

➤ **Q: Who are the taxpayers of deed tax?**

A: The taxpayers of deed tax include the state owned enterprises, collective enterprises, private enterprises, the enterprises with foreign investment, foreign enterprises, other enterprises, administrative units, institutions, military units, social organizations, other units, individual business operators and other individuals who are the transferees of land and house property titles within China.

The transfer of land and house property titles above includes the following activities:

- a. Sales of state owned land use rights.
- b. Transfer of land use rights (including sales, gifting and exchange and excluding the transfer of the collective land contracting business operation right in countryside).
- c. Buy and sell of houses, gifting and exchange of houses

The transferees above refer to those who receive the titles of land and houses by way of transfer, purchase, gifting and/or exchange.

The exchanges between land use rights, between land use right and house or between houses shall be exempt from deed tax if the exchange prices are equal. Where the exchange prices are not equal, the party paying more in cash, in kind or in intangible assets or other economic interest shall pay deed tax.

The following transfers of land and house property titles are deemed as transfer of use right, house sell and buy or house gifting and taxed accordingly.

- a. Use land, house property titles as investment or participation
- b. Use land, house property titles to pay for debts.
- c. Receive land, house property titles in form of award.
- d. Receive land, house property titles in form of pre-purchase or prepayment of house construction fund pulling.

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