

Head 3 — INTERNAL REVENUE

Details of Revenue

| Sub-head (Code) | Actual revenue 2020–21 | Original estimate 2021–22 | Revised estimate 2021–22 | Estimate 2022–23 |
|---------------------------------------|------------------------------|---------------------------------|--------------------------------|-----------------------------|
| | \$'000 | \$'000 | \$'000 | \$'000 |
| 010 Bets and sweeps tax | 20,877,076 | 22,100,000 | 25,200,000 | 25,800,000 |
| 030 Earnings and profits tax— | | | | |
| (020) Profits tax | 135,539,666 | 126,650,000 | 159,100,000 | 167,660,000† |
| (030) Personal assessment | 6,293,727 | 6,130,000 | 6,600,000 | 6,610,000† |
| (040) Property tax | 3,957,178 | 3,500,000 | 4,000,000 | 4,000,000 |
| (050) Salaries tax | 75,027,324 | 64,390,000 | 73,300,000 | 72,850,000† |
| Sub-total | 220,817,895 | 200,670,000 | 243,000,000 | 251,120,000 |
| 050 Estate duty | 7,393 | 10,000 | 2,000 | 10,000 |
| 070 Stamp duties..... | 89,044,620 | 92,000,000 | 101,000,000 | 113,000,000 |
| 080 Air passenger departure tax | 100,510 | 713,626 | 65,480 | 277,540 |
| Total..... | <u>330,847,494</u> | <u>315,493,626</u> | <u>369,267,480</u> | <u>390,207,540</u> |

† After Budget revenue measures but subject to the passage of the relevant legislation.

Description of Revenue Sources

This revenue head covers direct taxes on earnings and profits, which include profits tax, property tax and salaries tax. A number of indirect taxes are also included.

Bets and sweeps tax is charged on horse racing bets, lotteries and football betting.

Profits tax is levied on individuals, corporations, bodies of persons and partnerships in respect of assessable profits arising in or derived from Hong Kong. The two-tiered profits tax regime has taken effect from the year of assessment 2018/19. The tax rate for the first \$2 million of profits of corporations is lowered from 16.5% to 8.25%. Profits above that amount will continue to be subject to the tax rate of 16.5%. For unincorporated businesses, the two-tiered tax rates are correspondingly set at 7.5% and 15%.

Property tax is charged on the owner of land and/or buildings at the standard rate of 15% on the net assessable value of the property for each year of assessment.

Salaries tax is charged on all income arising in or derived from Hong Kong from any office or employment or any pension. The total salaries tax payable by an individual is restricted to an amount not exceeding the standard rate of 15% on his or her total income.

An individual may elect for *personal assessment* of his total income which provides for the deduction of all probable personal allowances, and would, in appropriate circumstances, reduce the total tax liability of the individual.

Estate duty is charged on assets situated in Hong Kong valued at more than \$7.5 million according to a schedule scaled from 5% on estates of value up to \$9 million to 15% on estates of value over \$10.5 million. The duty was abolished on 11 February 2006. Estate duty in respect of persons dying on or after 15 July 2005 and before 11 February 2006 is reduced to a nominal amount of \$100.

Stamp duties are charged at a fixed rate on certain documents, and *ad valorem* on others. Fixed duties vary from \$3 to \$100, whereas *ad valorem* duties range from 0.13% to 20%. The Government increased the *ad valorem* duties on stock transactions from 0.1% to 0.13% for each side per transaction with effect from 1 August 2021. The Government introduced a special stamp duty on residential properties at the point of resale if the properties are acquired on or after 20 November 2010 and resold within 24 months (for properties acquired between 20 November 2010 and 26 October 2012) or 36 months (for properties acquired on or after 27 October 2012) after acquisition. The Government also introduced a buyer's stamp duty on residential properties acquired on or after 27 October 2012 by any person, except a Hong Kong permanent resident ("HKPR") acting on his or her own behalf. Besides, *ad valorem* stamp duty at the higher rates (under Part 2 of Scale 1) are applicable to all residential properties acquired during the period from 23 February 2013 to 4 November 2016 (unless the property is a residential property and the buyer is an HKPR acting on his or her own behalf and not a beneficial owner of any another residential property in Hong Kong at the time of acquisition), and non-residential properties acquired during the period from 23 February 2013 to 25 November 2020. Instruments executed on or after 26 November 2020 for non-residential property transactions are subject to *ad valorem* stamp duty at Scale 2 rates. The Government introduced a new residential stamp duty to increase the *ad valorem* stamp duty chargeable on instruments of acquiring residential property executed on or after 5 November 2016 to a flat rate of 15% (under Part 1 of Scale 1). The Government also tightened the exemption arrangement for HKPR buyers under the

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new residential stamp duty regime, where acquisition of more than one residential property under a single instrument executed on or after 12 April 2017 is subject to the flat rate of 15%, even if the buyer is an HKPR who is acting on his or her own behalf and not a beneficial owner of any other residential property in Hong Kong at the time of acquisition. Further, the stamping of *ad valorem* stamp duty for non-residential property transactions carried out on or after 23 February 2013 is advanced from the conveyance on sale to the agreement for sale.

Air passenger departure tax is charged at a fixed rate of \$120 for a passenger 12 years of age or above departing from the Hong Kong International Airport, or by helicopter from Hong Kong at the Hong Kong Macau Ferry Terminal Heliport.

Revenue from internal revenue generated 76.2% of total revenue in 2021–22.

Underlying Changes in Revenue Yield

The **2021–22** revised estimate of \$369,267,480,000 reflects a net increase of \$53,773,854,000 (17.0%) over the original estimate.

Under *Subhead 010 Bets and sweeps tax*, the increase of \$3,100 million (14.0%) is mainly due to the higher-than-expected amount of duty receipt from horse racing and football betting.

Under *Subhead 030 Earnings and profits tax*, there is an increase of \$42,330 million (21.1%). The increase of \$32,450 million (25.6%) in respect of profits tax is mainly due to the higher-than-expected increase in net assessable profits and decrease in holdover of provisional tax. The increase of \$470 million (7.7%) in respect of tax charged under personal assessment is mainly due to the higher-than-expected amount of income assessed for persons electing personal assessment. The increase of \$500 million (14.3%) in respect of property tax is mainly due to the higher-than-expected amount of property rentals assessed. The increase of \$8,910 million (13.8%) in respect of salaries tax is mainly due to the higher-than-expected increase in assessable income and hence tax assessed.

Under *Subhead 050 Estate duty*, the decrease of \$8 million (80.0%) is mainly due to the lower-than-expected amount of duty receipt in 2021–22.

Under *Subhead 080 Air passenger departure tax*, the decrease of \$648,146,000 (90.8%) is mainly due to the lower-than-expected number of departing air passengers in 2021–22 in view of the COVID-19 pandemic and air traffic restrictions.

The **2022–23** estimate of \$390,207,540,000 reflects a net increase of \$20,940,060,000 (5.7%) over the revised estimate for 2021–22.

Under *Subhead 050 Estate duty*, the increase of \$8 million (400.0%) is mainly due to the expected higher amount of duty receipt in 2022–23.

Under *Subhead 070 Stamp duties*, the increase of \$12 billion (11.9%) is mainly due to the expected increase in turnover in the property and stock markets.

Under *Subhead 080 Air passenger departure tax*, the increase of \$212,060,000 (323.9%) is mainly due to the expected increase in number of departing air passengers in 2022–23.