

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、令和2年1月1日から12月31日までの間（以下「令和2年中」という。）に財産の贈与を受けた者について、令和3年6月30日までの申告又は処理（更正、決定等）による事績を、全数調査の方法で調査・集計したものである。ただし、「6-1 申告・課税状況」の「(3) 課税状況における申告又は処理の別」及び「(5) 加算税の状況」については、令和2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、令和3年6月30日までの申告又は処理による課税事績を調査・集計し、また、令和元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も調査・集計している。

2 用語の説明（令和2年分）

この章における用語の意義は、次のとおりである。

- (1) 農地等納税猶予税額 農業の後継者が贈与を受けた一定の農地等の価額に対応する贈与税額は、一定の要件の下に、その農地等の贈与者の死亡の日まで納税が猶予され、その猶予される贈与税額を「農地等納税猶予税額」という（措置法第70条の4）。
- (2) 株式等納税猶予税額 中小企業における経営の承継の円滑化に関する法律の認定を都道府県知事から受ける非上場会社の後継者である受贈者（経営承継受贈者）が、贈与者から当該非上場会社の株式等を贈与により一定期間内に取得をし、その会社を経営していく場合には、経営承継受贈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。）に係る課税価格に対応する贈与税の納税が猶予され、その猶予される贈与税額を「株式等納税猶予税額」という（措置法第70条の7）。
- (3) 特例株式等納税猶予税額 中小企業における経営の承継の円滑化に関する法律の認定を都道府県知事から受ける非上場会社の後継者である受贈者（特例経営承継受贈者）が、贈与者から非上場会社の株式等を贈与により一定期間内に取得をし、その会社を経営していく場合には、特例経営承継受贈者が納付すべき贈与税のうち、その株式等に係る課税価格に対応する贈与税の納税が猶予され、その猶予される贈与税額を「特例株式等納税猶予税額」という（措置法第70条の7の5）。
- (4) 医療法人持分納税猶予税額 認定医療法人の持分を有する人（贈与者）がその持分の全部又は一部の放棄をしたことにより、その認定医療法人の持分を有する他の人（受贈者）に贈与税が課される場合には、納付すべき贈与税のうち、その放棄により受けた経済的利益の価額に対応する贈与税については、一定の要件を満たすことにより、認定移行計画に記載された移行期限まで、その納税が猶予され、その猶予される贈与税額を「医療法人持分納税猶予税額」という（措置法第70条の7の9）。
- (5) 事業用資産納税猶予税額 中小企業における経営の承継の円滑化に関する法律の認定を都道府県知事から受ける後継者である受贈者（特例事業受贈者）が青色申告（租税特別措置法第25条の2第3項の規定の適用に係るものに限る。）に係る事業（不動産貸付業等を除く。）を行っていた贈与者からその事業に係る特定事業用資産の全てを贈与により一定期間内に取得をし、その事業を営んでいく場合には、特例事業受贈者が納付すべき贈与税のうち、その特定事業用資産に係る課税価格に対応する贈与税の納税が猶予され、その猶予される贈与税額を「事業用資産納税猶予税額」という（措置法第70条の6の8）。
- (6) 特例贈与財産 直系尊属（父母や祖父母など）である贈与者から財産の贈与を受け、かつ、受贈者が贈与の年の1月1日において20歳以上である場合には、「特例税率」を適用して贈与税額が計算され、その「特例税率」の適用がある財産を「特例贈与財産」という。
- (7) 一般贈与財産 直系尊属以外の贈与者から財産の贈与を受けた場合や受贈者が贈与の年の1月1日において20歳未満である場合には、「一般税率」を適用して贈与税額が計算され、その「一般税率」の適用がある財産を「一般贈与財産」という。
- (8) 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の贈与により、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）を取得した場合において、一定の要件を満たすときは、一定の限度額までの金額について、贈与税が非課税となる制度をいう（措置法第70条の2）。
- (9) 教育資金の非課税制度 受贈者（30歳未満の者に限る。）が、教育資金に充てるため、金融機関等との一定の契約に基づき、受贈者の直系尊属から①信託受益権を付与された場合、②書面による贈与により取得した金銭を銀行等に預入をした場合又は③書面による贈与により取得した金銭等で証券会社等で有価証券を購入した場合には、これらの信託受益権、金銭又は金銭等の価額のうち1,500万円までの金額に相当する部分の価額については、金融機関等の営業所等を経由して教育資金非課税申告書を提出することにより贈与税が非課税となる制度をいう（措置法第70条の2の2）。
また、受贈者が30歳に達するなどにより、教育資金口座に係る契約が終了した場合に、非課税抛出現額から教育資金支出額（学校等以外に支払う金銭については、500万円が限度であり、管理残額がある場合には管理残額を含む。）を控除した残額があるときは、その残額がその契約が終了した日の属する年に贈与があったこととなる。
- (10) 結婚・子育て資金の非課税制度 受贈者（20歳以上50歳未満の者に限る。）が、結婚・子育て資金に充てるため、金融機関等との一定の契約に基づき、受贈者の直系尊属から①信託受益権を付与された場合、②書面による贈与により取得した金銭を銀行等に預入をした場合又は③書面による贈与により取得した金銭等で証券会社等で有価証券を購入した場合には、これらの信託受益権、金銭又は金銭等の価額のうち1,000万円までの金銭に相当する部分の価額については、金融機関等の営業所等を経由して結婚・子育て資金非課税申告書を提出することにより贈与税が非課税となる制度をいう（措置法第70条の2の3）。
また、受贈者が50歳に達するなどにより、結婚・子育て資金口座に係る契約が終了した場合には、非課税抛出現額から結婚・子育て資金支出額（結婚に際して支払う金銭については、300万円が限度であり、管理残額がある場合には管理残額を含む。）を控除した残額があるときは、その残額はその契約が終了した日の属する年に贈与があったこととなる。

3 贈与税の税率等（令和2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を下の表により贈与税額を計算。
- 【特例税率（特例贈与財産）】
- | | | | | | | | | |
|------------|---------|---------|---------|-----------|-----------|-----------|-----------|----------|
| 基礎控除後の課税価格 | 200万円以下 | 400万円以下 | 600万円以下 | 1,000万円以下 | 1,500万円以下 | 3,000万円以下 | 4,500万円以下 | 4,500万円超 |
| 税率 | 10% | 15% | 20% | 30% | 40% | 45% | 50% | 55% |
| 控除額 | — | 10万円 | 30万円 | 90万円 | 190万円 | 265万円 | 415万円 | 640万円 |
- 【一般税率（一般贈与財産）】
- | | | | | | | | | |
|------------|---------|---------|---------|---------|-----------|-----------|-----------|----------|
| 基礎控除後の課税価格 | 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 | 1,500万円以下 | 3,000万円以下 | 3,000万円超 |
| 税率 | 10% | 15% | 20% | 30% | 40% | 45% | 50% | 55% |
| 控除額 | — | 10万円 | 25万円 | 65万円 | 125万円 | 175万円 | 250万円 | 400万円 |
- (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) 医療法人持分税額控除
- 認定医療法人の持分を有する者（贈与者）がその持分の全部又は一部を放棄したことにより、その認定医療法人の持分を有する他の者（受贈者）に贈与税が課される場合に、その受贈者がその放棄の時からその放棄により受けた利益に係る贈与税の申告期限までの間に、認定医療法人の持分の全部又は一部を放棄したときには、放棄した持分に相当する贈与税額が、その受贈者の贈与税額から控除される（措置法第70条の7の10）。
- (4) 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 2020 based on returns filed or cases processed (corrections or determinations, etc.) made by June 30, 2021 by complete survey.

However, the tables of “(3) Statistics of filing returns or cases processed of Statistics of taxation” and “(5) Statistics of additional tax” in “6-1 Statistics of filing returns and Statistics of Taxation” were shows the taxation statistics for those who acquired property as gifts during 2020 based on returns filed or cases processed (corrections or determinations, etc.) made by June 30, 2021 (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) and also shows the taxation statistics for those who acquired property as gifts before 2019 based on returns filed or cases processed.

2 Terminology (for 2020)

The following terms in this section mean as follows.

- (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 until the day when a donor of the agricultural land, etc. died. This can be applied when the donee is the successor of the agricultural business (Special Taxation Measure Law Sec.70.4).
- (2) Deferred tax amount on stocks, etc. In the event that donees who are the successors of an unlisted company that obtains approval from prefectural governors under the Act on Facilitation of Succession of Management of Small and Medium Sized Enterprises (donees succeeding to business) acquire stocks, etc. of the relevant unlisted company from the donor as gifts in a certain period of time and continue to manage the company, payment of the gift tax that corresponds to the taxable price of the stocks, etc. (limited to a certain part), which is a part of the gift tax that the donees succeeding to business shall pay, will be deferred. The amount of gift tax to be deferred is referred to as Deferred tax amount on stocks, etc. (Special Taxation Measure Law Sec. 70. 7).
- (3) Special deferred tax amount of stocks, etc. In the event that donees who are the successors of an unlisted company that obtains approval from prefectural governors under the Act on Facilitation of Succession of Management of Small and Medium Sized Enterprises (donees succeeding to special business) acquire stocks, etc. of the relevant unlisted company from the donor as gifts in a certain period of time and continue to manage the company, payment of the gift tax that corresponds to the taxable price of the stocks, etc., which is a part of the gift tax that the donees succeeding to special business shall pay, will be deferred. The amount of gift tax to be deferred is referred to as Special deferred tax amount on stocks, etc. (Special Taxation Measure Law Sec. 70. 7. 5).
- (4) Amount of postponed tax payment for interests in medical corporations Refers to the amount of gift tax corresponding to the value of the benefits received through renunciation for which the payment is postponed under certain conditions until the deadlines for transfer described in authorized transfer plans. This can be applied when persons holding interests in authorized medical corporations (donors) renounce part or all of the interests, and as a result, gift tax is imposed on other persons holding interests in the authorized medical corporations (donees)(Special Taxation Measure Law Sec.70.7.9).
- (5) Deferred tax amount on business assets In the event that donees who are the successors of a business that obtains approval from prefectural governors for application to the Act on Facilitation of Succession of Management of Small and Medium Sized Enterprises (donees to business assets in special provisions) acquire all of the specified assets associated with the business (excluding real property lending business) by gift from the donor who ran the business and filed blue returns for it (limited to the cases prescribed by Article 25-2 Paragraph 3 of the Act on Special Measures Concerning Taxation) in a certain period of time, and run the business, payment of the gift tax that corresponds to the taxable price of the specified business assets out of the gift tax that the donees to business assets in special provisions shall pay will be deferred. This term refers to the amount of gift tax to be deferred (Special Taxation Measure Law Sec. 70. 6. 8).
- (6) Special gift property Refer to the property to which "special tax rates" apply at the calculation of the amount of gift tax. This can be applied when a donee receives property as gifts from a donor who is a lineal ascendant (parents or grandparents, etc.), and is 20 years of age or over as of January 1 in the year of donation.
- (7) General gift property Refer to the property to which "general tax rates" apply at the calculation of the amount of gift tax. The "general tax rates" can be applied when a donee receives property as gifts from a donor who is not a lineal ascendant, or is 20 years of age or below as of January 1 in the year of donation.
- (8) Tax exemption system for the acquisition of a residence by fund donation When 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 (residence acquisition fund) under certain conditions, up to a certain limits of the residence acquisition fund will be exempted from the gift tax(Special Taxation Measure Law Sec.70.2).
- (9) Tax exemption system for educational funds When a donee who is under 30 years old (1) is given a trust beneficiary right by his/her lineal ascendants, (2) deposits money acquired as gifts in writing from them into a bank etc., or (3) invests money etc. acquired as gifts in writing from them in securities in a securities company etc., according to an agreement with a financial institution etc. in order for an educational fund, up to 15 million yen of the value of the trust beneficiary right, money or money etc. will be exempted from gift tax by submitting a Return Form for a Tax-exempt Educational Fund through a branch etc. of a financial institution etc (Special Taxation Measure Law Sec.70.2.2).
And, when the agreement terminates for reasons such as the donee reaching the age of 30, the balance remaining after deducting the payment amount of the educational fund (the payment to other than a school etc. being up to 5 million yen) from the tax-exempt donation shall be regarded to be donated in the year when the agreement terminates.
- (10) Tax exemption system for marriage and childcare funds When a donee who is between 20 and 50 years old (1) is given a trust beneficiary right by his/her lineal ascendants, (2) deposits money acquired as gifts in writing from them into a bank etc., or (3) invests money etc. acquired as gifts in writing from them in securities in a securities company etc., according to an agreement with a financial institution etc. in order for a marriage and childcare fund, up to 10 million yen of the value of the trust beneficiary right, money or money etc. will be exempted from gift tax by submitting a Return Form for a Tax-exempt Marriage and Childcare Fund through a branch etc. of a financial institution etc (Special Taxation Measure Law Sec.70.2.3).
And, when the agreement terminates for reasons such as the donee reaching the age of 50, the balance remaining after deducting the payment amount of the marriage and childcare fund (the remaining balance for the management, if any, being deductible) from the tax-exempt donation shall be regarded to be donated in the year when the agreement terminates.

3 Tax rate of gift tax, etc. (for 2020)

(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.

[Special tax rate (Special gift property)]

Taxation amount after basic exemption	Less than 2 million yen	Less than 4 million yen	Less than 6 million yen	Less than 10 million yen	Less than 15 million yen	Less than 30 million yen	Less than 45 million yen	Over 45 million yen
Tax rate	10%	15%	20%	30%	40%	45%	50%	55%
Amount of deduction	Million yen –	Million yen 0. 10	Million yen 0. 30	Million yen 0. 90	Million yen 1. 90	Million yen 2. 65	Million yen 4. 15	Million yen 6. 40

[General tax rate (General gift property)]

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	Less than 15 million yen	Less than 30 million yen	Over 30 million yen
Tax rate	10%	15%	20%	30%	40%	45%	50%	55%
Amount of deduction	Million yen –	Million yen 0. 10	Million yen 0. 25	Million yen 0. 65	Million yen 1. 25	Million yen 1. 75	Million yen 2. 50	Million yen 4. 00

(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 the 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

- (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.
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) Amount of tax credit for interests in medical corporations When persons holding interests in authorized medical corporations (donors) renounce part or all of the interest, and as a result, gift tax is imposed on other persons holding interests in the authorized medical corporations (donees), and when the donees renounce part or all of the interest in authorized medical corporations during the period from the renunciation until the due date of declaration of gift tax pertaining to the benefits received from the renunciation, the amount of gift tax corresponding to the interest renounced is deducted from the amount of gift tax to be paid by the donees (Special Taxation Measure Law Sec.70.7.10).
- (4) Special exemption (taxation system for settlement at the 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.