



立法會 LEGISLATIVE COUNCIL
張宇人議員 Hon Tommy Yu-Yan CHEUNG

12 February 2014

The Honourable Starry Lee Wai-king, JP
Chairman, Bills Committee on Stamp Duty (Amendment) Bill 2012
Legislative Council
Hong Kong Special Administrative Region

Dear Starry,

Bills Committee on Stamp Duty (Amendment) Bill 2012

According to the letter received from the clerk to Bills Committee on 11 February 2014, the Administration is of the view that the proposed Committee stage amendments which introduce the sunset clauses in respect of the Special Stamp Duty (SSD) regime fall outside the scope of the Bill.

It is true that the Long Title of the Bill mentions only that the Amendment Bill is to “impose higher rate of special stamp duty on certain transactions of residential property acquired on or after 27 October 2012....”. Since the enhanced measures are proposed for SSD, the entire SSD regime is placed before the LegCo. It is open for members to consider acceptability of the enhanced measures or to reject the SSD regime altogether or to suggest that the SSD regime should continue only up to a certain time. Therefore, proposing a sunset clause should be considered within the scope of the Bill. In my opinion, the SSD measures should not continue beyond end of December 2014, hence I have proposed the sunset clause.

Thank you for your attention.

Yours sincerely,

Hon Tommy Cheung Yu-yan, SBS, JP