





# Table of Legislation

#### **Hong Kong Legislation**

Banking Ordinance, 119, 214, 286, 324, 797

Basic Law, 6, 61, 733

**Betting Duty Ordinance, 8** 

**Business Registration Ordinance (BRO), 8** 

Companies Ordinance, 38, 66, 298

Criminal Procedure Ordinance, 9, 50

Education Ordinance, 366, 792

Electronic Transactions Ordinance ('ETO'), 109, 597

Employment Ordinance (EO), 389, 390

Estate Duty Ordinance (EDO), 5, 8, 506

Hotel Accommodation Tax Ordinance, 8

Inland Revenue (Amendment) Ordinance 2010, 668

Inland Revenue (Amendment) (No. 2) Ordinance 2010, 64

Inland Revenue (Amendment) (No. 3) Ordinance 2011, 25

Inland Revenue (Disclosure of Information) Rules, 668

Inland Revenue Ordinance (IRO), 5, 8, 24, 37,66

```
S2, 12, 13, 14, 19, 91, 92, 94, 152, 185, 192, 214, 296, 353, 366, 413, 414, 560
S2(1), 155, 214
S3, 9, 38
S3(1), 207
S3(2)(a), 214
S3(2)(b), 214
S3(2)(c), 214
S5, 413
S5(1A)(b)(i), 416
S5(1A)(b)(ii), 416
S5(2), 420, 617
S5(2)(a), 94, 413, 415, 560
S5(2)(c), 55, 413, 419
S5B(2), 414
S5B(4), 415
S7, 164
S7(1), 150, 353
S8, 222, 413, 597
S8(1), 340, 344, 385, 403
S8(1)(a), 347
S8(1A), 344, 348, 385
```

```
S8(1A)(a), 344
S8(1A)(b), 347, 379
S8(1A)(b)(ii), 348
S8(1A)(c), 344, 345, 348, 379, 380, 394
S8(1B), 348
S8(2), 362
S8(4)(b), 355, 363
S8(5), 350, 355
S9, 349, 351, 362
S9(1), 366
S9(1)(a), 349, 351, 356, 403
S9(1)(a)(iv), 403
S9(1)(b), 351
S9(1)(c), 383
S9(1)(d), 364
S9(1A)(a), 387
S9(1A)(b), 355
S9(2), 356
S9(2)(a), 14
S9(2)(b), 356
S9(2A), 352
S9(2A)(b), 352
S9(2A)(c), 361
S9(3), 348
S9A, 56, 62, 63, 346, 396, 505, 510, 520, 521, 522, 567
S9A(1), 520, 521, 522
S9A(3), 520, 521, 522
S9A(3)(a), 522
S9A(4), 520, 521
S9A(7)(b), 521
S10, 369
S10(2), 345, 378
S11B, 375
S11D, 375
S11D(a), 375, 403
S11D(b), 375
S12(1)(a), 356, 403, 521
S12(1)(b), 184, 356
S12(5), 184
S14, 13, 63, 91, 96, 97, 109, 113, 115, 124, 126, 127, 157, 198, 235, 246, 248, 257, 258, 266, 282,
  295, 316, 414, 513, 524, 563, 633
S14(1), 125, 126, 130, 216, 224, 229, 236, 684
S14A, 120, 126
S14A(1)(a), 117, 118
S14A(1)(b), 117, 118
S14A(4), 40, 117
S14B, 117, 222
S15, 91, 258
S15(1), 14, 102, 126
S15(1)(a), 41, 99, 107, 113, 283, 313, 315, 505, 530, 659
S15(1)(b), 41, 99, 107, 113, 115, 116, 154, 258, 283, 313, 315, 316, 505, 530, 659
S15(1)(ba), 41, 99, 107, 113, 116, 283, 313, 315, 316, 505, 530, 659
S15(1)(c), 116, 530
S15(1)(d), 107, 313, 315, 659
S15(1)(f), 116, 119, 138, 280
S15(1)(g), 119, 138
S15(1)(h), 165
```

```
S15(1)(i), 106, 138, 214, 216, 257
S15(1)(j), 116, 138
S15(1)(k), 138
S15(1)(I), 98, 138, 214, 216, 246
S15(1)(m), 266, 505, 526
S15A, 126, 266, 505, 526
S15A(1), 526
S15C, 126, 127, 562
S15D, 200
S15D(1), 200
S15D(2), 200
S15E, 16, 120, 121, 308
S15E(1), 120, 121
S15E(2), 121
S15E(3), 121
S15E(4), 121
S15E(5), 121
S15E(8), 121
S16, 148, 200, 218, 236, 268, 269, 272, 276, 420, 511, 514, 516, 572, 665, 666, 668
S16(1), 13, 116, 135, 136, 138, 139, 165, 199, 200, 268, 271, 287, 506, 514, 517, 521, 523, 561,
  570
S16(1)(a), 119, 135, 138, 140, 142, 143, 145, 146, 147, 171, 269, 271, 273, 286, 287, 297, 560
S16(1)(b), 138, 287
S16(1)(c), 138, 215, 287
S16(1)(d), 138, 200, 215, 287
S16(1)(d)(i), 116, 139, 284
S16(1)(d)(ii), 116
S16(1)(e), 138, 287
S16(1)(f), 138, 182, 183, 287
S16(1)(g), 139, 287, 564
S16(1)(ga), 139, 287
S16(1)(h), 135, 139, 287
S16(2), 138, 140, 142, 195, 269, 287, 297, 505, 527, 561
S16(2)(a), 142
S16(2)(b), 142
S16(2)(c), 119, 142, 143, 145, 271, 286
S16(2)(d), 119, 142, 143, 145, 147, 286, 561
S16(2)(e), 119, 142, 143, 145, 286
S16(2)(f), 142, 146, 171
S16(2)(f)(iii), 297
S16(2A), 119, 138, 142, 147, 195, 286, 287, 505, 527
S16(2B), 142, 145, 147, 195, 297, 505, 527
S16(2C), 142, 146, 147, 171, 173, 195, 297, 505, 527
S16(2D), 142
S16(2E)(c), 145, 146
S16(2F)(c), 146
S16(2G), 138, 297
S16(2H), 287, 297
S16(3), 141
S16(3A), 141
S16A, 148, 150, 165, 167, 287, 535
S16A(3), 150
S16AA, 139, 148, 166, 208, 288
S16B, 139, 140, 148, 151, 157, 182, 288
S16B(1), 116, 284
S16B(1)(b), 184
```

S16B(3), 116

```
S16B(4), 151
S16B(6)(b), 151
S16C, 139, 148, 149, 152, 288, 366
S16D, 148, 149, 288
S16E, 25, 139, 148, 149, 153, 154, 158, 194, 287, 288, 505, 564
S16E(1), 116, 153, 156, 284
S16E(1A), 153
S16E(2), 153
S16E(3), 116, 153
S16E(3)(b), 153
S16E(3A), 153
S16E(4), 153
S16E(4)(b), 158
S16E(7), 153
S16E(8), 153, 505, 527
S16E(9), 153
S16EA, 25, 139, 148, 149, 153, 154, 157, 287, 288, 505, 564
S16EA(2), 116, 155, 156, 284
S16EA(3), 155, 158, 159, 160
S16EA(4), 155
S16EA(5), 155
S16EA(6)(a), 155
S16EA(6)(b), 155
S16EA(6)(c), 155
S16EA(6)(d), 155
S16EA(7), 155
S16EA(9), 156, 527
S16EA(10), 155
S16EA(11), 155
S16EA(13), 155
S16EB(2), 116
S16EB(2)(a), 156
S16EB(2)(b), 156
S16EB(2)(c), 156
S16EB(3), 156
S16EC, 148, 149, 157, 505, 527
S16EC(1), 157, 528
S16EC(2), 153, 154, 155, 156, 157, 527
S16EC(4)(a), 157, 527, 528
S16EC(4)(b), 157, 158, 159, 160, 528
S16EC(4)(c), 157, 528
S16EC(5), 158, 528
S16EC(6), 158, 528
S16EC(8), 113, 153, 155, 157
S16F, 139, 148, 149, 160, 287, 289
S16F(5), 161
S16G, 78, 139, 140, 148, 149, 182, 183, 184, 287, 289, 535
S16G(1), 117, 284
S16G(3), 117
S16G(3)(a), 161
S16G(3)(c), 161, 505, 563
S16G(6), 140, 192, 535
S16H, 148, 149, 150, 162, 182, 184, 289
S16H(1), 140, 163
S16H(2), 163
S16I, 139, 140, 287
S16I(2), 117, 162, 284
```

```
S16I(3), 117, 162, 284
S16I(4), 162
S16J(2), 117, 162
S16J(2A), 117, 162
S16J(3), 117, 162
S16J(5B), 162
S16J(5C), 162
S16J(5D), 162
S16J(5E), 162
S16K, 148, 149, 150
S16K(1), 162, 164
S16K(3), 162, 164
S16K(4), 163
S16K(6), 163
S16K(7), 164
$17, 127, 136, 148, 200, 218, 270, 287, 514, 516, 668
S17(1), 138, 666
S17(1)(a), 164
S17(1)(a)(ii), 151
S17(1)(b), 164, 514, 517
S17(1)(c), 156, 164, 165, 199, 276, 297, 512, 561
S17(1)(d), 164
S17(1)(e), 164
S17(1)(f), 164
S17(1)(g), 164, 199
S17(1)(h), 164, 165, 199
S17(1)(i), 164, 165
S17(1)(j), 136, 164, 165
S17(1)(k), 164, 166
S17(1)(I), 165
S17(2), 165
S17(2)(d)(iii), 151
S18, 150, 353
S18B, 126
S18B(1), 201
S18B(2), 201, 202, 203, 298
S18C(1)(a), 201, 202
S18C(1)(b), 202, 298
S18C(2), 202, 204
S18D(1), 203
S18D(2), 203
S18D(2A), 203, 505, 528
S18D(5), 204
S18E, 510
S18E(1), 204, 299
S18E(1)(a), 204
S18E(1)(b), 204
S18E(2)(b), 205
S18E(3), 207
S18F, 184
S18F(1), 117
S19, 13
S19(16), 120
S19(1E), 17
S19C, 330, 519
S19C(1), 195, 210, 299
```

S19C(2), 195, 211, 212

```
S19C(3), 210, 211, 212
S19C(4), 21, 56, 156, 158, 179, 195, 211, 297, 299
S19C(5), 21, 195, 211, 212
S19C(6), 56
S19C(6)(a), 210
S19C(6)(b), 210
S19C(7), 56
S19CA, 118
S19CB, 118
S19D, 126
S19D(1), 210
S20, 313, 322, 323, 505, 528, 529, 552, 666, 668
S20(1), 529
S20(1)(a), 529
S20(1)(b), 529
S20(2), 528, 529
S20A, 313, 314, 330, 530
S20A(2), 323
S20A(3), 323
S20AA, 16, 102, 313, 322
S20AA(1), 319
S20AA(6), 322
S20AB, 313
S20AB(2), 324
S20AB(3), 313, 324
S20AB(9), 327
S20AC, 313, 323
S20AC(2), 324
S20AC(3), 324
S20AC(4), 323
S20AD, 313, 326
S20AE, 40, 313, 529
S20AE, 505
S20AE(1), 529
S20AE(4), 326
S20AE(8), 326
S20AE(9), 328
S20B, 154, 313, 314, 315, 318, 330
S20B(1), 318
S20B(2), 318, 319
S20B(3), 116, 318, 319
S20B(4), 317
S21, 114, 216, 283, 313, 314, 319
S21A, 113, 116, 258, 313, 316, 505, 530, 659
S21A(1)(a), 116, 154, 659, 672
S21A(1)(b), 116, 154
S22A, 208
S22A(1), 210, 211
S22A(3)(a), 211
S22B, 16, 21, 505, 530, 531
S22B(1), 530
S22B(2), 530
S22B(3), 530
S22C, 211
S23, 223
S23(1)(a), 217
```

S23(1)(b), 218

S23(4)(a), 218, 219 S23(4)(b), 218 S23(9), 217 S23A, 223, 280 S23A(1), 220, 221, 222 S23A(2), 117, 220, 221, 222 S23AA, 223 S23B, 107, 223, 224 S23B(1)(a), 223 S23B(1)(b), 223 S23B(2), 223, 228, 331, 653 S23B(3), 224 S23B(4), 224 S23B(5), 224 S23B(6), 223 S23C, 107, 229, 231, 233, 234 S23C(1), 281 S23C(1)(a), 229 S23C(1)(b), 229 S23C(2), 229 S23C(4)(a), 230 S23C(5), 230 S23D(2), 233 S23D(4), 234 S23D(5), 233 S23E, 107, 230 S23E, 225 S24, 17 S24(1), 13, 235, 236, 237 S24(2), 236, 282 S24(3), 235 S25, 94, 155, 195, 199, 238, 415, 419, 617 S26(a), 221 S26A(1A)(a), 120 S26A(1A)(i), 145 S26A(2), 120 S26C, 17 S26D, 17 S26E(9), 369 S26F, 368, 438 S30(1), 373 S30(1A), 373 S30A(1), 373 S33A, 175, 179, 181 S33A(2), 179 S33A(4), 179 S33A(4)(a), 180 S34, 174, 175, 181 S34(1), 174, 175 S34(2), 174, 175 S34(2)(a), 174 S35, 174, 175, 179 S35(1), 174 S35(2)(a), 175 S35(2)(b)(i), 175 S35(2)(b)(ii), 175

S35(3)(a), 175

```
S35A, 174
S35B, 179
S35B(a), 177
S35B(b), 177, 178
S35B(b)(i), 177, 181
S35B(b)(ii), 178, 297
S36A(2), 185
S37, 191
S37(2), 185
S37(4), 187
S37(5), 187
S37A, 191
S37A(1A), 185
S37A(2), 185
S37A(3), 185
S38(1), 185, 186
S38(4), 187
S38A, 188, 563
S38B, 505, 531, 563
S39, 188, 191
S39(a), 188
S39(b), 188
S39A, 186
S39B, 191
S39B(1), 184
S39B(2), 184
S39B(4)(e), 128
S39B(7), 187
S39B(8), 187
S39C(1)(a), 185
S39C(1)(b), 186
S39C(2), 186
S39C(3), 185
S39D, 185
S39D(3), 187
S39D(4), 187
S39D(5), 187
S39E, 16, 62, 107, 188, 191, 192, 505, 532, 533, 535, 536, 538
S39E(1)(a), 157, 528, 533
S39E(1)(b), 157, 528, 534
S39E(1)(b)(i), 158, 191, 192, 535
S39E(1)(c), 534
S39E(2), 533
S39E(5), 113, 532
S40, 565
S40(1), 133, 172, 174, 175, 179, 184, 189, 207
S40(2), 174, 200
S41(1), 14
S41(4), 14, 313
S45, 526
S47, 155
S49, 23, 228, 232, 653, 660
S50, 666
S50(3), 663
S50(5), 663
$51(1), 38, 42, 56, 57, 58, 67, 419
S51(2), 57, 58, 419, 589
```

```
S51(2A), 56, 57, 58
S51(3), 55
S51(4), 53, 596, 618
S51(4)(a), 67
S51(4B), 57
S51(6), 55, 419
S51(7), 55
S51(8), 55, 419
S51A(1), 55
S51B, 54, 596
S51C, 15, 56, 79, 583, 592, 596, 599, 603, 619, 622, 667
S51C(1), 597
S51D, 419, 597
S51D(1), 55, 597
S51D(2), 597
S52(1), 55
S52(2), 41, 55
S52(4), 55, 56
S52(5), 56
S52(6), 52, 56
S52(7), 56
S54(b), 42
S56A, 419
S56A(1), 419
S56A(2), 419
S57(3)(b), 350, 352, 355
S58, 70
S58(2), 37, 59, 70
S59, 42
S59(1), 42, 68
S59(2)(b), 70
S59(3), 44, 68, 630
$60, 42, 43, 58, 75, 258, 316
S60(1), 42
S61, 16, 124, 379, 505, 506, 507, 508, 509, 510, 511, 521, 523, 524, 536, 572, 666, 668
S61(2), 511
S61/61A, 536
S61A, 12, 16, 62, 124, 274, 276, 379, 505, 506, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517,
  523, 526, 536, 552, 566, 572, 666, 668
S61A(1), 508, 513, 515
S61A(2), 513, 515
S61A(2)(a), 508, 514, 515
S61A(2)(b), 509, 512, 515
S61A(3), 509, 510
S61B, 16, 21, 62, 505, 518, 519, 527, 561
S62, 43, 59
S63, 37, 44, 72
S63(J), 635
S64, 75
S64(1), 314, 630, 631
S64(2), 55, 631, 632
S65, 10
S66, 633, 637, 638, 641
S66(1), 647
S66(1A), 70, 71
S67(1), 48
S68(4), 61
```

```
S68(6), 55
$70, 14, 43, 74, 75, 378, 418, 432
S70A, 14, 49, 68, 69, 75, 78, 625, 633, 634, 665
S70A(1), 43
S70AB, 313, 323
S71, 64, 72, 619
S71(5), 64
S71(6), 65
S75, 68, 76
S75(4), 65, 72
S76, 68
S76(1), 65
S76(3), 56
S79, 665
S79(3), 313, 330
S80, 57, 80, 595, 602
S80(1), 56, 59, 591
S80(1)(c), 597
S80(1A), 57, 80, 591, 596
S80(1AA), 56, 520
S80(1AC), 56
$80(2), 58, 59, 79, 80, 536, 591, 602
S80(2)(a), 593, 602, 603
S80(2)(d), 57
S80(2)/82A(1), 536
S80(2A), 57
S80(4), 595, 602
$80(5), 79, 80, 589, 593, 602
S82, 58, 79
S82(1), 58, 59, 70, 79, 80, 81, 536, 591, 595, 602
S82(1)(a), 602
S82(1)(b), 71
S82(1)(d), 71, 602
S82(1)(g), 71, 602
S82(1A)(a), 593, 602
S82(1A)(b), 593, 602
S82(2), 70, 80, 593, 602
S82A, 9, 51, 58, 59, 60, 69, 70, 71, 73, 588, 591, 593, 601, 602, 603, 637, 639, 640
S82A(1), 536
S82A(1)(ii), 69
S82A(4), 59, 60, 70, 71, 640, 641
S82B, 60, 70, 71, 637, 639, 640, 641
S82B(2), 60
S87, 119
S87(5)(b), 155
S88, 133, 152, 261, 263, 264, 367
S88A, 62, 111, 567, 637
S88B, 66
```

#### Inland Revenue Rules, 5,9

IRR 2, 290 IRR 2A, 135 IRR 2B, 135 IRR 2C, 135 IRR 5, 313, 314 IRR 5(2)(a), 545 IRR 5(2)(b), 545 IRR 5(2)(d), 546

#### **Insurance Companies Ordinance, 217, 222**

Interpretation and General Clauses Ordinance (IGCO), 13

Leveraged Foreign Exchange Trading Ordinance (repealed), 324

Mandatory Provident Fund Scheme Ordinance, 353, 363

Occupational Retirement Schemes Ordinance (ORSO), 150, 350, 352, 353, 355

Revenue (Abolition of Estate Duty) Ordinance 2005, 5

Securities and Futures Ordinance (SFO), 119, 139, 146, 285, 319, 320, 324, 742, 797

Securities Ordinance (repealed), 324

#### Stamp Duty Ordinance (SDO)

S24, 452, 453

Stamp Duty Ordinance (SDO), 5, 8, 17, 449, 501, 506 S1(1AA), 461 S1(1B), 461 S2, 458, 464 S2(1), 455, 456, 467, 469, 470, 488 S3, 455 S9, 476, 477, 479 S9(1E), 494 S13(1), 477 S13(2), 467 S14, 466, 478, 479, 488 S14(1C), 480 S14(5A), 479 S15(1), 479 S15(1)(d), 466 S15(1A), 479 S15(2), 480 S18(2), 454 S19, 449, 480 S19(1), 467 S19(11), 468 S19(16), 467, 468 S19(1E)(a), 468 S19(1E)(b), 468 S21, 458 S22(1), 451 S22(2), 451 S23, 454

```
S24(1), 451, 452, 453
S24(2), 452, 453, 478
S24(3), 452, 453
S25(7), 456
S27, 470, 471, 472, 478
S27(1), 471, 488
S27(4), 453, 470, 471, 472, 488
S27(5), 468, 471, 472
S27(6), 470
S29, 456
S29A(1), 458
S29A(2), 458
S29B(1), 459
S29B(5), 457, 459
S29B(6), 459
S29C(10), 463, 483
S29C(5A)(a), 461
S29C(5A)(b), 461
S29C(5AA), 464
S29C(5B), 461
S29CA, 461, 464
S29D(2)(a), 459
S29D(4), 460
S29D(5), 460
S29DA, 461, 464
S29F, 463, 483
S29G, 459
S29H(3), 473
S39, 472
S44, 478
$45, 466, 467, 469, 473, 474, 478, 481, 482, 484, 485, 488, 489
S45(1), 475
S45(2), 475
S45(4)(a), 474, 475
S45(4)(c), 474
S45(5A), 474, 475, 480
S46, 472
S47A, 472, 475
S47B, 472, 475
S48, 464
S52, 476
S59, 471
S63, 469
S68, 463
S88, 473
```

#### Stamp Duty (Amendment) Ordinance 2011, 449

Tax Reserve Certificates Ordinance, 8, 9, 64

#### PRC Legislation, Regulations, Rules and Notices

#### **Administrative**

Administrative Law on Levying and Collection of Taxes (ALLCT), 694

Article 32, 694

Article 51, 695

Article 52, 694

Regulation on Implementation of Administration of Tax Collection (RIATC), 694

Taxation Administration Review Regulations, 695

#### **Business Tax**

Provisional Regulations of Business Tax of the People's Republic of China (PRBT), 696

Article 1, 763

Article 5, 702

Detailed Rules for the Implementation of the Provisional Regulations of the People's Republic of China on Business Tax (PRBTIR), 696

Article 2, 696, 763

Article 6, 699

Article 7, 699

Article 8, 700

Caishui (2003) 16, 702

Caishui [2006] 114, 702

Caishui [2009] 114, 697

Guoshuihan (2005) 83, 702

#### **Consumption Tax**

Provisional Regulations on Consumption Tax of the People's Republic of China (PRCT), 712

Article 1, 714

Article 6, 714

Detailed Rules for the Implementation of the Provisional Regulations on Consumption Tax of the People's Republic of China (PRCTIR), 712

Article 2, 714

Article 14, 714

#### **Corporate Tax**

#### Corporate Income Tax Law (CITL), 722

Article 3, 723

Article 5, 722

Article 8, 723

Article 9, 723

Article 28, 722

Article 37, 724

Article 54, 724

#### Corporate Income Tax Implementation Rules (CITIR), 722

Article 2, 722 Article 59, 723

Article 91, 723

Article 92, 722

Article 103, 724

Article 105, 724

Article 129, 724

#### **Income Tax**

#### Individual Income Tax Law (IITL), 718

Article 1, 718

Article 2, 719

#### Individual Income Tax Implementation Regulations (IITIR), 718

Article 2, 718

Article 3, 720

Article 36, 721

Public Notice [2012] No. 16, 719

#### Value-added Tax

Provisional Regulation on Value-added Tax of the People's Republic of China (PRVAT), 704

Article 1, 705, 707

Article 2, 705, 709

Article 9, 707

Article 15, 710

Detailed Rules for the Implementation of the Provisional Regulation on Value-added tax of the People's Republic of China (PRVATIR), 704

Article 3, 706

Article 4, 706

Article 5, 706

Article 7, 707

Article 28, 708

Article 35, 710

Provisions for the use of Special Invoices of Value-added Tax (VATIP), 704







# Table of cases

Aberdeen Restaurant Enterprises Ltd 173	China Map Ltd & Others, 133, 242, 260, 262
Ahn Sang Gyun73, 391	Chinachem Finance Co Ltd 168, 243, 267,
All Best Wishes Ltd . 129, 131, 132, 241, 260	270
American Leaf Blending Co. Sd Bhd v	Chinachem Investment Co Ltd 132, 241, 260
Director General of Inland Revenue 110	Chu Fung Chee 139, 169, 244, 267, 273
Ammonia Soda Co Ltd v Chamberlain	Chu R. Y74
127,133	Chun Yuet Bun trading as Chong Hing
<i>AP Fahy</i> (1992) 1 HKRC 90-062 168, 243,	Electrical Company68
267, 270	Church Body of the Hong Kong Sheng Kung
Arrowtown Assets Limited.481, 482, 501, 506	Hui133, 242, 261, 263
Asia Master Ltd v CIR 509, 510, 539, 550, 552	CIR v Aberdeen Restaurant Enterprises Ltd
Asia Securities International Ltd138, 168,	CIR v Alexander von Glehn & Co Ltd 139
243, 267, 269	CIR v Asia Television Ltd314
Associated Portland Cement Manufacturers	CIR v Bartica Investment Ltd110
Ltd v Kerr134	CIR v Choon Nang Electrical Appliance
Atherton v British Insulated & Helsby Cables	Manufactory Limited76
Ltd133	CIR v Hang Seng Bank Ltd
Aust-Key Co Ltd 241, 260, 261	96, 215, 216, 243, 267, 268, 279
Aviation Fuel Supply Company242, 266	CIR v Humphrey365, 383, 403
Ball v Johnson351	CIR v Lever Brothers & Unilever Ltd98
Bank of India 102, 216, 239, 245, 279	Clough Engineering Ltd v FCT516
Banque National De Paris Hong Kong	Cohan's Executors v IRC93
Branch, 136, 168, 216, 243, 267, 269, 279	Commissioner of Taxation (NSW) v Hillsdon
Barclays Bank Limited v Naylor351	Watts Ltd246
Barclays Merchantile Business Finance	Commissioner of Taxation v British United
Limited v Mawson502	Shoe Machinery (SA) (Pty) Limited 107
Barr Crombie & Co Ltd v CIR128	Common Empire Ltd., 43, 75, 132, 242, 260,
Beak v Robson351	261
Beautiland Co Ltd132, 241, 260	Consco Trading Co Ltd., 102, 104, 240, 245,
Birmingham & District Castle By-Products Co	247
Ltd v. IRC201	Cosmotron Manufacturing Company Ltd 136,
BP Australia Ltd v FCT127	137, 167, 168, 243, 267, 271
Brand Dragon Ltd (in members' voluntary	County Shipping Co Ltd. 140, 168, 243, 267,
liquidation) and Harvest Island	269
International Ltd (in members' voluntary	Crawford Realty Ltd132, 241, 260
liquidation)130, 132, 241, 260	Datatronic Limited 104, 240, 248, 249
Bullcroft Main Collieries Ltd v O'Grady 134	David Hardy Glynn 351, 385
C G Lighting Limited 104, 240, 248, 249	De Beers Consolidated Mines Ltd v Howe
Calvert v Wainwright351	95
Cameron v Prendergast351	Dodge Knitting Co. Ltd, Dodge Trading Ltd
Canton Industries Ltd 169, 244, 267, 276	69
Cape Brandy Syndicate v IRC92	Douglas Henry Howe507
Carlingford Life and General Assurance Co	Dr Chang Liang Jen 132, 241, 260
Ltd and Carlingford Insurance Co Ltd. 222,	Elliott, S.W.G387
280	Emerson Radio Corporation 107, 113, 258,
Central Enterprises Ltd132, 241, 260	315
Chan Chun Chuen v. CIR76	Euro Tech (Far East) Ltd 102, 239, 245, 246
Chan Li Chai Medical Factory (Hong Kong)	Extramoney Limited 69
Ltd v Collector of Stamp Revenue471	Exxon Chemical International Supply S.A.
Chan Min Ching (Chan Min Ching trading as	
Chan Siu Wah Herbalist Clinic)71	Fall v Hitchen346
Chanway Investment Co Ltd 132, 241, 260	Far East Exchange Ltd238, 282
Charles C.Y. Cheng70	FC of T v Patcorp Investments Ltd 501
Cheung Wah Keung 94, 95, 506, 507, 509,	FC of T v Spotless Services Ltd & Anor 515
510	Federal Commissioner of Taxation of the
Chia Tai Conti – Hong Kong Ltd72	Commonwealth of Australia v Peabody514



Fergusson v Noble351	Kong Tai Shoes Manufacturing Company
Fleming v Bellow Machine Co Ltd296	Limited76
Franco Tong Siu Lun389	Koon Wing Yee v. Insider Dealing Tribunal
Fuchs, Walter Alfred Heinz351, 390	61, 73
Furniss v Dawson501	Kowloon Stock Exchange 236, 238, 282
Gallagher v Jones192	Kum Hing Land Investment Co Ltd 507
General Garment Manufactory (Hong Kong)	Kwok Siu Tong70
Ltd168, 243, 267, 270	Kwong Mile Services Limited 97, 109, 112,
General Reversionary & Investment Co Ltd v	240, 248, 259
Hancock134	Lam Soon Trademark Limited 43, 107, 240,
George Andrew Goepfert385	258, 315, 316
Glenboig Union Fireclay Co Ltd v CIR 128	Lam Ying Bor Investment Co. Ltd67
Great Western Railway Co v Bater345	Lap Shun Textiles Industrial Co Ltd 471, 488
Green v J. Gliksten & Son Ltd128	Law Shipping Co Ltd v CIR134
Grollo Nominees Pty Ltd v FCT516	Lee Sap Pat68
Hang Seng Bank 96, 98, 102, 112, 198, 216,	Lee Yee Shing Jacky and Yeung Yuk Ching
239, 243, 245, 246, 279, 295, 557, 684,	74, 133, 242, 261, 262
737, 740, 748, 762, 781, 785	Li & Fung (Trading) Limited 105, 168, 240,
Harland v Diggines351	243, 251, 255, 267, 268
Harley Development Inc & Anor73, 420	Lionel Simmons Properties Ltd 129, 131
Heaton v Bell351	Littlewoods Mill Order Stores v McGregor
Henry J Walton Masters384	470
HIT Finance Ltd and HK International	Lo and Lo 13, 136, 168, 243, 267, 268
Terminals Ltd	Lo Tim-fat95
169, 244, 267, 274, 506, 509, 515	Loganathan Suresh Babu71
HK-TVB International Ltd 97, 107,112, 239,	London and Thames Haven Oil Wharves Ltd
258, 557	v Attwooll
Hochstrasser v Mayes351	Louis Kwan Nang Kwong & Anor 414, 420
Hong Kong & Whampoa Dock Co Ltd 105,	Maclaine & Co v Eccott97
239, 251	Macquarie Securities Ltd (formerly known as
Hong Kong Flour Mills Ltd37, 72	ING Baring Securities (HK) Limited) 105,
Hong Kong International Terminals cases506	251
Hong Kong Oxygen & Acetylene Co Ltd 132,	Magna Industrial 102, 239, 245, 247, 295
241, 260, 261	Malaysian Airline System Berhad 128, 210,
Hughes v British Burmah Petroleum Co Ltd	213, 235, 266, 278
134	Marson v Morton
Hui King-yin132, 242, 260 Indosuez W I Carr Securities Limited73, 105,	Martin v Lowry
	Mayland Woven Labels Factory Ltd67
240, 251, 252	McKnight v Sheppard
ING Baring Securities (Hong Kong) Limited	Mclaurin v FC of T128 Mitchell v B.W. Nobles Ltd134
97, 240, 248, 249, 253, 255, 557 International Wood Products Ltd105, 239,	
	Moulin Global Eyecare Trading Limited (In Liquidation)75, 76
251, 252 IRC v Duke of Westminster500	Mrs Murad, Barbara Ellen, Mrs Ward, Mona
IRC v Maxse94	Frances, Mr Murad, Mark Basiem and Mr
IRC v McGuckian501	Strickroot, John Carl, the executors of the
IRC v Scottish & Newcastle Breweries 183	estate of the late Mr Murad, Mike M
John Smith & Son v Moore134	(formerly known as Mr Murad, Mohammad
Johnston v Heath92	Mutaz)351, 392
Jones & Co (Davonvale) Ltd v CIR 134	Mui Y.F. or otherwise known as Moy Yick
Kaifull Investments Ltd132, 242, 260	Fong67
Karsten Larssen & Co (HK) Ltd105, 239, 251	Mutual Investment Co Ltd135
Kelsall Parson & Co v CIR	Nam Tai Group Management Limited76
Kim Eng Securities (Hong Kong ) Ltd 105,	National Mutual Centre (HK) Ltd 168, 243,
106, 240, 251, 254, 557	267, 271
Kinco Investment Holding Ltd v CIR75	Nchanga Consolidated Copper Mines Ltd
-	133

Ngai Lik Electronics Co Ltd 249, 509, 512,	Stanley So & Co507
550	Stanwell Investments Ltd 132, 242, 260
Nice Cheer Investment Limited 122, 124,	Strong & Co of Romsey v Woodfield 137
170, 171, 193, 242	Stubart Investments Ltd v R501
Oakey Abattoir Pty Ltd v FC of T501	Studebaker Corporation of Australia Limited
Odeon Associated Theatres Ltd v Jones 134	v Commissioner of Taxation for New South
Orion Caribbean Ltd106, 239, 257	Wales106
Overseas Textiles Ltd 168, 200, 243, 267,	Sun Yau Investment Co. Ltd49, 68
269	Swire Pacific Ltd 137, 168, 243, 267, 268
Patcorp Investments501	Tai Hing Cotton Mill (Development) Ltd
Peter Leslie Page386	169, 244, 267, 274, 501, 506, 507, 509,
Petrotim Securities Ltd122	511, 515, 517, 552
Quitsubdue Limited 124, 130, 165	Tai On Machinery Works Ltd173
R v. Charlton and others595	Tai Shun Investment Co Ltd v CIR 200
Radofin Electronics (Far East) Ltd and	Tak Wing Investment Co Ltd65
another71	Tariff Reinsurance Limited v The
Real Estate Investments (NT) Ltd133, 242,	Commissioner of Taxes (Victoria) 97
261, 262	Tennant v Smith351
Richfield International Land and Investment	Travelodge Papua New Guinea Ltd v Chief
Co Ltd132, 241, 260	Collector of Taxes270
Rico Internationale Ltd507	Tsai Ge Wah389
Robert P Burns365, 383	Tungtex Trading Company Limited76
Robert P Williamson 383	United Aircraft Corporation96
Robertshaw, R Jesse387	Vallambrosa Rubber Co Ltd v Farmer 133
Rutledge v CIR92	W T Ramsay Limited v IRC481, 501
S. C. Sawhney387	Wah Hing Fat Realty Co Ltd 132, 242, 260,
Sanford Yung-Tao Yung152, 367	261
Scottish & Newcastle Breweries183	Wardley Investment Services (Hong Kong)
Secan Ltd and Ranon Ltd 136, 137, 168,	<i>Ltd</i> 105, 239, 251, 684
169, 193, 243, 267, 271, 272	Waylee Investment Ltd 132, 241, 261
Seymour v Read351	Wharf Properties Ltd 168, 243, 267, 270, 565
Sharkey v Wernher 89, 122, 123, 124, 130,	Wilkins v Rogerson351
194	William P. Lawrie v CIR134
Shelcore Hong Kong Ltd68	Winfat Enterprise (HK) Ltd 132, 241, 260
Shiu Wing Ltd and Others c CED506	Wing On Cheong Investment Co Ltd 130,
Short Bros Ltd v CIR128, 296	132, 241, 260
Shui On Credit Co Ltd 169, 244, 267, 275,	Wong Tung Kin70
509, 512	Wong Wing Pui & Wong Wing Pui trading as
Simmons v IRC129, 131	Tai Yip Glass Company70
Sin Chun Wah365, 384	Yarmouth v France183
Sincere Insurance and Investment Co Ltd	Yau Wah Yau388
132, 170, 221, 222, 241, 260, 280	Yick Fung Estates Limited12, 509
Sinolink Overseas Co Ltd 102, 239, 245	Yue Yuen Marketing Company Limited &
Sit Kwok Keung386	Others (Yue Yuen Group)44, 75
Smidth & Co V Greenwood97	Yung Tse Kwong386
So Chak Kwong, Jack384	Zeta Estates Ltd169, 244, 267, 273
So Kai Tong Stanley trading as Stanley So &	Zim Israel Navigation Co Ltd 224, 229, 281
Co v CIR168, 244, 267, 273, 508	Zung Fu Co Ltd v Collector of Stamp
Southtime Ltd v CIR 127, 132, 242, 260	Revenue472

#### Cases







# **Board of Review decisions**

D108         398         D19/95         393           D2/06         396         D2/000         394           D2/06         396         D2/001         394           D2/08         398         D2/090         398           D2/75         104         D2/089         586           D2/86         392         D2/092         526           D3/06         396         D2/100         394           D3/72         137         D2/109         398           D3/86         201         D2/176         122           D3/97         393         D2/204         395           D4/08         398         D2/305         398           D4/08         398         D2/307         397           D5/02         394         D2/406         192           D5/02         394         D2/406         192           D5/06         396         D2/484         50           D5/09         398         D2/484         50           D5/09         398         D2/484         50           D5/09         398         D2/482         393           D5/87         392         D2/482         393 </th <th></th> <th></th> <th><b>5</b> / <b>5</b> / <b>5</b></th> <th></th>			<b>5</b> / <b>5</b> / <b>5</b>	
D2/06         336         D2/001         394           D2/75         104         D2/089         388           D2/86         392         D2/092         526           D3/06         396         D2/100         394           D3/72         137         D2/109         398           D3/86         201         D2/176         122           D3/97         393         D2/204         395           D4/05         395         D2/208         398           D4/08         398         D2/305         395           D4/08         398         D2/307         397           D4/08         398         D2/406         395           D4/08         398         D2/406         192           D5/02         394         D2/406         192           D5/02         394         D2/406         192           D5/03         398         D2/488         392           D5/87         392         D2/492         393           D6/06         396         D2/498         393           D6/06         396         D2/493         393           D6/06         396         D2/493         393				
D2/08         398         D20/09         398           D2/86         392         D20/92         526           D3/06         396         D21/00         394           D3/72         137         D21/09         398           D3/86         201         D21/76         122           D3/97         393         D22/04         395           D4/05         395         D22/08         398           D4/05         395         D22/08         398           D4/05         395         D22/08         398           D4/91         393         D23/07         397           D5/02         394         D24/06         192           D5/09         398         D24/84         50           D5/09         398         D24/88         392           D5/87         392         D24/92         393           D6/02         394         D24/93         393           D6/02         394         D24/93         393           D6/02         394         D24/93         393           D6/09         398         D25/02         394           D6/99         398         D25/02         394				
D2/75         104         D20/88         586           D3/06         396         D21/00         394           D3/72         137         D21/09         398           D3/86         201         D21/76         122           D3/97         393         D22/04         395           D4/08         398         D23/05         395           D4/91         393         D23/07         397           D5/02         394         D24/06         192           D5/06         396         D24/84         50           D5/06         396         D24/84         50           D5/06         396         D24/84         50           D5/07         392         D24/92         393           D6/02         394         D24/92         393           D6/09         398         D24/88         392           D6/09         398         D24/92         393           D6/09         398         D26/02         394           D6/09         398         D26/02         394           D6/09         398         D26/07         397           D7/08         557         D26/09         398     <				
D2/86         392         D20/92         526           D3/06         396         D21/00         394           D3/72         137         D21/09         398           D3/86         201         D21/76         122           D3/97         393         D32/04         395           D4/05         395         D22/08         398           D4/01         393         D23/07         397           D4/91         393         D23/07         397           D5/02         394         D24/06         192           D5/06         396         D24/96         192           D5/09         398         D24/96         192           D5/09         398         D24/88         392           D5/09         398         D24/92         393           D6/06         396         D25/02         394           D6/09         398         D25/08         398           D6/09         398         D25/02         394           D6/99         398         D26/94         393           D6/09         398         D25/02         394           D6/99         398         D26/07         397	D2/08	398		
D3/06         396         D21/00         394           D3/72         137         D21/09         398           D3/86         201         D21/76         122           D3/97         393         D22/04         395           D4/08         398         D23/05         395           D4/08         398         D23/05         395           D4/91         393         D23/07         397           D5/02         394         D24/06         192           D5/06         396         D24/84         50           D5/09         398         D24/88         392           D5/06         396         D24/88         392           D5/07         393         D25/08         398           D5/87         392         D24/92         393           D6/02         394         D24/93         393           D6/06         396         D25/02         394           D6/92         398         D25/08         398           D6/92         398         D25/08         398           D8/06         396         D26/07         397           D7/08         557         D26/09         398			D20/89	586
D3/72         137         D21/09         398           D3/86         201         D21/76         122           D3/97         393         D22/04         395           D4/05         395         D22/06         398           D4/91         393         D23/07         397           D5/02         394         D24/06         192           D5/06         396         D24/84         .50           D5/09         398         D24/88         .392           D5/09         398         D24/88         .392           D5/87         392         D24/92         .393           D6/02         394         D24/93         .393           D6/02         394         D24/93         .393           D6/02         394         D24/93         .393           D6/09         398         D25/08         .398           D6/92         586         D26/07         .397           D7/08         .557         D26/09         .398           D8/06         .396         D26/64         .122           D8/07         .397         D27/06         .396           D8/08         .398         D27/96	D2/86	392	D20/92	526
D3/86         201         D21/76         122           D3/97         393         D22/04         395           D4/08         398         D23/05         398           D4/08         398         D23/05         395           D4/01         393         D23/07         397           D5/02         394         D24/06         192           D5/06         396         D24/84         50           D5/09         398         D24/88         392           D5/07         392         D24/92         393           D6/06         396         D25/02         394           D6/09         398         D25/02         394           D6/09         398         D25/02         394           D6/09         398         D25/08         398           D6/09         398         D25/08         398           D6/92         586         D26/07         397           D7/08         557         D26/09         398           D8/07         397         D27/06         396           D9/06         396         D27/07         397           D9/08         398         D26/04         396	D3/06	396	D21/00	394
D3/97         393         D22/08         398           D4/05         395         D22/08         398           D4/91         393         D23/07         397           D5/02         394         D24/06         192           D5/06         396         D24/84         50           D5/09         398         D24/88         392           D5/09         398         D24/89         393           D6/02         394         D24/93         393           D6/02         394         D24/93         393           D6/09         398         D25/02         394           D6/09         398         D25/02         394           D6/09         398         D25/08         398           D6/92         586         D26/07         397           D7/08         557         D26/09         398           D8/06         396         D26/84         122           D8/07         397         D27/06         396           D9/08         398         D27/07         397           D9/08         398         D27/07         397           D9/08         398         D28/06         396	D3/72	137	D21/09	398
D4/05         395         D22/08         398           D4/08         398         D23/05         395           D4/91         393         D23/07         397           D5/02         394         D24/06         192           D5/06         396         D24/84         50           D5/09         398         D24/88         392           D5/87         392         D24/92         393           D6/02         394         D24/93         393           D6/06         396         D25/02         394           D6/09         398         D25/02         394           D6/06         396         D25/02         394           D6/09         398         D25/02         394           D6/09         398         D25/02         394           D6/06         396         D26/07         397           D7/08         557         D26/09         398           D8/07         397         D27/06         396           D8/07         397         D27/06         396           D9/08         398         D27/07         397           D9/08         398         D28/04         395	D3/86	201	D21/76	122
D4/08         398         D23/07         395           D4/91         393         D23/07         397           D5/06         396         D24/06         192           D5/06         396         D24/84         50           D5/09         398         D24/88         392           D5/07         392         D24/92         393           D6/02         394         D24/93         393           D6/06         396         D25/02         394           D6/09         398         D25/08         398           D6/09         398         D26/07         397           D7/08         557         D26/07         397           D8/06         396         D26/84         122           D8/07         397         D27/06         396           D8/06         396         D27/07         397           D9/08         398         D27/98         413           D9/08         398         D27/98         413           D9/08         398         D27/98         413           D9/08         398         D27/98         413           D9/07         392         D8/05         395	D3/97	393	D22/04	395
D4/91   393   D23/07   397   D5/02   394   D24/06   192   D5/06   396   D24/84   50   D5/09   398   D24/88   392   D24/92   393   D6/02   394   D24/93   393   D6/02   394   D24/93   393   D6/06   396   D25/02   394   D24/93   393   D6/06   396   D25/02   394   D6/09   398   D25/02   394   D6/09   398   D25/02   394   D6/09   398   D25/02   394   D6/09   398   D25/02   398   D6/02   586   D26/07   397   D7/08   557   D26/09   398   D6/07   396   D26/07   397   D7/08   396   D26/07   397   D27/06   396   D26/07   396   D26/07   397   D27/06   396   D26/07   396   D26/07   397   D27/06   396   D26/07   397   D27/06   396   D26/07   396   D26/07   397   D27/08   398   D27/98   413   D9/09   398   D28/04   395   D28/04   395   D10/04   394   D28/07   397   D10/08   398   D28/04   395   D10/04   394   D28/07   397   D10/08   398   D28/04   395   D10/04   394   D28/07   397   D10/08   396   D29/06   396   D11/07   369, 397   D29/07   397   D11/08   396   D29/06   396   D11/07   369, 397   D29/07   397   D11/08   398   D30/04   395   D11/08   396   D30/07   397   D11/08   396   D30/07   397   D11/08   396   D30/07   397   D11/08   396   D30/07   397   D11/08   396   D30/04   395   D11/06   396   D30/07   397   D11/08   396   D30/04   395   D11/07   369, 397   D30/07   397   D11/08   396   D30/04   395   D30/04	D4/05	395	D22/08	398
D5/02         394         D24/06         192           D5/06         396         D24/88         392           D5/09         398         D24/88         392           D5/87         392         D24/92         393           D6/06         396         D25/02         394           D6/09         398         D25/08         398           D6/09         398         D25/08         398           D6/09         398         D25/08         398           D6/09         398         D25/08         398           D6/09         398         D26/07         397           D7/08         557         D26/09         398           D8/06         396         D26/84         122           D8/07         397         D27/06         396           D9/06         396         D27/97         397           D9/08         398         D27/98         413           D9/09         398         D28/04         395           D9/87         392         D28/05         395           D1/04         394         D28/07         397           D1/08         398         D28/08         388	D4/08	398	D23/05	395
D5/06         396         D24/84         50           D5/09         398         D24/88         392           D5/87         392         D24/92         393           D6/02         394         D24/93         393           D6/06         396         D25/02         394           D6/09         398         D25/08         398           D6/92         586         D26/07         397           D7/08         557         D26/09         398           D8/06         396         D26/84         122           D8/07         397         D27/06         396           D9/06         396         D27/07         397           D9/08         398         D27/98         413           D9/09         398         D28/04         395           D9/87         392         D28/05         395           D10/04         394         D28/07         397           D10/08         398         D28/08         398           D11/06         396         D29/06         396           D11/06         396         D29/06         396           D11/07         369,397         D29/07         397	D4/91	393	D23/07	397
D5/06         396         D24/84         50           D5/09         398         D24/88         392           D5/87         392         D24/92         393           D6/02         394         D24/93         393           D6/06         396         D25/02         394           D6/09         398         D25/08         398           D6/92         586         D26/07         397           D7/08         557         D26/09         398           D8/06         396         D26/84         122           D8/07         397         D27/06         396           D9/06         396         D27/07         397           D9/08         398         D27/98         413           D9/09         398         D28/04         395           D9/87         392         D28/05         395           D10/04         394         D28/07         397           D10/08         398         D28/08         398           D11/06         396         D29/06         396           D11/06         396         D29/06         396           D11/07         369,397         D29/07         397	D5/02	394	D24/06	192
D5/87         392         D24/92         393         393         D6/02         394         D24/93         393         393         D6/06         396         D25/02         394         D6/09         398         D25/08         398         D6/09         398         D25/08         398         D6/09         398         D25/08         398         D8/07         397         D7/08         557         D26/09         398         D26/09         398         D26/09         398         D26/09         398         D26/09         398         D27/07         397         D9/08         398         D27/07         397         D9/08         398         D28/06         396         D9/07         397         D9/08         398         D28/06         396         D9/07         397         D9/08         398         D28/06         396         D9/07         397         D1/004         394         D28/07         397         D1/004         394         D28/08         D8         D1/004				
D5/87         392         D24/92         393         D6/02         394         D24/93         393         D6/06         396         D25/02         394         D6/06         396         D25/02         394         D6/09         398         D25/08         398         D6/09         398         D25/08         398         D6/07         398         D26/07         397         D26/09         398         D26/09         398         D26/09         398         D26/09         398         D26/09         398         D26/09         398         D27/07         397         D9/08         398         D27/07         397         D9/08         398         D28/04         395         D10/04         394         D28/07         395         D10/04         394         D28/07         395         D10/04         394         D28/08         398         D11/05         396         D11/06         396         D29/06         396         D11/06         396         D29/07         397         D11/06         396         D29/07	D5/09	398	D24/88	392
D6/02         394         D24/93         393           D6/06         396         D25/02         394           D6/09         398         D25/08         398           D6/92         586         D26/07         397           D7/08         557         D26/09         398           D8/06         396         D26/84         122           D8/07         397         D27/06         396           D9/06         396         D27/07         397           D9/08         398         D27/98         413           D9/09         398         D28/04         395           D9/87         392         D28/05         395           D10/04         394         D28/07         397           D10/08         398         D28/08         398           D11/05         395         D28/88         586           D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D3/04         395           D11/84         348         D30/07         397           D11/88         392         D3/02				
D6/06         396         D25/02         394           D6/09         398         D25/08         398           D6/92         586         D26/07         397           D7/08         557         D26/09         398           D8/06         396         D26/84         122           D8/07         397         D27/06         396           D8/06         396         D27/07         397           D9/08         398         D27/98         413           D9/09         398         D28/04         395           D9/87         392         D28/05         395           D10/04         394         D28/07         395           D10/08         398         D28/08         398           D11/05         395         D28/08         398           D11/06         396         D29/06         396           D11/07         369,397         D29/07         397           D11/08         398         D28/08         586           D11/08         398         D3/04         395           D11/08         398         D3/07         397           D11/08         398         D3/07         3				
D6/09         398         D25/08         398           D6/92         586         D26/07         397           D7/08         557         D26/09         398           D8/06         396         D26/84         122           D8/07         397         D27/06         396           D9/06         396         D27/07         397           D9/08         398         D27/98         413           D9/09         398         D28/04         395           D9/87         392         D28/05         395           D10/04         394         D28/07         397           D10/08         398         D28/08         398           D11/06         396         D29/06         396           D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/184         348         D30/07         397           D11/08         398         D30/04         395           D11/188         392         D30/02         393           D11/07         369, 397         D31/07	D6/06	396		
D6/92         586         D26/07         397           D7/08         557         D26/09         398           D8/06         396         D26/84         122           D8/07         397         D27/06         396           D9/06         398         D27/07         397           D9/08         398         D27/98         413           D9/09         398         D28/04         395           D9/87         392         D28/05         395           D10/04         394         D28/07         397           D10/08         398         D28/08         395           D11/05         395         D28/88         586           D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/08         398         D30/04         395           D11/08         398         D30/07         397           D11/08         398         D30/07         397           D11/08         398         D30/07         397           D11/08         398         D30/07				
D7/08         557         D26/09         398           D8/06         396         D26/84         122           D8/07         397         D27/06         396           D9/06         396         D27/07         397           D9/08         398         D27/98         413           D9/09         398         D28/04         395           D9/87         392         D28/05         395           D10/04         394         D28/07         397           D10/08         398         D28/08         398           D11/05         395         D28/88         586           D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/08         398         D30/07         397           D11/08         398         D30/07				
D8/06         396         D26/84         122           D8/07         397         D27/06         396           D9/08         398         D27/98         413           D9/09         398         D28/04         395           D9/87         392         D28/05         395           D10/04         394         D28/07         397           D10/08         398         D28/08         398           D11/06         396         D29/06         396           D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/08         398         D30/04         395           D11/08         398         D30/07         397           D11/08         398         D30/04         395           D11/08         398         D30/04         395           D11/84         348         D30/07         397           D11/88         392         D30/92         393           D12/03         394         D31/05         395           D13/06         396, 521         D32/07				
D8/07         397         D27/06         396           D9/06         396         D27/07         397           D9/08         398         D27/98         413           D9/09         398         D28/04         395           D9/87         392         D28/05         395           D10/04         394         D28/07         395           D10/08         398         D28/08         398           D11/05         395         D28/88         586           D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/84         348         D30/07         397           D11/88         392         D30/92         393           D12/07         369, 397         D31/07         397           D12/07         369, 397         D31/07         397           D13/06         396, 521         D32/07         397           D13/06         396, 521				
D9/06         396         D27/07         397           D9/08         398         D27/98         413           D9/09         398         D28/04         395           D9/87         392         D28/05         395           D10/04         394         D28/07         397           D10/08         398         D28/08         398           D11/05         395         D28/88         586           D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/08         398         D30/04         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/88         392         D30/02         393           D11/88         392         D30/02         393           D12/07         369, 397         D31/07         397           D12/07         369, 397         D31/07         397           D13/06         396, 521         D32/07         397           D13/06         396, 521				
D9/08         398         D27/98         413           D9/09         398         D28/04         395           D9/87         392         D28/05         395           D10/04         394         D28/07         397           D10/08         398         D28/08         398           D11/05         395         D28/88         586           D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/184         348         D30/07         397           D11/184         348         D30/07         397           D11/188         392         D30/92         393           D12/07         369, 397         D31/05         395           D12/07         369, 397         D31/07         397           D13/06         396, 521         D32/07         397           D13/06         39				
D9/09         398         D28/05         395           D9/87         392         D28/05         395           D10/04         394         D28/07         397           D10/08         398         D28/08         398           D11/05         395         D28/88         586           D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/84         348         D30/07         397           D11/88         392         D30/92         393           D12/07         369, 397         D31/05         395           D12/07         369, 397         D31/05         395           D12/94         348, 393         D32/04         395           D13/06         396, 521         D32/07         397           D13/07         524         D33/04         393           D13/95 <td< td=""><td></td><td></td><td></td><td></td></td<>				
D9/87         392         D28/05         395           D10/04         394         D28/07         397           D10/08         398         D28/08         398           D11/05         395         D28/88         586           D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/84         348         D30/07         397           D11/88         392         D30/92         393           D12/03         394         D31/05         395           D12/07         369, 397         D31/07         397           D12/07         369, 397         D31/05         395           D12/07         369, 397         D31/05         395           D12/07         369, 397         D31/07         397           D12/07         369, 397         D31/07         397           D13/06         396, 521         D32/07         397           D13/06         396, 521         D32/07         397           D13/07         524         D33/04         393           D13/85 <t< td=""><td></td><td></td><td></td><td></td></t<>				
D10/04         394         D28/07         397           D10/08         398         D28/08         398           D11/05         395         D28/88         586           D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/184         348         D30/07         397           D11/88         392         D30/92         393           D12/03         394         D31/05         395           D12/07         369, 397         D31/07         397           D12/04         348, 393         D32/04         395           D13/06         396, 521         D32/07         397           D13/07         524         D33/04         395           D13/07         524         D33/04         395           D13/85         50         D33/07         397           D13/85         50         D33/07         393           D13/80         394         D33/94         393           D15/96         393         D34/06         396           D15/96         394         <				
D10/08         398         D28/08         398           D11/05         395         D28/88         586           D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/84         348         D30/07         397           D11/88         392         D30/92         393           D12/03         394         D31/05         395           D12/07         369, 397         D31/07         397           D12/07         369, 397         D31/07         397           D13/06         396, 521         D32/07         397           D13/06         396, 521         D32/07         397           D13/07         524         D33/04         395           D13/07         524         D33/04         395           D13/07         524         D33/04         395           D13/07         524         D33/04         393           D13/07         524         D33/04         393           D13/06         394         D33/97         393           D15/83         50				
D11/05         395         D28/88         586           D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/84         348         D30/07         397           D11/88         392         D30/92         393           D12/03         394         D31/05         395           D12/07         369, 397         D31/07         397           D12/07         369, 397         D31/07         397           D13/06         396, 521         D32/07         397           D13/06         396, 521         D32/07         397           D13/07         524         D33/04         395           D13/85         50         D33/07         397           D13/85         50         D33/07         397           D13/85         50         D34/05         393           D15/83         50         D34/96         393           D15/96         394         D33/97         393           D15/96         395         D34/96         393           D16/09         398				
D11/06         396         D29/06         396           D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/84         348         D30/07         397           D11/88         392         D30/92         393           D12/03         394         D31/05         395           D12/07         369, 397         D31/07         397           D12/94         348, 393         D32/04         395           D13/06         396, 521         D32/07         397           D13/07         524         D33/04         395           D13/85         50         D33/07         397           D13/07         394         D33/94         393           D15/83         50         D33/07         397           D15/83         50         D34/05         393           D15/83         50         D34/05         395           D15/96         393         D34/06         396           D15/96         393         D34/06         396           D16/05         395         D34/96         393           D16/06         396				
D11/07         369, 397         D29/07         397           D11/08         398         D30/04         395           D11/84         348         D30/07         397           D11/88         392         D30/92         393           D12/03         394         D31/05         395           D12/07         369, 397         D31/07         397           D12/94         348, 393         D32/04         395           D13/06         396, 521         D32/07         397           D13/07         524         D33/04         395           D13/85         50         D33/07         397           D13/85         50         D33/07         393           D15/83         50         D34/05         393           D15/83         50         D34/05         395           D15/96         393         D34/06         396           D16/05         395         D34/06         396           D16/06         396         D35/02         394           D16/09         398         D35/03         394           D17/04         394         D35/99         393           D17/06         396				
D11/08         398         D30/04         395           D11/84         348         D30/07         397           D11/88         392         D30/92         393           D12/03         394         D31/05         395           D12/07         369, 397         D31/07         397           D12/94         348, 393         D32/04         395           D13/06         396, 521         D32/07         397           D13/07         524         D33/04         395           D13/85         50         D33/07         397           D13/85         50         D33/07         393           D138/00         394         D33/97         393           D15/83         50         D34/05         395           D15/96         393         D34/06         396           D16/05         395         D34/96         393           D16/06         396         D35/02         394           D16/09         398         D35/02         394           D16/99         398         D35/03         394           D17/04         394         D35/99         393           D17/05         395         D36				
D11/84         348         D30/07         397           D11/88         392         D30/92         393           D12/03         394         D31/05         395           D12/07         369, 397         D31/07         397           D12/94         348, 393         D32/04         395           D13/06         396, 521         D32/07         397           D13/07         524         D33/04         395           D13/85         50         D33/07         397           D13/01         394         D33/94         393           D13/80         394         D33/94         393           D15/83         50         D34/05         395           D15/96         393         D34/06         396           D16/05         395         D34/96         393           D16/06         396         D35/02         394           D16/09         398         D35/02         394           D16/92         393         D35/05         395           D17/04         394         D35/99         393           D17/05         395         D36/93         183           D17/06         396         D37		,		
D11/88         392         D30/92         393           D12/03         394         D31/05         395           D12/07         369, 397         D31/07         397           D12/94         348, 393         D32/04         395           D13/06         396, 521         D32/07         397           D13/07         524         D33/04         395           D13/85         50         D33/07         397           D13/800         394         D33/94         393           D15/83         50         D34/05         395           D15/96         393         D34/06         396           D16/05         395         D34/96         393           D16/06         396         D35/02         394           D16/09         398         D35/03         394           D16/09         398         D35/05         395           D17/04         394         D35/99         393           D17/05         395         D36/93         183           D17/06         396         D37/03         394           D17/91         393         D37/04         395           D17/98         393         D3				
D12/03         394         D31/05         395           D12/07         369, 397         D31/07         397           D12/94         348, 393         D32/04         395           D13/06         396, 521         D32/07         397           D13/07         524         D33/04         395           D13/85         50         D33/07         397           D133/01         394         D33/94         393           D15/83         50         D34/05         395           D15/96         393         D34/06         396           D16/05         395         D34/96         393           D16/06         396         D35/02         394           D16/92         393         D35/02         394           D16/92         393         D35/05         395           D17/04         394         D35/99         393           D17/05         395         D36/93         183           D17/06         396         D37/03         394           D17/91         393         D37/05         395           D17/898         393         D37/05         395           D178/98         393				
D12/07         369, 397         D31/07         397           D12/94         348, 393         D32/04         395           D13/06         396, 521         D32/07         397           D13/07         524         D33/04         395           D13/85         50         D33/07         397           D133/01         394         D33/94         393           D15/83         50         D34/05         395           D15/96         393         D34/06         396           D16/05         395         D34/96         393           D16/06         396         D35/02         394           D16/09         398         D35/03         394           D16/92         393         D35/05         395           D17/04         394         D35/99         393           D17/05         395         D36/93         183           D17/06         396         D37/03         394           D17/91         393         D37/04         395           D17/81         393         D37/05         395           D17/898         393         D37/05         395           D178/98         393				
D12/94       348, 393       D32/04       395         D13/06       396, 521       D32/07       397         D13/07       524       D33/04       395         D13/85       50       D33/07       397         D133/01       394       D33/94       393         D15/83       50       D34/05       395         D15/96       393       D34/06       396         D16/05       395       D34/96       393         D16/06       396       D35/02       394         D16/09       398       D35/02       394         D16/92       393       D35/05       395         D17/04       394       D35/99       393         D17/05       395       D36/93       183         D17/06       396       D37/03       394         D17/91       393       D37/05       395         D178/98       393       D37/05       395         D178/98       393       D37/92       393         D18/94       393       D38/04       394         D18/94       393       D38/05       395				
D13/06         396, 521         D32/07         397           D13/07         524         D33/04         395           D13/85         50         D33/07         397           D133/01         394         D33/94         393           D138/00         394         D33/97         393           D15/83         50         D34/05         395           D15/96         393         D34/06         396           D16/05         395         D34/96         393           D16/06         396         D35/02         394           D16/09         398         D35/03         394           D16/92         393         D35/05         395           D17/04         394         D35/99         393           D17/05         395         D36/93         183           D17/06         396         D37/03         394           D17/08         61, 73         D37/04         395           D17/91         393         D37/05         395           D17/98         393         D37/92         393           D18/98         393         D37/92         393           D18/94         393         D38/04 </td <td></td> <td></td> <td></td> <td></td>				
D13/07         524         D33/04         395           D13/85         50         D33/07         397           D133/01         394         D33/94         393           D138/00         394         D33/97         393           D15/83         50         D34/05         395           D15/96         393         D34/06         396           D16/05         395         D34/96         393           D16/06         396         D35/02         394           D16/09         398         D35/03         394           D16/92         393         D35/05         395           D17/04         394         D35/99         393           D17/05         395         D36/93         183           D17/06         396         D37/03         394           D17/08         61, 73         D37/04         395           D17/91         393         D37/05         395           D17/8/98         393         D37/92         393           D18/94         393         D38/04         395           D19/06         396         D38/05         395				
D13/85         50         D33/07         397           D133/01         394         D33/94         393           D138/00         394         D33/97         393           D15/83         50         D34/05         395           D15/96         393         D34/06         396           D16/05         395         D34/96         393           D16/06         396         D35/02         394           D16/09         398         D35/03         394           D16/92         393         D35/05         395           D17/04         394         D35/99         393           D17/05         395         D36/93         183           D17/06         396         D37/03         394           D17/08         61, 73         D37/04         395           D17/91         393         D37/05         395           D178/98         393         D37/92         393           D18/02         394         D38/03         394           D18/94         393         D38/04         395           D19/06         396         D38/05         395				
D133/01       394       D33/94       393         D138/00       394       D33/97       393         D15/83       50       D34/05       395         D15/96       393       D34/06       396         D16/05       395       D34/96       393         D16/06       396       D35/02       394         D16/09       398       D35/03       394         D16/92       393       D35/05       395         D17/04       394       D35/99       393         D17/05       395       D36/93       183         D17/06       396       D37/03       394         D17/08       61, 73       D37/04       395         D17/91       393       D37/05       395         D178/98       393       D37/92       393         D18/02       394       D38/03       394         D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D138/00       394       D33/97       393         D15/83       .50       D34/05       395         D15/96       .393       D34/06       396         D16/05       .395       D34/96       393         D16/06       .396       D35/02       394         D16/09       .398       D35/03       394         D16/92       .393       D35/05       395         D17/04       .394       D35/99       393         D17/05       .395       D36/93       183         D17/06       .396       D37/03       394         D17/08       .61, 73       D37/04       395         D17/91       .393       D37/05       395         D178/98       .393       D37/92       393         D18/02       .394       D38/03       394         D18/94       .393       D38/04       395         D19/06       .396       D38/05       395				
D15/83       50       D34/05       395         D15/96       393       D34/06       396         D16/05       395       D34/96       393         D16/06       396       D35/02       394         D16/09       398       D35/03       394         D16/92       393       D35/05       395         D17/04       394       D35/99       393         D17/05       395       D36/93       183         D17/06       396       D37/03       394         D17/08       61, 73       D37/04       395         D17/91       393       D37/05       395         D17/89       393       D37/05       395         D17/98       393       D37/05       395         D17/94       393       D37/05       395         D17/94       393       D37/05       395         D17/94       393       D37/05       395         D18/02       394       D38/03       394         D18/04       393       D38/04       395         D19/06       396       D38/05       395				
D15/96       393       D34/06       396         D16/05       395       D34/96       393         D16/06       396       D35/02       394         D16/09       398       D35/03       394         D16/92       393       D35/05       395         D17/04       394       D35/99       393         D17/05       395       D36/93       183         D17/06       396       D37/03       394         D17/08       61, 73       D37/04       395         D17/91       393       D37/05       395         D178/98       393       D37/05       395         D18/02       394       D38/03       394         D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D16/05       395       D34/96       393         D16/06       396       D35/02       394         D16/09       398       D35/03       394         D16/92       393       D35/05       395         D17/04       394       D35/99       393         D17/05       395       D36/93       183         D17/06       396       D37/03       394         D17/08       61, 73       D37/04       395         D17/91       393       D37/05       395         D17/898       393       D37/92       393         D18/02       394       D38/03       394         D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D16/06       396       D35/02       394         D16/09       398       D35/03       394         D16/92       393       D35/05       395         D17/04       394       D35/99       393         D17/05       395       D36/93       183         D17/06       396       D37/03       394         D17/08       61, 73       D37/04       395         D17/91       393       D37/05       395         D17/8/98       393       D37/92       393         D18/02       394       D38/03       394         D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D16/09       398       D35/03       394         D16/92       393       D35/05       395         D17/04       394       D35/99       393         D17/05       395       D36/93       183         D17/06       396       D37/03       394         D17/08       61, 73       D37/04       395         D17/91       393       D37/05       395         D178/98       393       D37/92       393         D18/02       394       D38/03       394         D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D16/92       393       D35/05       395         D17/04       394       D35/99       393         D17/05       395       D36/93       183         D17/06       396       D37/03       394         D17/08       61, 73       D37/04       395         D17/91       393       D37/05       395         D178/98       393       D37/92       393         D18/02       394       D38/03       394         D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D17/04       394       D35/99       393         D17/05       395       D36/93       183         D17/06       396       D37/03       394         D17/08       61, 73       D37/04       395         D17/91       393       D37/05       395         D178/98       393       D37/92       393         D18/02       394       D38/03       394         D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D17/05       395       D36/93       183         D17/06       396       D37/03       394         D17/08       61, 73       D37/04       395         D17/91       393       D37/05       395         D178/98       393       D37/92       393         D18/02       394       D38/03       394         D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D17/06       396       D37/03       394         D17/08       61, 73       D37/04       395         D17/91       393       D37/05       395         D178/98       393       D37/92       393         D18/02       394       D38/03       394         D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D17/08       61, 73       D37/04       395         D17/91       393       D37/05       395         D178/98       393       D37/92       393         D18/02       394       D38/03       394         D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D17/91       393       D37/05       395         D178/98       393       D37/92       393         D18/02       394       D38/03       394         D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D178/98       393       D37/92       393         D18/02       394       D38/03       394         D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D18/02       394       D38/03       394         D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D18/94       393       D38/04       395         D19/06       396       D38/05       395				
D19/06				
D19/08				
	D19/08	398	D38/07	397

D00/00	200	D05/00	000
D38/08369, 3		D65/93	
D39/04		D66/06	
D39/06		D66/94	
D40/07	397	D67/01	394
D40/88	.50	D67/05	396
D40/95	393	D67/06	397
D41/07	397	D67/90	50
D41/91		D68/04	
D41/91		D68/05	
D41/92		D68/06	
D42/07		D69/04	
D43/04	395	D69/06	397
D43/08	398	D70/05	396
D43/89		D71/02	
D43/92		D71/06	
D43/94		D71/97	
D43/99		D72/02	
D44/9712, 5		D72/05	
D45/04	395	D72/90	392
D46/05	395	D73/04	395
D46/07		D74/06	
D46/09		D75/04	
D46/87		D75/96	
D46/89		D76/00	
D46/89	.50	D76/05	396
D46/95	393	D76/98	393
D47/90		D77/05	
D47/91		D77/90	
D48/06		D78/06397	,
D49/05		D78/90	
D49/06	396	D78/94	393
D49/94	393	D79/05	396
D50/07		D79/89	
D50/93		D80/05	
D51/01		D82/06	
D52/06		D83/04	
D52/86501, §	506	D83/06	513
D52/96	.12	D87/01	394
D53/04	395	D87/04	395
D53/96		D88/06	
D54/90		D88/99	
D54/92		D89/02	
D54/97		D90/03348	
D55/06		D92/95	
D55/08	398	D93/01	394
D56/04	192	D94/01	394
D57/05		D94/0450	
D58/08		D97/0450°	
D59/03		D103/96	
D59/08		D106/89	
D60/04		D108/02	
D60/05	512	D109/03	511
D60/06		D120/02	
D61/06		D121/97	
D61/08		D123/01	
D62/01523, 524, 5		D123/02	394
D62/06			
D63/05			
D65/06	397		







# Practice Notes and Circulars

```
Departmental Interpretation & Practice Notes 8,15
DIPN 1 (Revised), 15, 122, 192
DIPN 2 (Revised), 15, 172, 175, 180
DIPN 3 (Revised), 15, 135
DIPN 4 (Revised), 15, 128, 415
DIPN 5 (Revised), 15, 152, 161, 162, 164
DIPN 6 (Revised), 15, 37
DIPN 7 (Revised), 15, 172, 184
DIPN 8, 16, 212
DIPN 9 (Revised), 16, 364, 365
DIPN 10 (Revised), 16, 345, 347
DIPN 11 (Revised), 16, 579, 584, 588, 590
DIPN 12 (Revised), 16, 137, 579
DIPN 13 (Revised), 16, 98, 105, 106
DIPN 13A, 16, 142, 143, 145, 146
DIPN 14 (Revised), 16, 413, 419
DIPN 15 (Revised), 16, 62, 107, 500, 501, 506, 516, 518, 519, 531, 532, 533, 534, 535, 536
DIPN 16 (Revised), 16, 360
DIPN 17 (Revised), 16, 313, 315, 318
DIPN 18 (Revised), 16, 375, 433
DIPN 19, 16, 228
DIPN 20 (Revised), 16
DIPN 21 (Revised), 16, 98, 99, 101, 102, 103, 105, 106, 111, 214, 557
DIPN 22 (Revised), 16, 62, 113, 317
DIPN 23 (Revised), 16, 150, 353
DIPN 24 (Revised), 16, 521, 524
DIPN 25 (Revised), 16, 62, 94, 346, 347, 521
DIPN 26 (Revised), 16, 121
DIPN 27 (Revised), 16
DIPN 28, 16, 138
DIPN 29, 6, 16
DIPN 30 (Revised), 16, 102, 320
DIPN 31 (Revised), 16, 62, 63, 111, 521, 568
DIPN 32 (Revised), 17, 228, 345, 655
DIPN 33 (Revised), 17, 94, 347
DIPN 34 (Revised), 17, 119
DIPN 35 (Revised), 17, 369
DIPN 36 (Revised), 17, 368
DIPN 37 (Revised), 17, 367
DIPN 38 (Revised), 17, 348, 359, 360
DIPN 39 (Revised), 17, 110, 113
DIPN 40 (Revised), 17, 136, 193, 272
DIPN 41, 17, 361
DIPN 42, 17, 169, 170, 171, 193
DIPN 43 (Revised), 17, 102, 325, 326, 327, 329
DIPN 44 (Revised), 17, 216, 345, 655, 656, 659
DIPN 45, 17, 331, 664
DIPN 46, 17, 331, 548, 666, 667, 668
DIPN 47, 17, 660, 668
DIPN 48, 17, 25, 669
```

#### **Estate Duty Office Interpretation & Practices Notes (EDOIPN)**

**EDOIPN 1, 18** 

#### Stamp Office Interpretation & Practice Notes (SOIPN), 8, 17

SOIPN 1, 460

**SOIPN 2, 468** 

SOIPN 3, 452

SOIPN 4, 468

SOIPN 5, 465







# Index

#### Note: Key Terms and their page references are given in **bold**.



Accommodation benefits, 355

Accounting date, 204

Action plan, 566

Active fee, 215

Active income, 96

Activities test, 98, 99

Ad valorem fixed rate method, 714

Additional assessments, 591

Additional dependent grandparent allowance,

Additional dependent parent allowance, 373

Adjudication, 477

Adjusted surplus method, 218

Administrative procedures under the IRO, 67

Advance Pricing Arrangement, 669

Advance rulings system, 62, 567

Advice papers, 581

Advisory Committee on New Broad-based Taxes, 23

Agency business, 700

Agent, 21, 91, 95, 314

Agreement for sale (Head 1(1A)), 456, 461 Agreement for sale of residential property, 450

Agreement for sale, 458

Aircraft owner, 229

Aircraft, 229

Airline and shipping income, 653

Allocation / reallocation of partnership profits and losses, 209

Allowable deductions under property tax, 416

Allowable deductions, 287, 364

Ambience (atmosphere), 183

Annual allowance under s.33A, 179

Annual allowance under s.34(2), 174

Annual allowance under s.37(2), 184

Annual allowance, 185

Anonymous payments, 137, 203

Anti-avoidance provisions under the IRO, 504

Anti-avoidance provisions (s.45 SDO), 474

Anti-avoidance rules, 663

Appeal against additional tax assessment, 60 Appeal against stamp duty assessment, 479

Application to the Commissioner for a notice under Section 88B, 66

Apportionment or aggregation, 207

Approved charitable donations, 148, 149, 152, 366

#### Approved investment advisor, 319

Approved research institution, 151

Approved retirement scheme, 148, 150

Arm's length principle and associated enterprises, 666

Arrangement for the Avoidance of Double Taxation between the Mainland and the HKSAR, 228, 233

Arrangement for the Avoidance of Double Taxation on Income and Prevention of Fiscal Evasion, 655

Arrangement, 655

Artificial transaction, 506

#### Artificial, 506

Artistes, 659

Ascertainment of assessable income, 375 Assess First Audit Later (AFAL), 43

Assess First Audit Later System, 579

Assessable profits from deemed trading receipts under ss.15(1)(a), (b) or (ba), 316

Assessable profits of non-resident persons regarded as assessable profits of resident persons, 529

Assessable profits (computation), 195

Assessable value of land or buildings, 414

Assessing a non-resident's liability, 314

Assessment in the name of the Hong Kong person under s.20B, 318

Assessments raised by an assessor, 42

Assessments, 41, 591

Assets acquired under hire purchase: s.37A,

Assets Betterment Statement method, 583, 585

Assets brought into business after nonbusiness use, 187

Assets put out of use upon cessation, 187 Assets removed from the pool for nonbusiness use, 187

Assets sold between related parties, 188 Assets sold together for one price, 188 Assets succeeded from a trade without

purchase, 187

Assets used in the Mainland by cross-border processing businesses, 191

Assets used partly for the purpose of trade, 186

Associate, 141

#### Associated corporation, 141, 356

Associated Enterprise and the Business Profits Articles of the OECD Model Tax Convention on Income and Capital (MTC),

Attribution of profits and expense to a permanent establishment, 667 Audit Trilogy, 580

Austria, 681

Auto Tax Payment Service, 64 Available-for-sale financial assets, 169 Avoidance of double taxation arrangements, 330, 676, 678, 680 B Bad and doubtful debts, 138 Bad debts, 166, 215, 416 Badges of trade, 92 Balancing charge or balancing allowance under s.35, 174, 175 Balancing charge or balancing allowance, 185, 186 Bank deposit method, 588 Banking records, 597 Bareboat charter, 223 Basic allowance, 372 Basic rate, 709 Basis of settlement, 583 Basis period under s.40(1), 172 Basis period, 201 Bearer instrument, 470 Belgium, 680 Beneficial Owner, 662 Benefit retirement scheme, 166 Benefits specifically excluded from tax, 362 BIR 51, 39 BIR 52, 39 BIR 56A, 41, 53 BIR 57, 39 BIR 58, 39 BIR 60, 39 Board of Inland Revenue, 9, 37 Board of Review (Inland Revenue Ordinance), 10 Board of Review Decisions, 18 Board of Review, 10, 47, 50, 61, 96, 402, 684 Body of persons, 22 Bona fide widely held, 326 Branch, 545 Branches of a foreign bank, 216 **Broad guiding principle, 96, 109, 110, 111,** 112, 198, 246, 259, 295, 557, 684, 737, 740, 762, 779, 782, 785 Broker, 320 Brunei, 680 Budget, 24 Building refurbishment, 149 Building, 183 Business carried on in Hong Kong, 95 Business economics (percentage

Business Registration Office, 8
Business tax rate and calculation, 701
Business tax, 27, 696, 701 **Business, 94**Buying office, 101
Buying or leasing an asset, 564



Capital asset transferred to trading stock, 123 Capital duty, 28 Capital expenditure on environmental protection installation, 150 Capital expenditure on environmental protection machinery\*, 149 Capital expenditure on the provision of a prescribed fixed asset, 149, 161 Capital expenditure on the provision of environmental protection facilities, 162 Capital expenditure, 133, 172 Capital gain, 5, 658, 673, 675, 678 Capital gains tax, 542 Capital receipts, 127 Car (or boat) made available by an employer for the private use of an employee, 361 Case selection, 579 Cases relating to deductions under profits tax, 243 Cases relating to the source concept, 239 Cases relating to trading receipts and capital receipts, 241 Cash, 562 Cash allowance, 387, 388 Change of accounting date, 204 Change of intention of holding an asset, 123 Change of legislation, 538 Chargeable instruments, 450 Chargeable persons, 91 Chargeable profits, 91 Charter hire, 225, 230 Charter party by demise, 230 Chief representative, 719 Child allowance, 373 Circular 403, 657 Circulating capital, 127 Circumstances responsible for the realisation, 93 Closely connected residents, 313, 319, 322 Club benefits, 362 Clubs, 235 Code of Ethics for Professional Accountants, 502, 503 Collector of Stamp Revenue, 449, 480

Commencement of business, 201

Commercial building, 172

Business records, 596

computation) method, 589

Business registration number, 8

Business profits, 656, 661, 675, 676

Commercial building allowance ('CBA'), 179

Commercial occasion or event, 317

Commission basis, 700

Commission income, 99

Commissioner of Inland Revenue, 7, 37, 44, 63

Commissioner's power to determine the true value of a prescribed fixed asset on sale, 527, 528

Commissioner's power to determine the true value of an asset on sale, 531

Commodities Trading Ordinance, 324

#### Common part, 414

Comparable Uncontrollable Price (CUP) Method, 548

Comparison of HKSAR and PRC Tax Systems, 27

Compensation, 128

Compensation for loss of office, 166

Composite taxable value, 703

Comprehensive Tax System Review, 23

Computation of salaries tax, 375

Concurrent activities, 700, 707

Conditional Holdover, 45

#### Conditional sale agreement, 532

Conditional Standover Order, 9, 64

Conducting a tax investigation or field audit, 580

Confidentiality, 502

Connected, 145

Consideration consisting of debts payable by the transferee, 451

Consideration consisting of security not being stock, 451

Consideration consisting of stock, 451

Consideration expressed in foreign currency, 454

Consideration in the form of debts assigned, 452

Consideration in the form of debts waived, 451

#### Consideration, 415

Construction industry, 697

Consumption tax liability, 714

Consumption tax refund, 716

Consumption tax relief, 716

Consumption tax taxable scopes, 712

Consumption tax taxpayers, 714

Consumption tax, 712, 717

Contingency principle, 454, 466

Contingent debts, 389

Contract effect test, 98

Contract effected test, 97

Contract for service, 346

Contract note, jobbing business (Head 2(2)),

Contract note, jobbing business, 450

Contract note, not being jobbing business (Head 2(1)), 467

Contract note, not jobbing business, 450

Contract notes, 476

Contract processing, 103

Contributions to recognised retirement schemes, 370

Contributions to retirement schemes, 165

#### Control, 141, 346, 356

Conversion of 'sales value' from the inclusive value to exclusive value. 714

Conveyance on sale (Head 1(1)), 455

Conveyance on sale, 450, 476

#### Copyright, 155

Corporate Income Tax, 722

Corporation, 141, 211

Cost plus method, 549

Court Cases, 18

Court of Appeal, 47

Court of First Instance, 18, 47

Credit cards, 362

Cross-border activities, 344

Cross-border land transportation income, 99

Culture and sports service, 698

Currency forward contract, 171

## D

#### Debt instrument, 117

Deceased taxpayer, 432

Deductibility of the land cost, 517

Deductible interest from 25 June 2004 onwards, 142

Deductible interest under ss.16(1)(a) and (2), 140

Deductible items under ss.16(1)(a) to (h), 138

Deduction of interest expenses, 527

Deduction of property tax from profits tax, 418

Deductions not allowable under s.17, 164

Deed of assignment, 455

Deed of exchange, 456

Deed of family arrangement, 456

Deed of gift, 455

Deed of partition, 456

Deemed assessable profits, 328

Deemed capital expenditure, 178

Deemed sale and purchase of stock, 468

Deemed sales, 700, 706

Deemed trading receipts of non-residents,

Deemed trading receipts, 113, 116, 313

Deeming provisions (anti-avoidance provisions), 326

Demand for provisional tax payment, 43

Departmental Interpretation and Practice Notes (DIPNs), 8, 15
Dependent brother/ sister allowance, 374
Dependent grandparent allowance, 373
Dependent parent allowance, 373
Depreciation allowances on machinery or

Depreciation allowances on machinery or plant, 182, 365

Depreciation allowances, 172 Deputy Commissioners, 7, 579

Deregistration of a company, 66

Derivatives, 170

Determining central management and control, 325

Development project, 565 Direct beneficial interest, 327

Directors' fees, 659

Directors' fees, artistes and sportspersons, 659

Disabled dependant allowance, 374 Disposing of the shares or assets of a business, 564

Distinction between capital and revenue items, 127

Distribution in specie., 453

Distributions, 121 Dividends, 659, 672

Documentation, 667

#### Dominant purpose, 518

Double Tax Arrangement between the Mainland and the Hong Kong SAR, 344, 655

Double tax arrangements on international aviation income, 232

Double taxation, 653

Double taxation agreement between the HKSAR and Belgium, 671

Double taxation agreement between the HKSAR and Luxembourg, 674

Double taxation agreement between the HKSAR and Thailand, 673

Double taxation agreement between the HKSAR and the Netherlands, 676

Double taxation agreement between the HKSAR and Vietnam, 674

Double taxation agreements, 653, 678

Double taxation arrangements ('DTAs') with other countries, 228

Double taxation arrangements, 22, 671

Double taxation relief (Income from shipping operations) (United States of America)
Order 1989, 228

Double taxation relief, 5, 663

Duplicates and counterparts, 449, 450, 470, 477

Duty on commodities, 27

Dwelling, 369



E-commerce transactions, 109 Economic double taxation, 665

Economic reality, 346

#### **Education provider, 366**

Educational benefits, 360, 385

Effected, 518

Elderly residential care expenses, 367

Elections for personal assessment, 432

Electronic TRCs Scheme, 64

Elimination of double taxation, 660

Embedded derivatives, 171

Embezzlement, 166

Emoluments chargeable to salaries tax, 351

Employer's Obligations under the IRO, 52

Employer's Return, 41, 53

Employment income, 658, 673, 675, 678

Employment package, 381 Employment, 345, 346

Enduring benefit test, 133

End-user, 157

#### Entertainer or sportsman, 317

Entertainment business, 698

Environmental Protection Installation, 163

Environmental protection machinery, 163

Environment-Friendly Vehicles, 163

Error or omission claim, 49

Estate duty, 27

eTax, 39, 64

Ethical considerations in tax planning, 502

Ethics in Tax Practice, 503, 614

Evidence of change of intention, 124

Ex gratia payment, 166

Examination of books and accounts, 583

Excepted person, 146

Excess allowable deductions of a spouse under joint assessment, 365

Exchange difference, 171, 215

Exchange loss, 166

Exchange of Information (EoI) Article, 660

Exchange of information, 660, 668, 669, 676, 678

Excluded fixed asset, 161

Exempt from stamp duty, 472

Exempt sums, 225

Exemption for offshore funds, 323

Exemptions and reliefs (SDO), 472

Exemptions from SSD, 464

Expenditure on building refurbishment, 157, 160

Expenses, 383

Expenses of self-education, 366



Fictitious transaction, 506

Fictitious, 506

Field audit, 579

Field Audit and Investigation Unit, 579

Field audit cases, 580

Field visit and examination of books and records, 582

Fiji, 654

Finance company, 546

Financial and insurance industry, 697

Financial assets or financial liabilities at fair value, 169

Financial institutions, 214

Financial Instruments, 125, 169

Financial Secretary, 9, 24, 118

First tier, 344

Fiscal nullity principle, 501, 505, 506

Fiscal year, 28

Five per cent method, 217

Fixed capital, 127

Fixed capital vs. circulating capital test, 133

Foreclosure order, 455

Foreign exchange transactions, 172, 193

Foreign paid tax, 215

Form BIR 51, 38

Form BIR 52, 38

Form IR 1263, 66

Form IR 1297, 62, 567

Form IR 623, 318

Frequency of similar transactions, 92

Fringe benefits, 361

Functional test, 183

Fundamental Principles, 503

## G

Gains or profits from offshore reinsurance investments, 222

General deduction rule under s.16, 135

General planning strategies, 537

General taxpayer, 707

Goods and Services Tax (GST), 23

Goods in transit, 224, 230

Goods on consignment, 319

Gross business turnover, 702

Group of companies, 539

Guarantee/underwriting fees, 215

Guidelines on business records, 597



Harmful Tax Competition – An Emerging Global Issue, 540

Hedge accounting, 171

Held-to-maturity investments, 169

Hire-purchase agreement, 185, 532

HIT Finance Ltd (2008), 509

HKAS 1, 170

HKAS 11, 193

HKAS 21, 171

HKAS 39, 125, 169, 171

Holdover of Provisional Tax Payment, 46

Holdover of Tax in Dispute under an

Objection, 45

Holdover of Tax Payment, 45

Holdover/payment of tax, 539

Holiday warrants or passages, 361

Home loan, 369

Home loan interest, 368, 369

Hong Kong aircraft owners, 229

Hong Kong bearer instrument, 449, 450, 451,

469, 470

Hong Kong bearer instruments in substitution for a duly stamped instrument (Head 3(2)),

470

Hong Kong bearer instruments issued in respect of any stock (Head 3(1)), 470

Hong Kong cross-border employees, 345

Hong Kong Holding Company – Capital Gain, 663

Hong Kong Holding Company – Withholding tax, 662

Hong Kong Institute of Certified Public Accountants, 24, 502, 595

Hong Kong resident employee, 719

Hong Kong stock, 449, 450, 467

Hong Kong vs Non-Hong Kong Employment, 347

Hungary, 681

Husband and wife, 377, 432



Illegal partnership, 211

Immovable property in Hong Kong (Head 1), 455

Immovable property in Hong Kong, 449, 450 Immovable property, 482

Implementation Regulations for Special Tax Adjustments (Trial) (Guoshuifa (2009) 2,

724

Import processing, 103

Import VAT calculation, 710

In the production of profits', 137

Incidental transactions, 325

Income chargeable to salaries tax, 349

Income from Hong Kong employment, 347

Income from Immovable Properties, 656

Income from non-Hong Kong employment, Income from personal services, 344 Jersey, 331, 654 Income records, 598 Jobbing business, 469 Income tax, 28 Juridical double taxation, 665 Incurred, 136 Indirect beneficial interest, 327 Individual, 210 Individual Income Tax, 718 Keywords in the Ordinances, 13 Individual Tax Return (BIR60), 37 Know-how, 116, 152, 155, 157, 161 Indonesia, 680 Kuwait, 681 Industrial building allowance ('IBA'), 172 Industrial building or structure, 172 Initial allowance, 185 Initial allowance under s.34(1), 174 Initial allowance under s.37(1), 184 Land appreciation tax, 27 Initial interview, 582 Land cost, 517 Initial set-up cost or special payment to an Land or building, 563 occupational retirement scheme, 167 Late stamping, 477 Inland Revenue Department (IRD), 7, 8 Learning Hong Kong tax law, 10 Instrument of transfer for voluntary Lease, 185, 532 disposition inter vivos, 450 Lease (Head 1(2)), 465 Instrument of transfer of Hong Kong stock, Lease executed in pursuance of a duly stamped agreement for lease (Head Instrument of transfer, 451 1(2)(c)), 466 Insurance, 166 Lease of immovable property in Hong Kong, Insurance of finance business, 170 Intangible assets, 563 Lease of immovable property, 450 Integration, 346 Lease with premium and/or rent (Head Integrity, 502 1(2)(b)), 465 Interest, 659, 672 Lease with premium only (Head 1(2)(a)), 465 Interest earned by persons other than Leased machinery or plant, 188 financial institutions, 99 Legal and professional fees, 167 Interest flow-back test in s.16(2B), 145 Legal and professional requirements, 595 Interest flow-back test in s.16(2C), 146 Length of ownership, 92 Interest from loans, 214 Letting premises, 94 Interest from securities other than CDs, 215 Leverage lease transaction, 533 Interest income, 138 Liability of certain non-resident persons, 528 Interest on certificates of deposit (CDs), 215 Licence, 157 International aviation income, 654 Life insurance companies, 217 International transfer pricing, 547 Limited partner, 530 Interpreting the provisions in the Ordinances, Limited partner loss relief, 530 12 Literal interpretation, 12 Intra-group services, 667 Loan interest, 215 Investigation Unit of the IRD, 579 Loans and receivables, 169 Investment in shares, 563 Loans provided to employees at less than IR 1263, 66 market interest rates, 362 IR 1297, 62 Location of payment, 703 IR 56B, 41, 53 Long service payment, 389 IR 56E, 53 Long term debt instrument, 120 IR 56F, 53 Loss brought forward, 365 IR 56G, 53 Loss relief, 210 IR 56M, 53 Losses, 21, 518 IR56B, 37 Lower rate, 708 Ireland, 681, 682 Lump sum payment from a recognised Items specifically chargeable to salaries tax, occupational retirement 352

scheme/mandatory provident fund (MPF) scheme, 363
Lump sum payment on cessation of employment or deferred pay, 375
Lump sum payments for retirement schemes, 354
Luxembourg, 680

### M

Machinery or plant, 563 Machinery, 183 Malaysia, 331, 654 Malta, 331, 654 Management or service company, 546 Mandatory contributions in self-employment cases, 148, 150, 166 Mandatory Provident Fund, 370 Mandatory provident fund scheme, 148, 150, 165, 167 Manufacturing profit, 99 Market maker, 146 Married person's allowance, 372, 386 Meaning of 'error', 69 Medium term debt instrument, 117 Methods for Elimination of Double Taxation Article, 666 Miscellaneous income and exemptions, 112 Mixed sales, 706 Mixed sales activity, 699 Model Double Taxation Treaties, 653 Motive, 92 Movable property, 106 Mutual Agreement Procedure Article, 666 Mutual agreement procedure, 660 Mutual insurance companies, 223

## N

National People's Congress and its Standing committee, 693 National People's Congress, 693 Natural person, 141 Net assessable profits, 195 Netherlands, 654, 680 No tax exemption, no tax refund, 717 Non-admissibility of instruments, 479 Non-allowable deductions, 164 Non-life insurance companies, 220 Non-pooling system, 185 Non-recourse debt, 533 Non-resident aircraft owners, 233 Non-resident person, 324, 528 Non-resident trading through an agent, 95 Non-residential property, 458 Non-residents, 313

Non-stamping, 479
Non-taxable Items, 351
Normal or continuing business, 201
Notice of assessment, 37, 43
Notification By Employer Of Employee About
To Cease To Be Employed, 53
Notification By Employer Of Employee About
To Depart From HK, 53
Notification By Employer Of Employee Who
Commences To Be Employed, 53
Notification Of Remuneration Paid To
Persons Other Than Employees, 53
Notional allowance, 175



Obiter dicta, 18 Objection, 44 Objection and holdover procedures, 44 Objectivity, 502 Occupational retirement scheme, 148, 353 OECD, 540 OECD and Model Tax Treaty, 654 OECD Model EoI Article, 668 OECD Model Tax Treaty, 655 Offences, 50 Office, 345 Offshore holding company, 541 Offshore reinsurance income, 222 Once and for all test, 133 Onus of proof, 48 Operations review, 194, 537 Operations test, 97, 99 Ordinary commercial accounting principles, 193 Ordinary contributions to an occupational retirement scheme, 167 Organisation for Economic Co-operation and Development (OECD), 110, 540, 653 Outgoings and expenses, 365



Owner, 413

Participation, commitment fees, 215
Partnerships, 21, 141, 207, 210
Passengers in transit, 230
Passive income, 96
Patent rights, 116, 149, 152, 155
Patent rights, know-how rights, 148
Payment (or refund) of rent, 362
Payment for technical education, 152
Payment in lieu of notice, 351, 384
Payment of Business Tax, 703
Payment of taxes, 64
Payment of utilities by the employer, 362

Payment of VAT, 710

Payment upon termination of employment, 386

Penal actions, 591

Penalties, 50

Penalty aspect of tax avoidance cases, 536

Penalty Provisions, 55, 59

Pension, 345, 348

Per incuriam, 18

Permanent establishment ('PE'), 5, 95, 110, 230

Permanent home, 656

Permanent resident, 431

#### Person, 19, 91

Personal allowances, 372

Personal assessment computation, 432

Personal assessment, 8, 429

Persons chargeable to taxation under the IRO, 19

Persons who may elect for personal assessment, 431

#### Place of residence, 369

Place where the employee's remuneration is paid, 347

Place where the employment contract is negotiated, concluded and enforceable, 347

Planning for business transactions, 558

Plant and machinery, 172

Plant, 183

Pooling system, 184

Postal and telecommunications industry, 697

Post-cessation receipts and payments, 200

Power of the IRD to obtain information from taxpayers and others, 53

Practical considerations in tax planning, 536 PRC, 680

PRC Individual Income Tax, 380

Pre-commencement expenditure, 200

Pre-commencement expenses, 167

#### Premium, 415

Premiums from reinsurance of offshore risks, 222

Preparation of the profits tax computation,

# Prescribed course of education, 366 Prescribed fixed asset, 161

Principle in Sharkey v Wernher, 123, 124, 194

Principles of taxation, 5

Privy Council, 96, 135, 136, 246

Proceeds from sale of machinery or plant, 116

Professional behaviour, 503

Professional competence and due care, 502

Professional fees, 539

Professional reinsurer, 222

Profit from sale of listed shares and other listed securities, 98

Profit from sale of real property, 99

Profit from sale of unlisted shares and other unlisted securities, 98

Profits, 91

Profits arising from the sale of capital assets, 91

Profits tax computation for a partnership business. 208

Profits tax computation for non-resident aircraft owners, 233

Profits tax computation, 194, 195

Profits tax computations for a financial institution, 214

Profits tax computations for a resident aircraft owner, 229

Profits tax computations for a ship owner, 224

Profits tax liability, 195

Profits tax returns, 38

Profits tax, 20, 46, 91

Progressive tax rates, 20, 376

Projection method, 590

Property and share transactions, 129

Property letting amounting to a business, 414

Property owners, 419

Property tax charge, 413

Property tax computation, 416

Property tax return, 39

Property tax, 19, 46, 420

Property transactions, 129

Proportionate benefit, 355

Provincial People's Congress, 693

Provision of credit test, 97, 99

Provisional agreement for sale and purchase (PASP), 462

Purchase and sale of assets of a business, 562

Purchase and sale of immovable property,

Purchase and sale of listed securities, 102

Purchase and sale of patent rights or knowhow rights, 152, 154

Purchase and sale of patent rights, 527

Purchase and sale of real property, 102

Purchase and sale of shares or assets of a business, 561

Purchase and sale of shares, 561

Purchase and sale of unlisted securities, 102

Purchase of used building or structure, 175, 177, 179

Purchasing goods on a commission basis, 700

Purchasing immovable property by an exchange of property, 483

Qualifying building or structure, 173 Qualifying expenditure, 173, 179, 184 Qualifying person, 174, 179, 184 Qualifying reinsurance business, 221 Qualifying trade, 172, 173

Ramsay principle, 481, 500, 505, 506 Random selection, 580 Rateable value, 356 Rates and Government rent, 27 Rates, 416 Ratio decidendi, 18 Reasonable excuse, 50

Recognised occupational retirement scheme, 150, 353

Recognised organisation or association.

Recognised retirement scheme, 353, 370 Recognised scheme, 167 Records of assets, 598 Records of debtors and creditors, 598 Records of depreciation allowances, 598 Records of purchases and expenses, 598 Records of trading stock, 599 Recovery of bad debts, 116

Recreational facilities/holiday homes provides for the use of employees, 361 Redundancy/severance payments, 167

Re-embarking passengers, 225

Registered design, 155 Registered trade mark, 155

Regular contributions, 150

Re-invoicing activities, 101

Relationship between the Mainland-HKSAR CDTA and the IRO, 660

Relative, 141

Relevant profit of old business to be assessed, 528

Relevant sum, 530

Relevant sums, 224, 230

Relief from double taxation due to transfer pricing adjustment, 664

Remission of stamp duty by Chief Executive,

Removal expenses, 168

Remuneration under certain agreements treated as income derived from an employment of profit, 519 Renminbi Sovereign Bonds, 119

Rent, 138 Rent paid, 383

Rent refund, 387, 388

Rental allowance, 386 Rental income, 99, 414 Repairs, 138, 168 Replacement of assets, 188 Reporting requirements, 330 Repos, 121, 122 Resale price method, 549 Research and development ('R&D'), 116, 148, 151 Residence of the employer, 347 Residence, 5 Resident, 674, 676 Residential property, 458 Residue of expenditure', 175 Retirement benefits, 353 Retirement schemes, 165 Returns and record keeping, 38 Revaluation of trading securities, 193 Revenue expenditure, 133 Revenue receipts, 127 Reverse Repo, 121 Risk-based selection, 580 River trade limits, 225

Royalties, 99, 659, 672

Salaries tax, 19, 46, 340 Salaries tax cases, 383 Salaries tax computation, 376 Sale and lease-back arrangement, 532 Sale and licence back arrangement, 157 Sale of residential property, 452, 454 Save-As-You-Earn Scheme, 64 **SBLTs**, 120 Schedular system, 8 Scope of profits tax charge, 91 Scope of VAT, 705 Secan, 125, 193 Second Protocol, 657, 658 Second tier, 344 Secured-loan test in s.16(2A), 142 Self-education expenses, 365 Selling immovable properties, 699 Senior management personnel, 721 Service fee, 99 Service industry, 698 Setting test, 183 Settlement interview, 591 Share allotment, 484 Share Award, 360 Share option gains, 358, 387 Share option rights, 364 Share-based benefits, 357 Sharkey v Wernher principle, 123, 124, 194 Ship owners, 223

Shipping income, 653

Shipping, aviation and land transport operations, 657 Short life business, 204 Short term debt instrument, 118 Single parent allowance, 386 Situs (or location) test, 98 Situs of employment of a taxpayer, 347 Situs of employment, 385 Situs test, 98, 99, 102 Small Business, 39 Small Corporation, 39 Small-scale taxpayer, 707, 708 Sole or dominant purpose, 509 Source of commission or service fee, 104 Source of cross-border land transportation income, 108 Source of employment, 391 Source of interest income, 105 Source of manufacturing profits, 103 Source of profits, 96 Source of rental income from immovable property, 106 Source of rental income from movable property, 106 Source of royalties or licence fees from intangible assets, 107 Source of trading profits, 99 Source of underwriting income, 109 Special classes of business, 213 Special Economic Zones, 693 Special payment under an approved retirement scheme, 150 Special rules for general taxpayers, 708 Special stamp duty (SSD), 26, 456, 459, 461, 559 Specific deductions, 135, 148 Specified capital expenditure, 155, 161, Specified intellectual property right, 155 Specified investment scheme, 119 Specified IPR, 149, 153, 155 Specified person, 324 Specified purpose', 120 Specified securities', 121 Specified transactions, 324 Sportspersons, 659 Staff remuneration, 662 Stamp duty, 26, 28, 449, 450, 456, 469, 471, 542 Stamp duty administration, 476 Stamp duty on conveyance of immovable property, 483 Stamp duty planning, 482 Stamp Office, 449 Stampable consideration, 451

Statement of cash flows, 194 Statement of financial position, 194 Statement of income, 194 Statutory outgoings, 416 Stock, 467 Stock borrowing and lending transactions, 120, 468 Stock option gain, 357 Stock taken for own use, 122 Stock valuation methods, 122 Stock valuation on cessation of trade or business, 126 Stock valuation, 122 Stockbrokers and approved investment advisors, 319 Stop/go dilemma, 539 Structuring the employment package, 381 Structuring the source of employment, 379 Subject matter, 92 Sub-letting premises, 94 Subsidiary, 545 Subsidised accommodation, 357 Substance over form, 451 Sums specifically chargeable to profits tax, 113, 283 Sums specifically exempt from profits tax, 118, 285 Supplementary work done, 92

## Т

Tax abatement, 716
Tax administration system in China, 693
Tax administrative prosecution, 696
Tax administrative review, 695
Tax appeal, 46
Tax authority, 693
Tax avoidance cases, 536
Tax benefit, 509
Tax bureau, 693
Tax case on loss in a foreign currency, 213

Surcharge for tax payment, 694

Tax case on loss in a foreign currency loss by non-resident aircraft owner, 266, 278

Tax case on non-resident aircraft owner, 235

Tax case on non-resident ship owner, 229, 281

Tax case on source of interest income, 106, 257

Tax case on source of underwriting income, 259

Tax cases on clubs and trade associations, 238, 282

Tax cases on deductions under profits tax, 168, 267

Tax cases on financial institutions, 216, 279

State Administration of Taxation (SAT), 693

Tax cases on non-life insurance companies, 222, 280

Tax cases on property and share transactions, 132, 260

Tax cases on source of manufacturing profits, 104, 248

Tax cases on source of service fee. commission and rebates, 105, 251

Tax cases on source of sublicensing income, 107, 258

Tax cases on source of trading profits, 102, 245

Tax cases on source of underwriting income,

Tax cases on taxability of royalty income, 315

Tax collection, 694

Tax collection and administration, 694

Tax deferral, 694 Tax developments, 23

Tax disputes and appeals, 695

Tax efficient strategies under salaries tax, 379

Tax evasion, 500

Tax exemption and refund (foreign trade entities), 716

Tax exemption, no tax refund (manufacturing entities), 716

Tax havens, 539

Tax implications of residence and nonresidence, 313

Tax investigations, 579

Tax losses, 518

Tax Ordinances, 8

Tax overpaid by non-residents, 330

Tax periods, 703, 711, 718 Tax planning, 500, 536, 538

Tax planning opportunities under the Arrangement and IRO, 661

Tax planning strategies, 537

Tax rates, 19, 29, 91

Tax records, 194

Tax refund on exports, 716, 717

Tax refund rate, 717 Tax refunds, 695

Tax representatives' role in a tax investigation or field audit, 594

Tax Reserve Certificate (TRC), 45, 64, 539

Tax returns, 38 Tax rules, 194

Tax treatment for common expenses, 166

Taxable Items, 351

Taxable sales value, 714

Taxable stock option gains, 356

Taxation, 671, 684

Taxation of financial instruments and exchange difference, 169

Taxation of overseas income, 653

Taxpayer's Charter, 37

Taxpayer's Obligations under the IRO, 51

Taxpayer's Return, 38

Taxpayers' attitudes towards a tax investigation or field audit, 593

Technical education, 149 Temporary resident, 431

Termination of employment, 387, 390, 392

Territorial basis, 5

Tests of source of profits, 96

Thailand, 680

The tax appeal channel, 46

Third Protocol, 657, 660

Time charter, 223

Time limit, 42

Time limit for election for personal assessment, 432

Time limit for stamping, 476 Timing of assessment, 170

Timing of input tax credit, 711

Timing of tax liability, 703, 710, 717

To the extent, 135

Total aircraft income, 230

Total aircraft profits, 230

Total shipping income, 225

Total shipping profits, 225

Towards Global Tax Co-operation, 540

Trade, 92, 94

Trade associations, 236

Trade debts, 562

Trade, profession and business losses, 21

Trading profit, 98

Trading stock transferred to capital asset, 123

Trading stock, 562

**Transaction**, **509**, 510

Transactions designed to avoid liability to tax,

Transfer as voluntary disposition of Hong Kong stock, 477

Transfer of any other kind (Head 2(4)), 469

Transfer of equity interest or assets, 542

Transfer of intangible assets, 699

Transfer of right to receive income, 525

Transfer operating as a voluntary disposition

inter vivos (Head 2(3)), 469

Transfer pricing adjustment, 660, 676, 678

Transfer pricing guidelines, 666

Transfer pricing in borrowing and lending, 554

Transfer pricing in leasing, 555

Transfer pricing in provision of services, 553

Transfer pricing in sale and purchase of

goods, 521, 524, 529, 533, 534, 551, 560

Transfer pricing in technology transfers, 552

Transfer pricing methodologies, 667

Transferring shares in a non-Hong Kong holding company, 483 Transportation industry, 697 TRCs for Conditional Standover Order, 64 Trustee, 21, 22 Turnover taxes, 704 Type I service companies, 519 Types of tax, 19, 28



Unconditional Holdover, 45
Underwriting income, 259
United Kingdom, 681
Units within the IRD, 7
Unrealised gains, 125, 170, 171, 193
Unrealised losses, 126
Unrecognised scheme, 167
Unsounded accounting and auditing system, 708
Unwritten sale agreement, 458, 459
Utilisation of losses to avoid tax, 518



Value Added Tax, 704, 718, 722

VAT exemptions, 710
VAT payable and input credit, 705
VAT rate for small-scale taxpayers, 710
VAT Reform Pilot Program, 711
VAT special invoice, 705, 706, 709
VAT tax rate, 708
VAT taxpayers, 707
Vietnam, 680
Visits to Hong Kong, 348
Voluntary disposition inter vivos, 470, 488
Voyage charter, 223



Withholding obligation on resident person paying or crediting certain payments to non-resident person, 317
Withholding obligations on Hong Kong agents, 314
Withholding tax on dividends, 544
Withholding tax rate, 672
Withholding tax, 672, 673, 675, 676



Zero rate, 709