

IRD responds to media enquiries on property stamp duty matters arising from intervention into Messrs Wong, Fung & Co

In response to media enquiries regarding property stamp duty matters that may arise from the Law Society of Hong Kong's intervention into the practice of Messrs Wong, Fung & Co, the Stamp Office of the Inland Revenue Department today (January 12) made the following response:

"Although the Stamp Office does not have the discretion to extend the time limit for stamping property transaction instruments under the relevant law, if a duty payer's failure to arrange stamping of a property transaction instrument before the time limit is the result of the intervention, the Stamp Office is prepared to consider remission of penalty for late stamping. The duty payer can make an application directly or through the newly engaged solicitor to the Stamp Office.

"If the duty payer is unable to raise funds to settle the stamp duty payable within a short period of time due to the freezing of relevant bank accounts of the law firm, an application can be made to the Stamp Office for instalment payment.

"If the property transaction cannot be completed otherwise than by reason of re-sale or disposal of the property by the purchaser, the relevant agreement for sale is not chargeable with stamp duty. The duty payer can apply for refund of the stamp duty paid in respect of the relevant agreement within two years after the agreed date of completion of the transaction.

"The Stamp Office has informed the Law Society of Hong Kong of the above arrangements, and is proactively reaching out to the intervention agent and affected duty payers to assist them in handling the relevant stamp duty matters. If the duty payers have any enquiries, they may contact the Stamp Office by the following means: Tel: 2594 3202; Fax: 2519 9025; email: taxsdo@ird.gov.hk."