 of 2007)</p> <p>Note 2 In the case of a vesting order consequential upon an order for sale or partition or a foreclosure order, the time for stamping shall be before the order is signed by the Registrar and the persons liable shall be the persons obtaining the order</p> <p>Note 3 In the case of a foreclosure order, the stamp duty chargeable thereon shall not exceed the stamp duty which would be chargeable thereon by reference to the value of the property to which the order relates</p> <p>Note 4 A foreclosure order shall not be duly stamped unless the Collector has stamped it under section 13(3)(b)</p> <p>Note 5 In the case of a conveyance on sale of residential property executed after a chargeable agreement for sale has been made in respect of that property, this sub-head is subject to section 29D (Added 8 of 1992 s. 6)</p> <p>Note 6 (Repealed 33 of 1998 s. 11)</p> <p>Exchange, Instruments effecting-see section 25(7)</p>	

Nature of Instrument	(A) Stamp Duty (B) Time for stamping (C) Persons liable
<p>(1A) AGREEMENT FOR SALE</p> <p>(a) where the amount or value of the consideration does not exceed \$2000000 and the instrument is certified in accordance with section 29G at \$2000000</p> <p>(b) where the amount or value of the consideration exceeds \$2000000 but does not exceed \$2351760 and the instrument is certified in accordance with section 29G at \$2351760</p> <p>(c) where the amount or value of the consideration exceeds \$2351760 but does not exceed \$3000000 and the instrument is certified in accordance with section 29G at \$3000000</p> <p>(d) where the amount or value of the consideration exceeds \$3000000 but does not exceed \$3290320 and the instrument is certified in accordance with section 29G at \$3290320</p> <p>(e) where the amount or value of the consideration exceeds \$3290320 but does not exceed \$4000000 and the instrument is certified in accordance with section 29G at \$4000000</p> <p>(f) where the amount or value of the consideration exceeds \$4000000 but does not exceed \$4428570 and the instrument is certified in accordance with section 29G at \$4428570</p>	<p>(A) (a) \$100 (Replaced L.N. 32 of 2007)</p> <p>(b) \$100 plus 10% of the amount by which the amount or value of the consideration exceeds \$2000000 (Replaced L.N. 32 of 2007)</p> <p>(c) 1.5% of the amount or value of the consideration (Replaced L.N. 32 of 2007)</p> <p>(d) \$45000 plus 10% of the amount by which the amount or value of the consideration exceeds \$3000000 (Replaced L.N. 90 of 1999 and 44 of 1999 s. 22. Amended L.N. 32 of 2007)</p> <p>(e) 2.25% of the amount or value of the consideration (Replaced L.N. 90 of 1999 and 44 of 1999 s. 22. Amended L.N. 32 of 2007)</p> <p>(f) \$90000 plus 10% of the amount by which the amount or value of the consideration exceeds \$4000000 (Replaced L.N. 90 of 1999 and 44 of 1999 s. 22. Amended L.N. 32 of 2007)</p>

Nature of Instrument	(A) Stamp Duty (B) Time for stamping (C) Persons liable
(g) where the amount or value of the consideration exceeds \$4428570 but does not exceed \$6000000 and the instrument is certified in accordance with section 29G at \$6000000	(g) 3% of the amount or value of the consideration (Replaced L.N. 90 of 1999 and 44 of 1999 s. 22. Amended L.N. 32 of 2007)
(h) where the amount or value of the consideration exceeds \$6000000 but does not exceed \$6720000 and the instrument is certified in accordance with section 29G at \$6720000	(h) \$180000 plus 10% of the amount by which the amount or value of the consideration exceeds \$6000000 (Added L.N. 90 of 1999 and 44 of 1999 s. 22. Amended L.N. 32 of 2007)
(i) in any other case	(i) 3.75% of the amount or value of the consideration (Added L.N. 90 of 1999 and 44 of 1999 s. 22. Amended L.N. 32 of 2007)
<p>And see section 4 and Part IIIA</p> <p>Note 1</p> <p>This sub-head does not apply to an agreement for sale in respect of non-residential property (see section 29A(5))</p>	<p>* (B) 30 days after the relevant date (within the meaning of section 29B(3)); but see section 29C(11) and Notes 2 and 3 to this sub-head (Amended L.N. 90 of 1999 and 44 of 1999 s. 22)</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 him, and all other persons executing (Replaced 36 of 1994 s. 3)</p>

Nature of Instrument	(A) Stamp Duty (B) Time for stamping (C) Persons liable
<p>Note 2</p> <p>If, within the first 14 days of the time for stamping, an agreement for sale is superseded by another agreement for sale made between the same parties and on the same terms executed in accordance with section 29B(1), and containing the matters specified in section 29B(5)-</p> <p>(aa) for the purposes of Part IIIA and this sub-head, the second-mentioned agreement is deemed to be made on the relevant date (within the meaning of section 29B(3)); (Added L.N. 90 of 1999 and 44 of 1999 s. 22)</p> <p>*(a) notwithstanding paragraph (aa) but subject to section 29C(11), the time for stamping the second-mentioned agreement is not later than 30 days after it was executed; and (Amended L.N. 90 of 1999 and 44 of 1999 s. 22)</p> <p>*(b) if the second-mentioned agreement is duly stamped or stamped under section 5(1), 13(2) or 18E(1), or is endorsed under section 29C(13)(a), the obligation to stamp any preceding agreement between the same parties and on the same terms is discharged (Amended L.N. 90 of 1999 and 44 of 1999 s. 22; 21 of 2003 s. 25)</p> <p>*Note 3</p> <p>Subject to Note 2, if 2 or more agreements for sale are made between the same parties and on the same terms-</p> <p>(a) for the purposes of Part IIIA and this sub-head, all of the agreements are deemed to be made on the relevant date (within the meaning of section 29B(3)); and</p> <p>(b) where any of the agreements is duly stamped or stamped under section 5(1), 13(2) or 18E(1), or is endorsed under section 29C(13)(a)- (Amended 21 of 2003 s. 25)</p> <p>(i) the other agreements are each chargeable with stamp duty of \$100; and</p>	

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<p>(ii) notwithstanding paragraph (a) and section 29C(11), the time for stamping each of the other agreements is not later than 30 days after it was executed (Replaced L.N. 90 of 1999 and 44 of 1999 s. 22)</p> <p>Note 4 Where 2 agreements for sale are made in respect of the same, or part of the same, property and involve a common purchaser (but are not made between the same parties), this sub-head is subject to section 29C(5)</p> <p>Note 5 For the purposes of Notes 2, 3 and 4, a person and a parent, spouse or child of that person shall be treated as the same person (Added 8 of 1992 s. 6)</p> <p>Note 6 (Repealed 33 of 1998 s. 11)</p>	

(29 of 1998 s. 2; 43 of 1991 s. 7; 85 of 1991 s. 6; 8 of 1992 s. 6; 36 of 1992 s. 3; 40 of 1992 s. 7; L.N. 50 of 1993; 31 of 1993 s. 2; L.N. 90 of 1999 and 44 of 1999 s. 22)

Note:

*** The amendments made by L.N. 90 of 1999 and Ord. No. 44 of 1999 to paragraph (B), Note 2(a) and (b) and Note 3 under head 1(1A) of the First Schedule shall only apply to an agreement for sale, or an unwritten sale agreement, as defined in section 29A(1), if the relevant date within the meaning of section 29B(3) is, in so far as such agreement for sale or unwritten sale agreement (as the case may be) is concerned, on or after 1 April 1999.**