

# 6 贈 与 税

統計表を見る方のために

## 1 利用上の注意

この章は、平成24年中に財産の贈与を受けた者のうち、申告義務のある者（住宅取得等資金の非課税制度適用後の残額について暦年課税のみを選択した者で、その残額が基礎控除を超えない者を除く。）について、平成25年6月30日までの申告又は処理による課税事績を示したものである。  
なお、一部について、平成23年以前に財産の贈与を受けた者についての申告又は処理による課税事績について調査している。

## 2 用語の説明（平成24年分）

この章における用語の意義は、次のとおりである。

- (1) 農地等納税猶予額 贈与者の推定相続人がかつ農業の後継者が贈与を受けた農地等の価額に対応する贈与税額として、一定の要件の下に贈与税の納税が猶予され、その猶予される金額をいう。
- (2) 株式等納税猶予額 後継者である受贈者が、贈与により、経済産業大臣の認定を受ける非上場会社の株式等を親族（先代経営者）から全部又は一定以上取得し、その会社を経営していく場合に、その後継者が納付すべき贈与税のうち、その株式等（一定の部分に限る。）に対応する贈与税の全額の納税が猶予され、その猶予される金額をいう。
- (3) 住宅取得等資金の非課税制度 父母や祖父母など直系尊属から、自己の居住の用に供する住宅用の家屋の新築若しくは取得又は増改築等の対価に充てるための金銭（住宅取得等資金）の贈与を受けた場合において、一定の要件を満たすときは、住宅取得等資金のうち、エネルギーの使用の合理化に著しく資する住宅用の家屋又は地震に対する安全性に基準に適合する住宅用の家屋として一定の要件を満たす住宅（省エネ等住宅）に係るものは1,500万円まで、省エネ等住宅以外の住宅に係るものは1,000万円までの金額について贈与税が非課税となる。

## 3 贈与税の税率等（平成24年分）

### (1) 暦年課税

1年間に贈与を受けた財産の価額の合計額から基礎控除額110万円を控除した残額について、下の表により贈与税額を計算。

基礎控除後の課税価額	200万円以下	300万円以下	400万円以下	600万円以下	1,000万円以下	1,000万円超
税率	10%	15%	20%	30%	40%	50%
控除額	—	10万円	25万円	65万円	125万円	225万円

### (2) 相続時精算課税

特定贈与者ごとに、1年間に贈与を受けた相続時精算課税適用財産の価額の合計額から相続時精算課税の特別控除額を控除した金額に20%の税率を乗じて贈与税額を計算。

## 4 贈与税の主な諸控除

- (1) 配偶者控除 婚姻期間が20年以上である配偶者から、居住用不動産又は居住用不動産を取得するための金銭の贈与を受けた場合で、贈与を受けた年の翌年の3月15日までにその居住用不動産を自己の居住の用に供し、かつ、その後引き続き居住の用に供する見込みであるときに、2,000万円と居住用不動産の価額とのいずれか少ない金額が、当該贈与による取得財産価額から控除される。  
なお、この配偶者控除は、同一の配偶者からは一生に一度しか適用を受けることができない。
- (2) 基礎控除 1年間に贈与を受けた財産の価額の合計額から110万円が控除される。
- (3) 相続時精算課税に係る特別控除 特定贈与者ごとに、1年間に贈与を受けた相続時精算課税適用財産の価額の合計額から、2,500万円（前年までにこの相続時精算課税の特別控除額を使用した場合には、2,500万円から既に使用した額を控除した金額）と特定贈与者ごとの贈与税の課税価格とのいずれか低い金額が控除される。

## 6 Gift Tax

### For those who use the statistical tables

#### 1 Notes on use

This section shows the taxation statistics for those who acquired property as gifts during 2012 based on returns filed or cases processed made by June 30, 2013 (excluding person who only chose calendar-year taxation on the rest of the value applied tax exemption for the acquisition of a residence by fund donation, under the condition that the rest of the value does not exceed the amount of the basic exemption).

With respect to some items, the survey for taxation statistics was made based on returns filed or cases processed for those who acquired properties as gifts before 2011.

#### 2 Terminology (for 2012)

The following terms in this section mean as follows.

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| (1) Amount of postponed tax payment for agricultural land, etc.       | Refers to the amount of gift tax corresponding to the value of the gifted agricultural land, etc., for which the payment is postponed under certain requirements. This can be applied when the donee is the donor's presumptive heir and also the successor of the agricultural business.   |
| (2) Amount of postponed tax payment for stocks, etc.                  | Refers to the amount of gift tax corresponding to stocks, etc., for which the payment is postponed (but only for a specific portion of stocks). This can be applied when the donee of the stocks, etc., who is the successor of the business, runs the company by acquiring all or not less than a certain portion of stocks, etc. in a non-listed company approved by the Minister of Economy, Trade and Industry, by means of donation from one of his/her relatives (former business owner).   |
| (3) Tax exemption for the acquisition of a residence by fund donation | If a person receives from his/her parents, grandparents, or other lineal ascendants money as a gift to be used for constructing or acquiring a residential building for private use or extending and rebuilding his/her own house (hereafter referred to as "residence acquisition fund") under certain conditions, a portion of the residence acquisition fund will be exempted from the gift tax: As for houses fulfilling certain requirements to be approved as a residential building which is substantially energy-efficient or safe against earthquake (hereafter referred to as "energy-saving houses"), up to 15 million yen of the residence acquisition fund will be exempted from the tax, while for houses other than energy-saving houses, up to 10 million yen will be excluded. |

#### 3 Tax rate of gift tax, etc. (for 2012)

##### (1) Calendar-Year Taxation

Regarding the amount remaining after deducting the basic exemption of 1.1 million yen from the total value of the property received as a gift in the period of one year, gift tax is calculated using the table below.

Taxation amount after basic exemption	Less than 2 million yen	Less than 3 million yen	Less than 4 million yen	Less than 6 million yen	Less than 10 million yen	Over 10 million yen
Tax rate	10%	15%	20%	30%	40%	50%
Amount deducted	Million yen —	Million yen 0. 1	Million yen 0. 25	Million yen 0. 65	Million yen 1. 25	Million yen 2. 25

##### (2) Taxation System for Settlement at Time of Inheritance

Gift tax is calculated by multiplying by a tax rate of 20% the figure calculated by deducting the special exemption (taxation system for settlement at time of inheritance) from the total value of the property which is received as a gift within the period of one year and to which the taxation system for settlement at the time of inheritance is applied. The gift tax is calculated separately for each specified donor.

#### 4 Major deductions for gift tax

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| (1) Exemption for spouse  | In the case of a marital term of more than 20 years, when residential real estate or money for acquisition of residential real estate is donated to a spouse from his or her spouse, and the real estate is being used or will be used for his or her dwelling by March 15 of the next year, either the value of the residential real estate or 20 million yen, whichever is smaller, is deducted from the value of property acquired by gift.<br>As to the gift from the same spouse, this exemption for spouse is applicable only once for life. |
| (2) Basic exemption   | 1.1 million yen is deducted from the total amount of value of properties donated for a year.   |
| (3) Special exemption (taxation system for settlement at time of inheritance) | For each specified donor, the smaller of the following two is deducted from the total value of the property which is received as a gift within the period of one year and to which the taxation system for settlement at time of inheritance is applied: 25 million yen (that portion of the 25 million yen special exemption remaining if the special exemption was claimed in the previous year or earlier) or the value of the gift tax for the specified donor.  |