Circular of Shanghai Municipal People’s Government on Issuance of the Regulations on Implementation of Urban Land Use Tax in Shanghai

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To people's governments of districts, committees, offices and bureaus of the municipal government,

It is hereby announced that the Regulations on Implementation of Urban Land Use Tax in Shanghai is issued for your abidance.

Shanghai Municipal People’s Government

January 19, 2019

**Regulations on Implementation of Urban Land Use Tax in Shanghai**

**Article 1** This Regulations is hereby formulated in combination with the actual situation of Shanghai and according to the *Provisional Regulations of the People's Republic of China on Urban Land Use Tax*.

**Article 2** Organizations and individuals using the land in the following areas of Shanghai shall pay the urban land use tax:

(I) Areas within the outer-ring road;

(II) Areas of Changning District, Xuhui District and Putuo District outside the outer-ring road;

(III) Areas managed by the sub-district offices of district governments outside the outer-ring road, areas where the organic town governments are located and industrial parks approved by the municipal government to collect the urban land use tax, etc.

The specific scope of the areas where the organic town governments are located specified in Subparagraph 3 of the preceding article shall be determined by the district governments after consulting Shanghai Municipal Tax Service.

The exemption or reduction of urban land use tax shall be executed in accordance with the relevant national provisions.

**Article 3** The urban land use tax of Shanghai includes five tax brackets for the following different areas:

(I) Areas within the inner ring road: Bracket 1 to 3;

(II) Areas outside the inner ring road and within the outer ring road: Bracket 2 to 4;

(III) Areas outside the outer ring road: Bracket 3 to 6.

The specific scope of each tax bracket area shall be determined and announced by Shanghai Municipal Tax Service.

**Article 4** The tax amount standards for tax bracket areas are as follows:

Annual tax amount of CNY 15 per square meter for areas of Bracket 1;

Annual tax amount of CNY 10 per square meter for areas of Bracket 2;

Annual tax amount of CNY 6 per square meter for areas of Bracket 3;

Annual tax amount of CNY 3 per square meter for areas of Bracket 4;

Annual tax amount of CNY 1.5 per square meter for areas of Bracket 5;

**Article 5** Where the land use right actually owned by the taxpayer is exclusive, the taxable land area shall be subject to the land area recorded in the real estate ownership certificate; in case of no real estate ownership certificate or land area not recorded in such certificate, the land area recorded in the approval document for construction land shall prevail.

Where the taxable land area cannot be determined as per the provisions of the preceding article, the tax shall be assessed on the actually surveyed land area.

**Article 6** Where the land use right actually owned by the taxpayer is in common, the area of cadastral parcel shall be the taxation basis.

If the area of cadastral parcel has been apportioned based on the building area in real estate registration, the taxable land area shall be subject to the apportioned land area recorded in the real estate ownership certificate.

In case of no real estate registration or area of cadastral parcel not apportioned based on the building area in real estate registration, the taxable land area shall be calculated according to the following formula: taxable land area = building area of taxpayer ÷ gross building area of all buildings in the cadastral parcel × area of cadastral parcel.

The area of cadastral parcel, building area of taxpayer and gross building area of all buildings in the cadastral parcel mentioned in preceding paragraph shall be subject to the real estate ownership certificate, approval document for construction land and other real estate registration materials. In case of private land in the cadastral parcel, the area of such private land shall be deducted when the area of such cadastral parcel is determined.

In case of no real estate registration or area of ancestral land not apportioned based on the building area in real estate registration, and the taxable land area cannot be determined according to paragraphs 3 and 4 of this article, the tax shall be calculated on the land area actually surveyed.

**Article 7** Where the land area actually surveyed is taxed in the collection and management of urban land use tax, the taxable land area shall be subject to the land area surveyed and confirmed by the housing and land administration departments in the area.

**Article 8** The urban land use tax shall be calculated yearly and paid in monthly, quarterly or semiannual installments. And the specific payment deadline shall be determined by Shanghai Municipal Tax Service.

**Article 9** The urban land use tax of taxpayers for tax registration shall be collected and managed by the competent tax authority; and that of other taxpayers shall be collected and managed by the tax authority of the area where the land is located.

**Article 10** The municipal housing and land administration departments shall assist in the collection and management of urban land use tax, and provide Shanghai Municipal Tax Service with relevant materials concerning the land ownership of the house.

**Article 11** The collection and management of urban land use tax in Shanghai shall be executed in accordance with the *Decision of the State Council on Amending* *the* *Provisional Regulations of the People's Republic of China on Urban Land Use Tax* and the Regulations from 2019. The Circular of Shanghai Municipal People’s Government on Issuance of the Regulations on Implementation of Urban Land Use Tax in Shanghai (HFF No. 45-2015) shall be abolished at the same time.