

**HONG KONG SPECIAL ADMINISTRATIVE REGION**

**ORDINANCE NO. 10 OF 2023**



John KC LEE  
Chief Executive  
24 May 2023

An Ordinance to amend the Stamp Duty Ordinance to give effect to a proposal in the Budget introduced by the Government for the 2023–2024 financial year to adjust the ad valorem stamp duty chargeable on a conveyance on sale or an agreement for sale of any immovable property.

[22 February 2023]

Enacted by the Legislative Council.

**1. Short title and commencement**

- (1) This Ordinance may be cited as the Stamp Duty (Amendment) (No. 2) Ordinance 2023.
- (2) This Ordinance is deemed to have come into operation at 11 a.m. on 22 February 2023.

**2. Stamp Duty Ordinance amended**

The Stamp Duty Ordinance (Cap. 117) is amended as set out in sections 3 and 4.

**3. Section 75 added**

After section 74—

**Add****“75. Transitional provisions for Stamp Duty (Amendment) (No. 2) Ordinance 2023**

(1) In this section—

*Amendment Ordinance* (《修訂條例》) means the Stamp Duty (Amendment) (No. 2) Ordinance 2023 (10 of 2023);

*effective time* (生效時間) means 11 a.m. on 22 February 2023;

*pre-amended Ordinance* (《未經修訂條例》) means this Ordinance as in force immediately before the effective time.

(2) The pre-amended Ordinance continues to apply, as if the Amendment Ordinance had not been enacted, to—

(a) an instrument that was executed before the effective time;

(b) an agreement for sale that supersedes another agreement for sale made between the same parties and on the same terms before the effective time; or

(c) a conveyance on sale that is executed in conformity with an agreement for sale made before the effective time.”.

**4. First Schedule amended**

(1) First Schedule, head 1(1), Scale 2—

**Repeal paragraphs (a) to (i)**

**Substitute**

---

“(a) where the amount or value of the consideration does not exceed \$3,000,000 and the instrument is certified in accordance with section 29 at \$3,000,000	(A) (a) \$100
(b) where the amount or value of the consideration exceeds \$3,000,000 but does not exceed \$3,528,240 and the instrument is certified in accordance with section 29 at \$3,528,240	(b) \$100 plus 10% of the amount by which the amount or value of the consideration exceeds \$3,000,000
(c) where the amount or value of the consideration exceeds \$3,528,240 but does not exceed \$4,500,000 and the instrument is certified in accordance with section 29 at \$4,500,000	(c) 1.5% of the amount or value of the consideration

- 
- |   |  |
|---|--|
| (d) where the amount or value of the consideration exceeds \$4,500,000 but does not exceed \$4,935,480 and the instrument is certified in accordance with section 29 at \$4,935,480 | (d) \$67,500 plus 10% of the amount by which the amount or value of the consideration exceeds \$4,500,000  |
| (e) where the amount or value of the consideration exceeds \$4,935,480 but does not exceed \$6,000,000 and the instrument is certified in accordance with section 29 at \$6,000,000 | (e) 2.25% of the amount or value of the consideration  |
| (f) where the amount or value of the consideration exceeds \$6,000,000 but does not exceed \$6,642,860 and the instrument is certified in accordance with section 29 at \$6,642,860 | (f) \$135,000 plus 10% of the amount by which the amount or value of the consideration exceeds \$6,000,000 |

- |  |  |
|--|--|
| (g) where the amount or value of the consideration exceeds \$6,642,860 but does not exceed \$9,000,000 and the instrument is certified in accordance with section 29 at \$9,000,000    | (g) 3% of the amount or value of the consideration   |
| (h) where the amount or value of the consideration exceeds \$9,000,000 but does not exceed \$10,080,000 and the instrument is certified in accordance with section 29 at \$10,080,000  | (h) \$270,000 plus 10% of the amount by which the amount or value of the consideration exceeds \$9,000,000 |
| (i) where the amount or value of the consideration exceeds \$10,080,000 but does not exceed \$20,000,000 and the instrument is certified in accordance with section 29 at \$20,000,000 | (i) 3.75% of the amount or value of the consideration”.  |

(2) First Schedule, head 1(1A), Scale 2—

**Repeal paragraphs (a) to (i)**

**Substitute**

- |  |  |
|--|--|
| “(a) where the amount or value of the consideration does not exceed \$3,000,000 and the instrument is certified in accordance with section 29G at \$3,000,000                        | (A) (a) \$100  |
| (b) where the amount or value of the consideration exceeds \$3,000,000 but does not exceed \$3,528,240 and the instrument is certified in accordance with section 29G at \$3,528,240 | (b) \$100 plus 10% of the amount by which the amount or value of the consideration exceeds \$3,000,000 |
| (c) where the amount or value of the consideration exceeds \$3,528,240 but does not exceed \$4,500,000 and the instrument is certified in accordance with section 29G at \$4,500,000 | (c) 1.5% of the amount or value of the consideration   |

Section 4

---

- |  |  |
|--|--|
| (d) where the amount or value of the consideration exceeds \$4,500,000 but does not exceed \$4,935,480 and the instrument is certified in accordance with section 29G at \$4,935,480 | (d) \$67,500 plus 10% of the amount by which the amount or value of the consideration exceeds \$4,500,000  |
| (e) where the amount or value of the consideration exceeds \$4,935,480 but does not exceed \$6,000,000 and the instrument is certified in accordance with section 29G at \$6,000,000 | (e) 2.25% of the amount or value of the consideration  |
| (f) where the amount or value of the consideration exceeds \$6,000,000 but does not exceed \$6,642,860 and the instrument is certified in accordance with section 29G at \$6,642,860 | (f) \$135,000 plus 10% of the amount by which the amount or value of the consideration exceeds \$6,000,000 |

- |   |  |
|---|--|
| (g) where the amount or value of the consideration exceeds \$6,642,860 but does not exceed \$9,000,000 and the instrument is certified in accordance with section 29G at \$9,000,000    | (g) 3% of the amount or value of the consideration   |
| (h) where the amount or value of the consideration exceeds \$9,000,000 but does not exceed \$10,080,000 and the instrument is certified in accordance with section 29G at \$10,080,000  | (h) \$270,000 plus 10% of the amount by which the amount or value of the consideration exceeds \$9,000,000 |
| (i) where the amount or value of the consideration exceeds \$10,080,000 but does not exceed \$20,000,000 and the instrument is certified in accordance with section 29G at \$20,000,000 | (i) 3.75% of the amount or value of the consideration”.  |