

[Cursory Translation]

**MAINLAND AND HONG KONG CLOSER ECONOMIC
PARTNERSHIP ARRANGEMENT**

Agreement on Trade in Services

Preamble

To promote achieving basic liberalisation of trade in services between the Mainland¹ and the Hong Kong Special Administrative Region (hereinafter referred to as the “two sides”), to progressively reduce or eliminate substantially all discriminatory measures on trade in services between the two sides, as well as to further enhance the level of bilateral economic and trade exchanges and cooperation, the two sides decided to sign this Agreement to basically achieve liberalisation of trade in services between the Mainland and the Hong Kong Special Administrative Region (hereinafter referred to as “Hong Kong”).

**CHAPTER 1
RELATIONSHIP WITH CEPA²**

Article 1

Relationship with CEPA

¹ The "Mainland" refers to the entire customs territory of China.

² CEPA is the abbreviation of the Mainland and Hong Kong Closer Economic Partnership Arrangement.

1. To progressively reduce until eliminating substantially all discriminatory measures on trade in services between the two sides, the two sides decided to sign this Agreement based on the liberalisation measures that have been implemented under CEPA and its Supplements, and the Agreement between the Mainland and Hong Kong on Achieving Basic Liberalisation of Trade in Services in Guangdong under CEPA (hereinafter referred to as “Guangdong Agreement”). This Agreement is the Agreement on Trade in Services under CEPA.

2. The relevant content of Articles 11 and 12 of Chapter 4 of CEPA shall be implemented in accordance with this Agreement. In the event that the provisions of this Agreement are in conflict with the provisions of the CEPA and its Supplements, and the Guangdong Agreement, the provisions of this Agreement shall prevail.

CHAPTER 2

SCOPE AND DEFINITION

Article 2

Scope and Definition

1. All measures in Annex 1 and Annex 2 to this Agreement apply to trade in services between the Mainland and Hong Kong.

2. Trade in services referred to in this Agreement means:

- (i) the supply of a service from the area of one side into the area of the other side;
- (ii) the supply of a service in the area of one side to the service consumer of the other side;
- (iii) the supply of a service by a service supplier of one side, through commercial presence in the area of the other side;
- (iv) the supply of a service by a service supplier of one side, through presence of natural persons of one side in the area of the other side.

Sub-paragraphs (i), (ii) and (iv) above shall collectively be referred to as cross-border services.

3. For the purposes of this Agreement:

- (i) “measure” means any measure by one side, whether in the form of a law, regulation, rule, procedure, decision, administrative action or any other form.
In fulfilling its obligations and commitments under this Agreement, each side shall take such reasonable measures as may be available to it to ensure observance of such obligations and commitments by governments and authorities as well as non-governmental bodies within its area.
- (ii) “services” includes any service in any sector except services supplied in the exercise of governmental authority.

- (iii) “a service supplied in the exercise of governmental authority” means any service which is supplied neither on a commercial basis nor in competition with one or more service suppliers.
- (iv) “commercial presence” means any type of business or professional establishment, including through:
 - (a) the constitution, acquisition or operation of a juridical person, or
 - (b) the constitution or operation of a branch or a representative office,within the area of one side for the purpose of supplying a service.
- (v) “government procurement” means procuring the use of goods or services or procuring goods or services or both, by the government by contractual means in the form of purchase, lease, etc., and not with a view to commercial sale or resale or for use in the production or supply of the goods or services for commercial sale or resale.

4. The definition and related requirements of “service supplier” referred to in this Agreement are set out in Annex 3.

CHAPTER 3

Obligations and Disciplines

Article 3

Obligations

1. The specific measures applied by the Mainland to services and service suppliers of Hong Kong are set out in Annex 1 of this Agreement. In respect of the implementation of the specific commitments set out in Table 2, Table 3 and Table 4 of Annex 1 of this Agreement, apart from applying the provisions of this Agreement, the relevant laws and regulations, and administrative regulations of the Mainland should also be applicable.

2. Hong Kong will not impose any new discriminatory measures on Mainland's services and service suppliers in the areas of services covered in this Agreement. The two sides will, through consultations, formulate and implement further liberalisation of trade in services of Hong Kong for Mainland's services and service suppliers. The relevant specific commitments will be listed in Annex 2 of this Agreement.

3. At the request of either side, the two sides may, through consultations, further raise the level of liberalisation of trade in services between them.

4. Any measures to raise the level of liberalisation of trade in services pursuant to paragraph 3 of this Article shall be included in Annex 1 and Annex 2 of this Agreement for implementation.

Article 4

National Treatment

1. One side shall accord to services and service suppliers of the other side, in respect of all measures affecting the supply of services, treatment no less favourable than that it accords to its own like services and service suppliers.³

2. Either side may meet the requirement of paragraph 1 by according to services and service suppliers of the other side, either formally identical treatment or formally different treatment to that it accords to its own like services and service suppliers.

3. Formally identical or formally different treatment shall be considered to be less favourable if it modifies the conditions of competition in favour of services or service suppliers of one side compared to like services or service suppliers of the other side.

Article 5

Most-Favoured Treatment

1. With respect to any measure covered by this Agreement,

³ Specific commitments assumed under this Article shall not be construed to require either side to compensate for any inherent competitive disadvantages which result from the foreign character of the relevant services or service suppliers of the other side.

each side shall accord immediately and unconditionally to services and service suppliers of the other side treatment no less favourable than that it accords to like services and service suppliers of any other party.

2. The provisions of this Agreement shall not be so construed as to prevent one side from conferring or according advantages to adjacent countries or regions in order to facilitate exchanges limited to contiguous frontier zones of services that are both locally produced and consumed.

Article 6

Prudential Principle on Financial Services

1. Notwithstanding any other provisions of this Agreement, one side shall not be prevented from taking or maintaining measures relating to financial services for prudential reasons. These prudential reasons include the protection of investors, depositors, policy holders or persons to whom a fiduciary obligation is owed by a financial service supplier, or to ensure the integrity and stability of the financial system⁴.

2. No provisions of this Agreement shall apply to non-discriminatory measures of general application in implementing

⁴ The term “prudential reasons” shall be interpreted as including the security, stability, integrity and financial responsibility of a single financial institution or a financial system, as well as protecting the security of payment and clearing system and the stability of finance and operation.

monetary or related credit policies or exchange rate policies⁵.

3. The term “financial service” shall bear the same meaning of financial service as defined in paragraph 5(a) of the *Annex on Financial Services* to the *WTO General Agreement on Trade in Services* and the term “financial service supplier” contained in that paragraph also includes public entity as defined in paragraph 5(c) of the *Annex on Financial Services*.

4. To avoid ambiguity, this Agreement shall not be construed as preventing one side from adopting measures that are applicable to a financial institution, or from enforcing measures in a financial institution, relating to the service suppliers of the other side or covered services necessary to ensure compliance with laws or regulations that are consistent with the provisions of this Agreement, including measures relating to the prevention of false and fraudulent practices or measures to deal with the effects of default on financial services contracts, provided that the manner in which such measures are applied would not constitute a means of arbitrary or unjustifiable discrimination to countries (or regions) where like conditions prevail or a disguised restriction on the investment of the financial institution.

5. Each side reserves the right to implement restrictive measures

⁵ To avoid ambiguity, measures of general application in implementing monetary or related credit policies or exchange rate policies do not include measures which expressly declare invalid or modify a contract term stipulating the denomination in a currency or exchange rate of a currency.

for any sectors not clearly covered in existing regulations.

Article 7

Safeguard Measures

1. Each side reserves the right to establish or maintain any restrictive measures relating to services in the event that the implementation of this Agreement causes substantial impact on its trade and relevant sectors.

2. One side should, on a best endeavor basis, notify the other side fully and in a timely manner, measures intended to be taken pursuant to paragraph 1, and resolution shall be sought through consultation.

Article 8

Exceptions

1. The provisions of this Agreement and its Annexes shall not prevent one side from maintaining or adopting any measures on exceptions consistent with Article XIV and Article XIV bis of the *WTO General Agreement on Trade in Services*.

2. The horizontal management measures adopted by one side regarding the foreign character of the services or service suppliers of the other side shall not be considered as less favourable

treatment.

CHAPTER 4

COMMERCIAL PRESENCE⁶

Article 9

Reserved Restrictive Measures

1. Article 4 (National Treatment) and Article 5 (Most-Favoured Treatment) shall not apply to:

- (i) the reserved restrictive measures of one side set out in Table 1 of Annex 1 and Annex 2.
- (ii) under general circumstances, the reserved restrictive measures referred to in sub-paragraph (i) may be amended, but the amended reserved measures shall be no less compliant with the obligations required in Article 4 (National Treatment) and Article 5 (Most-Favoured Treatment) than the measures before amendment.

2. Article 4 (National Treatment) and Article 5 (Most-Favoured Treatment) shall not apply to:

- (i) government procurement; or
- (ii) subsidies or donation accorded by one side, including

⁶ Under this Agreement, commercial presence under this Chapter does not include commercial presence with respect to services under Article 11 (Telecommunications Services) of Chapter 6 (Telecommunications) and Article 12 (Cultural Services) of Chapter 7 (Cultural Services).

government-supported loan, guarantee and insurance.

However, should the laws and regulations of one side provide otherwise for sub-paragraphs (i) and (ii), such laws and regulations shall prevail.

CHAPTER 5⁷

CROSS-BORDER SERVICES

Article 10

Cross-border services

The two sides agree to maintain consultations to progressively reduce discriminatory measures. Specific liberalisation measures are set out in Table 2 of Annex 1 and Annex 2 and no other commitment is made.

CHAPTER 6

TELECOMMUNICATIONS

Article 11

Telecommunications Services

The two sides agree to maintain consultations to progressively reduce discriminatory measures. Specific liberalisation measures are set out in Table 3 of Annex 1 and Annex 2 and no

⁷ Under this Agreement, cross-border services under this Chapter do not include cross-border services with respect to services under Article 11 (Telecommunications Services) of Chapter 6 (Telecommunications) and Article 12 (Cultural Services) of Chapter 7 (Cultural Services).

other commitment is made.

CHAPTER 7

CULTURAL SERVICES

Article 12

Cultural Services

The two sides agree to maintain consultations to progressively reduce discriminatory measures. Specific liberalisation measures are set out in Table 4 of Annex 1 and Annex 2 and no other commitment is made.

CHAPTER 8

REQUIREMENT ON

SPECIAL PROCEDURES AND INFORMATION

Article 13

Requirement on Special Procedures and Information

1. If the requirement on special procedures does not substantially prejudice the obligations of one side owed to the service suppliers of the other side under this Agreement, then Article 4 (National Treatment) shall not be construed as a measure preventing the former side from adopting or maintaining the special procedures relating to services.

2. Notwithstanding Article 4 (National Treatment) and Article 5 (Most-Favoured Treatment), one side may request information relating to services or service suppliers from the service suppliers of the other side only for information or statistical purposes. The former side shall protect confidential commercial information from leakage which may adversely affect the competitive position of the service supplier. This paragraph shall not be construed as preventing either side from acquiring or disclosing information relating to the laws on the application of fairness and integrity.

CHAPTER 9

INVESTMENT FACILITATION

Article 14

Investment Facilitation

To enhance the level of investment facilitation, the Mainland agrees, with respect to Hong Kong service suppliers investing in the Mainland in sectors of trade in services as liberalised for Hong Kong under this Agreement, to adopt filing administration, in lieu of prior approval, of contracts and articles of association for establishment and change of enterprises. After filing, the related procedures will be processed in accordance with the relevant regulations of the Mainland. This Article does not apply to the following two situations:-

- (i) The reserved restrictive measures under Article 9 of Chapter 4 and the establishment and change of a company in the telecommunications or cultural services sectors or of a financial institution will be processed in accordance with the provisions of the prevailing foreign investments laws and regulations and related regulations; or
- (ii) The establishment and change of commercial presence other than in the form of a company will be processed in accordance with the relevant prevailing regulations.

CHAPTER 10

OTHER PROVISIONS

Article 15

Annexes

The Annexes to this Agreement form an integral part of this Agreement.

Article 16

Coming into Effect and Implementation

This Agreement shall come into effect on the day of

signature by the representatives of the two sides, and shall be implemented on 1 June 2016.

This Agreement is signed in duplicate in the Chinese language.

This Agreement is signed on 27 November 2015 in Hong Kong.

Vice Minister of Commerce
People's Republic of China

Financial Secretary
Hong Kong Special
Administrative Region of the
People's Republic of China

[Signed]

[Signed]

[Cursory Translation]

Annex 1

The Mainland's Specific Commitments on Liberalisation of Trade in Services for Hong Kong¹

¹ Sectoral classification is based on WTO's GATS Services Sectoral Classification List (GNS/W/120). For the contents of the sectors, reference is made to the relevant United Nations Provisional Central Product Classification (CPC).

Table 1

**Reserved Restrictive Measures under Commercial Presence
(Negative List)**

Sector:	1. Business Services
Sub-sector:	A. Professional Services
	a. Legal Services (CPC861)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<p><u>Commercial Presence</u></p> <ol style="list-style-type: none"> 1. Solely invested representative offices must not handle legal matters related to the application of Mainland law or employ Mainland practising lawyers. 2. Provision of legal services in the form of co-operation with a Mainland party is restricted to: <ol style="list-style-type: none"> (1) Secondment of Mainland practising lawyers by Mainland law firms to work as consultants on Mainland law in representative offices set up by Hong Kong law firms in the Mainland, or secondment of Hong Kong lawyers by Hong Kong law firms to work in Mainland law firms as consultants on Hong Kong law or cross-border laws; (2) Mainland law firms and representative

offices set up by Hong Kong law firms in the Mainland conduct cooperative operation in accordance with their agreements and commence their business cooperation by division of work in accordance with their respective scope of practice and authority;

- (3) In Guangzhou Municipality, Shenzhen Municipality and Zhuhai Municipality, operate in association with a Mainland party in the form of partnership, in accordance with the specific provisions approved by the judicial administrative authority.

Sector:	1. Business Services
Sub-sector:	A. Professional Services <ul style="list-style-type: none"> b. Accounting, auditing and bookkeeping services (CPC862)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <p>Hong Kong permanent residents who have obtained the Chinese Certified Public Accountants (CPAs) qualification can be partners of partnership accounting firms in the Mainland, while the Mainland residents shall have the right of control over such accounting firms. Details of the requirement shall follow the regulations promulgated by responsible Mainland financial ministries. Hong Kong permanent residents who are partners of these accounting firms are required to maintain a place of residence in the Mainland and reside in the Mainland for not less than six months every year.</p>

Sector:	1. Business Services
Sub-sector:	A. Professional Services
	c. Taxation Services (CPC863)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u>
	Apply national treatment.

Sector:	1. Business Services
Sub-sector:	A. Professional Services
	d. Architectural and design services (CPC8671)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Hong Kong service suppliers shall be construction and engineering design enterprises, registered architects or registered engineers practising in Hong Kong.

Sector:	1. Business Services
Sub-sector:	A. Professional Services
	e. Engineering services (CPC8672)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. Hong Kong service suppliers shall be construction and engineering design enterprises, registered architects or registered engineers practising in Hong Kong. 2. For the construction and operation of integrated water networks, the Mainland party shall be the controlling shareholder.

Sector:	1. Business Services
Sub-sector:	A. Professional Services
	f. Integrated engineering services (CPC8673)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. Hong Kong service suppliers shall be construction and engineering design enterprises, registered architects or registered engineers practising in Hong Kong. 2. For construction and operation of integrated water networks, the Mainland party shall be the controlling shareholder.

Sector:	1. Business Services
Sub-sector:	A. Professional Services
	g. Urban planning and landscape architectural services (CPC8674)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Not to provide general urban planning services and services for general planning for national-level scenic areas.

Sector:	1. Business Services
Sub-sector:	A. Professional Services
	h. Medical and dental services (CPC9312)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Applications for setting up medical institutions shall be approved by and registered with the Health and Family Planning Commission at provincial level and the relevant authorities under the Department of Commerce at provincial level in accordance with the Mainland regulations.

Sector:	1. Business Services
Sub-sector:	A. Professional Services
	i. Veterinary services (CPC932)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	1. Business Services
Sub-sector:	A. Professional Services
	j. Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC93191)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> No commitment ¹ .

¹ The operating mode in the form of commercial presence for this sector (sub-sector) has not yet existed in the Mainland.

Sector:	1. Business Services
Sub-sector:	A. Professional Services
	k. Other (Patent agency, Trade mark agency etc.) (CPC8921-8923)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u>
	Apply national treatment.

Sector:	1. Business Services
Sub-sector:	B. Computer and Related Services
	a. Consultancy services related to the installation of computer hardware (CPC841)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u>
	Apply national treatment.

Sector:	1. Business Services
Sub-sector:	B. Computer and Related Services
	b. Software implementation services (CPC842)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	1. Business Services
Sub-sector:	B. Computer and Related Services
	c. Data processing services (CPC843)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u>
	Apply national treatment.

Sector:	1. Business Services
Sub-sector:	B. Computer and Related Services
	d. Database services (CPC844, except network operation services and value-added network services ¹)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

¹ "Network operation services and value-added network services" are covered under the Positive List of Telecommunications Services in Table 3 of Annex 1.

Sector :	1. Business Services
Sub-sector :	B. Computer and Related Services
	e. Other (CPC845, 849)
Obligations concerned:	National Treatment
Reserved Restrictive Measures :	<u>Commercial Presence</u>
	Apply national treatment.

Sector:	1. Business Services
Sub-sector:	C. Research and Development Services <ul style="list-style-type: none"> a. Research and development services on natural sciences (CPC851)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. Not to engage in the development and application of human stem cells, genetic diagnosis and therapy technologies. 2. Not to engage in the research and development of precious and quality breeds that are rare and unique, and production of relevant breeding materials; breeding of new variety of genetically modified crop seeds, breeding livestock and poultry, and aquatic fingerlings, and the production of these genetically modified seeds (seedlings); and development activities for breeding of government protected wild animals and plants species originated from the Mainland. 3. For research in cooperation with the Mainland on livestock or poultry genetic resource in the protection list, application shall be filed with the stockbreeding and veterinary administrative department of the Provincial People's Government and shall simultaneously put forward a plan on

benefit sharing with the State. Application reviewed and accepted by the stockbreeding and veterinary administrative department at the provincial level shall be submitted to the stockbreeding and veterinary administrative department of the State Council for approval. No newly discovered livestock or poultry genetic resource shall be used for research in the cooperation before it is appraised by the National Commission for Genetic Resources of Livestock and Poultry. Engagement in research and testing of agricultural genetically modified organisms shall be approved by the agricultural administrative department of the State Council.

Sector:	1. Business Services
Sub-sector:	C. Research and Development Services
	c. Interdisciplinary research and development services (CPC853)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Restricted to interdisciplinary research and experimental development services on natural sciences.

Sector:	1. Business Services
Sub-sector:	D. Real Estate Services
	a. Real estate services involving own or leased property (CPC821)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u>
	Apply national treatment.

For clarity and avoidance of doubt, the property management portfolios (expressed in gross floor area) of the Hong Kong service suppliers in both Hong Kong and the Mainland are taken into account in assessing their application for property management enterprise qualification in the Mainland.

Sector:	1. Business Services
Sub-sector:	D. Real Estate Services
	b. Real estate services on a fee or contract basis (CPC822)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u>
	Apply national treatment.

For clarity and avoidance of doubt, the property management portfolios (expressed in gross floor area) of the Hong Kong service suppliers in both Hong Kong and the Mainland are taken into account in assessing their application for property management enterprise qualification in the Mainland.

Sector:	1. Business Services
Sub-sector:	E. Rental/Leasing Services without Operators
	a. Rental/leasing services relating to ships (CPC83103)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u>
	Apply national treatment.

Sector:	1. Business Services
Sub-sector:	E. Rental/Leasing Services without Operators
	b. Rental/leasing services relating to aircraft (CPC83104)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	1. Business Services
Sub-sector:	E. Rental/Leasing Services without Operators c. Rental/leasing services relating to private cars (CPC83101); goods transport vehicles (CPC83102) and other land transport equipment (CPC83105)
Obligations concerned:	National Treatment
Reserved Restrictive Measures :	<u>Commercial Presence</u> Apply national treatment.

Sector:	1. Business Services
Sub-sector:	E. Rental/Leasing Services without Operators <ul style="list-style-type: none"> d. Rental/leasing services relating to agricultural machinery and equipment (CPC83106-83109)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	1. Business Services
Sub-sector:	E. Rental/Leasing Services without Operators e. Rental/leasing services relating to personal and household goods (CPC832)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	a. Advertising services (CPC871)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u>
	Apply national treatment.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services <ul style="list-style-type: none"> b. Market research and public opinion polling services (CPC864)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. Provision of market investigation¹ services is restricted to equity joint venture or contractual joint venture (for broadcast television rating surveys, the Mainland party shall be the controlling shareholder). 2. Not to provide public opinion polling services and market research services that are not market investigation services. 3. The Mainland implements a qualification confirmation system for the administration of foreign-related investigation institutions and an examination and approval system for the control of foreign-related social investigation projects. Any foreign-related market investigation must be handled through an institution which has obtained foreign-related investigation qualifications,

¹ Market investigation refers to the service of collecting information concerning the prospects and performance of the products of a particular organisation in the market, which includes market analysis (the size and other characteristics of the market) and analysis on consumers' behavior and preferences.

and any foreign-related social investigation must be handled through a Mainland-funded institution which has obtained foreign-related investigation qualifications with the approval of the authority concerned.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	c. Management consulting services (CPC865)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	d. Services related to management consulting (CPC866)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	e. Technical testing and analysis services (CPC8676)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Not to provide inspection services for Mainland-registered vessels.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	f. Services incidental to agriculture, hunting and forestry (CPC881)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. For the selection of new species of crops and seed production, the Mainland party shall be the controlling shareholder. 2. Not to engage in the development of nationally protected wild animal and plant resources of Mainland origin. 3. Not to engage in carving, processing or sales of nationally protected wild animals (including but not limited to ivory and tiger bone). 4. Not to engage in damage assessment of forest fires and other forest assessments. 5. Not to be granted Forest Ownership Certificates

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	g. Services incidental to fishing (CPC882)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Not to engage in Mainland ocean fisheries and Mainland capture operations.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	h. Services incidental to mining (CPC883, 5115)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services <ul style="list-style-type: none"> i. Services incidental to manufacturing (CPC884,885, except CPC88442)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Not to provide services relating to manufacturing not allowed to foreign investment.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	j. Services incidental to energy distribution (CPC887)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. For engaging in the construction and operation of electricity transmission grid and nuclear power plant, the Mainland party shall be the controlling shareholder. 2. For engaging in the construction and operation of networks of gas, heating, water supply and drainage in the Mainland municipalities outside the Guangdong Province with population over 0.5 million and in municipalities in the Guangdong Province with population over 1 million, the Mainland party shall be the controlling shareholder.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	k. Placement and supply services of Personnel (CPC872)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	I. Investigation and security services (CPC873)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. Not to engage in investigation services. 2. Not to provide security services of security and safeguard for key units related to national security and involving state secrets as affirmed by the local people's governments above the level of municipalities divided into districts. 3. Not to set up or acquire shareholdings in Mainland security service companies providing armed guarding and transportation services.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	m. Related scientific and technical consulting services (CPC8675)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> 1. Not to engage in: <ol style="list-style-type: none"> 1) surveying of tungsten, tin, antimony, molybdenum and fluorite; 2) surveying and beneficiation of rare earths; 3) surveying and beneficiation of radioactive mineral products; 4) scientific and technical consulting services related to hydraulic engineering; 5) geodetic survey; aerial photography of survey and mapping; administrative region boundary survey and mapping; marine survey ¹ ; compilation of topographic maps, world political maps, national administrative region maps, administrative region maps at the provincial level and below, national teaching maps, regional teaching

¹ Marine survey refers to water body survey and marine survey and mapping.

maps and true three-dimensional maps, and compilation of electronic maps for navigation; survey of regional geological mapping, geology for mineral resources, geophysics, geochemistry, hydrogeology, environmental geology, geologic hazard, and geological remote sensing, etc.

2. Not to engage on a wholly-owned basis in:

- 1) surveying of special and scarce coals (the Mainland party shall be the controlling shareholder);
- 2) surveying of precious metals (gold family);
- 3) surveying of graphite;
- 4) beneficiation of lithium ore;
- 5) setting up surveying and mapping companies (the Mainland party shall be the controlling shareholder).

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	n. Maintenance and repair of equipment (personal and household goods repair services; repair services related to metal products; machinery and equipment) (CPC633, 8861-8866)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> For engaging in the repair of marine engineering equipment (including modules), the Mainland party shall be the controlling shareholder.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	o. Building-cleaning services (CPC874)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u>
	Apply national treatment.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	p. Photographic services (CPC875)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	q. Packaging services (CPC876)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	s. Convention services (CPC87909)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u>
	Apply national treatment.

Sector:	1. Business Services
Sub-sector:	F. Other Business Services
	t. Other (CPC8790, except read-only optical discs duplication services ¹)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Not to engage in seal engraving services. For clarity and avoidance of doubt, Hong Kong service suppliers are allowed to set up factoring enterprises in Shenzhen Municipality and Guangzhou Municipality of the Guangdong Province on a pilot basis.

¹ “Read-only optical discs duplication services” belongs to areas covered by Table 4 (Cultural Services Positive List) of Annex 1 of this Agreement.

Sector:	2. Communication Services
Sub-sector:	A. Postal Services (CPC7511)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Not to provide postal services.

Sector:	2. Communication Services
Sub-sector:	B. Courier services (CPC7512)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Not to provide express delivery service of correspondence within the Mainland and delivery service of official documents of state organs.

Sector: 3. Construction and Related Engineering Services

Sub-sector: A. General construction work for buildings (CPC512)

Obligations concerned: National Treatment

Reserved Restrictive Measures: Commercial Presence

Apply national treatment.

For clarity and avoidance of doubt, for construction enterprises set up in the Mainland by Hong Kong service suppliers, the performance of the enterprises in works contracts both in the Mainland and outside the Mainland can be taken into account as a basis in assessing the qualification of the construction enterprises set up in the Mainland. There will be no restriction on the proportion of Hong Kong permanent residents being project managers approved by the qualification administration authorities.

Sector: 3. Construction and Related Engineering Services

Sub-sector: B. General construction work for civil engineering (CPC513)

Obligations concerned: National Treatment

Reserved Restrictive Measures: Commercial Presence

1. For the general construction services of integrated water networks, the Mainland party shall be the controlling shareholder.
2. Not to provide construction works, procurement of facilities and equipment, as well as maintenance and management services in relation to national or international rivers and waterways.
3. Not to provide dredging service in relation to waterway maintenance.

For clarity and avoidance of doubt, for construction enterprises set up in the Mainland by Hong Kong service suppliers, the performance of the enterprises in works contracts both in the Mainland and outside the Mainland can be taken into account as a basis in assessing the qualification of the construction enterprises set up in the Mainland. There will be no restriction on the

proportion of Hong Kong permanent residents
being project managers approved by the
qualification administration authorities.

Sector:	3. Construction and Related Engineering Services
Sub-sector:	C. Installation and assembly work (CPC514,516)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	3. Construction and Related Engineering Services
Sub-sector:	D. Building completion and finishing work (CPC517)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	3. Construction and Related Engineering Services
Sub-sector:	E. Other (CPC511,515,518)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	4. Distribution Services
Sub-sector:	A. Commission agents' services (CPC621)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	4. Distribution Services
Sub-sector:	B. Wholesale trade services (CPC622, except wholesale trade services of books, newspapers, magazines, cultural relics ¹)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. Not to engage in purchase of staple food and wholesale services of staple food, cotton, vegetable oil, edible sugar and crop seeds. 2. For engaging in the construction and operation of large-scale wholesale markets of agricultural products, the Mainland party shall be the controlling shareholder.

¹ "Wholesale trade services of books, newspapers, magazines, cultural relics" belongs to areas covered by Table 4 (Cultural Services Positive List) of Annex 1 of this Agreement.

Sector:	4. Distribution Services
Sub-sector:	C. Retailing services (CPC631, 632, 6111, 6113, 6121, except retailing services of books, newspapers, magazines, cultural relics ¹)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. Not to provide retailing services of tobacco. 2. For gasoline stations chain set up by the same Hong Kong service supplier having more than 30 branch stores selling different types and brands of processed oil coming from multiple suppliers, the Mainland party shall be the controlling shareholder.

¹ “Retailing services of books, newspapers, magazines, cultural relics” belongs to areas covered by Table 4 (Cultural Services Positive List) of Annex 1 of this Agreement.

Sector:	4. Distribution Services
Sub-sector:	D. Franchising (CPC8929)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	4. Distribution Services
Sub-sector:	E. Other distribution services (Except the auction of cultural relics ¹)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. The setting up and operation of duty-free stores shall comply with the relevant Mainland regulations. 2. In the application for setting up direct selling enterprises, applicants shall have undertaken direct selling activities for over three years outside the border. Direct selling enterprise or any of its branches are not allowed to recruit personnel outside the border as direct sales personnel. Personnel outside the border are not allowed to undertake vocational training of direct sales personnel.

¹ "Auction of cultural relics" belongs to areas covered by Table 4 (Cultural Services Positive List) of Annex 1 of this Agreement.

Sector:	5. Education Services
Sub-sector:	A. Primary education services (CPC921)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<p><u>Commercial Presence</u></p> <ol style="list-style-type: none"> 1. The setting up of schools and other education institutions mainly admitting Chinese citizens of the Mainland is restricted to cooperation on a contractual basis. 2. Not to invest on the establishment of education institutions providing special services in such areas as voluntary education, military affairs, policing, politics and religion etc.

For clarity and avoidance of doubt, the setting up of schools on a wholly-owned basis for children of expatriates in the Guangdong Province may be expanded to cover children of Chinese nationals residing abroad and of returned talents after studying abroad who are working in the province, in addition to children of expatriates with residence permits to stay in the Mainland.

Sector:	5. Education Services
Sub-sector:	B. Secondary education services (CPC922)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<p><u>Commercial Presence</u></p> <ol style="list-style-type: none"> 1. The setting up of schools and other education institutions mainly admitting Chinese citizens of the Mainland is restricted to cooperation on a contractual basis.¹ 2. Not to invest on the establishment of education institutions providing special services in such areas as voluntary education, military affairs, policing, politics and religion etc.

For clarity and avoidance of doubt, the setting up of schools on a wholly-owned basis for children of expatriates in the Guangdong Province may be expanded to cover children of Chinese nationals residing abroad and of returned talents after studying abroad who are working in the province, in addition to children of expatriates with residence permits to stay in the Mainland.

¹ To allow establishment of non-academic secondary vocational training institutions on a wholly-owned basis in the Mainland, the scope of admission shall be analogous with that for Mainland vocational training institutions.

Sector:	5. Education Services
Sub-sector:	C. Higher education services (CPC923)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. The setting up of schools and other education institutions mainly admitting Chinese citizens of the Mainland is restricted to cooperation on a contractual basis.¹ 2. Not to invest on the establishment of education institutions providing special services in such areas as military affairs, policing, politics and religion etc.

¹ To allow establishment of non-academic tertiary vocational training institutions on a wholly-owned basis in the Mainland, the scope of admission shall be analogous with that for Mainland vocational training institutions.

Sector:	5. Education Services
Sub-sector:	D. Adult education (CPC924)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Not to invest on the establishment of education institutions providing special services in such areas as military affairs, policing, politics and religion etc.

Sector:	5. Education Services
Sub-sector:	E. Other education services (CPC929)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<p><u>Commercial Presence</u></p> <p>Not to invest on the establishment of education institutions providing special services in such areas as military affairs, policing, politics and religion etc. Institutions investing in providing intermediary services for studying abroad on a self-funded basis is restricted to China (Guangdong) Pilot Free Trade Zone and China (Tianjin) Pilot Free Trade Zone.</p>

Sector:	6. Environmental Services
Sub-sector:	A. Sewage services (CPC9401)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	6. Environmental Services
Sub-sector:	B. Refuse disposal services (CPC9402)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	6. Environmental Services
Sub-sector:	C. Sanitation and similar services (CPC9403)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	6. Environmental Services
Sub-sector:	D. Cleaning services of exhaust gases (CPC9404)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	6. Environmental Services
Sub-sector:	E. Noise abatement services (CPC9405)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	6. Environmental Services
Sub-sector:	F. Nature and landscape protection services (CPC9406)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	6. Environmental Services
Sub-sector:	G. Other environmental protection services (CPC9409)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	7. Financial Services
Sub-sector:	<p>A. All insurance and insurance-related services (CPC812)</p> <p>a. Life, accident and health insurance services (CPC8121)</p> <p>b. Non-life insurance services (CPC8129)</p> <p>c. Reinsurance and retrocession (CPC81299)</p> <p>d. Services auxiliary to insurance (including broking and agency services, consultancy services, actuarial services) (CPC8140)</p>
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<p><u>Commercial Presence</u></p> <p>1. Hong Kong insurance companies and their groups formed through re-grouping or strategic mergers which enter the Mainland insurance market must fulfil the following criteria:</p> <p>1) Total assets held by the group of over US\$5 billion; more than 30 years of establishment experience attributable to one of the Hong Kong insurance companies in the group; and a representative office established in the Mainland for over 2 years by one of the Hong Kong insurance companies in the group;</p> <p>2) The place of their domicile is having a</p>

- robust insurance regulatory system;
and the insurance companies are under effective supervision by the relevant authority where the insurance companies are domiciled;
- 3) Having met the solvency margin standard of the place where they are domiciled;
 - 4) Their application has had the agreement of the relevant authority of the place where they are domiciled;
 - 5) Reasonable corporate governance; and stable risk management system;
 - 6) Healthy internal control system; and effective information management system; and
 - 7) Good operating condition; and having no records of significant violation of laws and regulations.

To support eligible Hong Kong insurance companies to set up branches in the China (Guangdong) Pilot Free Trade Zone. Those branches of the Hong Kong insurance companies entering the Pilot Free Trade Zone are treated as Mainland insurance institutions and are subject to the same or similar supervisory regulations.

2. The maximum limit of shareholding percentage of a Hong Kong insurance company in a Mainland insurance company is 24.9%. Foreign financial institutions to invest in shares of insurance companies must fulfil the following criteria:

- 1) A good and stable financial condition with continuous profit making record for the recent three consecutive accounting years;
 - 2) The total assets as at the end of the most recent year shall be not less than US\$2 billion;
 - 3) Having long term credit rating of A or above given by international credit agencies in the recent three years;
 - 4) Having no records of significant violation of laws and regulations for the recent three years.
 - 5) Having fulfilled the requirements of prudential supervision standards of the financial regulators where they are domiciled.
3. An insurance company which carries on life insurance business in the Mainland and is jointly established by foreign insurance companies and Mainland domestic companies and/or enterprises (hereinafter called “jointly-owned life insurance company”) shall have no more than 50% of its total share capital coming from foreign source. Foreign insurance companies having shares in the jointly-owned life insurance company, directly or otherwise, whose proportion of share capital shall not exceed the limit as aforesaid.
4. The total equity owned by Mainland domestic insurance companies in an insurance asset management company

shall be not less than 75%.

5. Hong Kong insurance agency companies setting up wholly-owned insurance agency companies in the Mainland to provide insurance agency services for the Mainland insurance companies must fulfil the following criteria:
 - 1) The applicant must be a Hong Kong insurance agency enterprise;
 - 2) Having been operating insurance agency business for over 10 years; the applicant's average annual business revenue for the past 3 years before application shall not be less than HK\$500,000 and the total assets as at the end of the year before application shall not be less than HK\$500,000; and
 - 3) Within 3 years before application, there has been no serious violation of regulations and records of disciplinary action.

Hong Kong insurance agency companies entering the China (Guangdong) Pilot Free Trade Zone to provide insurance agency services are subject to the same or similar entrance criteria and supervisory regulations that are applicable to Mainland insurance intermediary institutions.

6. Hong Kong insurance brokerage companies setting up wholly-owned insurance agency companies in the Mainland must fulfil the following criteria:

- 1) The applicant shall have been operating insurance brokerage business in Hong Kong for over 10 years;
- 2) The applicant's average annual insurance brokerage business revenue for the past 3 years before application shall not be less than HK\$500,000 and the total assets as at the end of the year before application shall not be less than HK\$500,000; and
- 3) Within 3 years before application, there has been no serious violation of regulations and records of disciplinary action.

Hong Kong insurance brokerage companies entering the China (Guangdong) Pilot Free Trade Zone to provide insurance agency services are subject to the same or similar entrance criteria and supervisory regulations that are applicable to Mainland insurance intermediary institutions.

7. Hong Kong insurance brokerage companies setting up wholly-owned insurance brokerage companies in the Mainland must fulfil the following criteria:
 - 1) Total assets of over US\$200 million;
 - 2) Operating experience of over 30 years; and
 - 3) A representative office established in the Mainland for over 2 years.

Hong Kong insurance brokerage

companies entering the China (Guangdong) Pilot Free Trade Zone to provide insurance brokerage services are subject to the same or similar entrance criteria and supervisory regulations that are applicable to Mainland insurance intermediary institutions.

8. Hong Kong service suppliers are not allowed to set up insurance loss adjusting companies in the Mainland.

Hong Kong insurance loss adjusting companies entering the China (Guangdong) Pilot Free Trade Zone to provide insurance loss adjusting services are subject to the same or similar entrance criteria and supervisory regulations that are applicable to Mainland insurance intermediary institutions.

9. Except otherwise approved by the China Insurance Regulatory Commission, Hong Kong insurance companies are not allowed to be involved in the following activities with their related enterprises:
 - 1) Inward or outward reinsurance businesses; and
 - 2) Purchase or sale of assets or other transactions.

Those foreign insurance companies having the approval to carry on inward or outward reinsurance businesses with their related enterprises shall submit the materials as required by the China Insurance Regulatory Commission.

Sector: 7. Financial Services

Sub-sector: B. Banking and other financial services
(excluding insurance)

- a. Acceptance of deposits and other repayable funds from the public (CPC81115-81119)
- b. Lending of all types, including, inter alia, consumer credit, mortgage credit, factoring and financing of commercial transaction (CPC8113)
- c. Financial leasing (CPC8112)
- d. All payment and money transmission services (CPC81339)
- e. Guarantees and commitments (CPC81199)
- f. Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:
 - 1. f1. money market instruments (CPC81339)
 - 2. f2. foreign exchange (CPC81333)
 - 3. f3. derivative products including, but not limited to, futures and options (CPC81339)
 - 4. f4. exchange rate and interest rate instruments, including products such as swaps, forward rate agreements, etc.

- (CPC81339)
- 5. f5. transferable securities (CPC81321)
- 6. f6. other negotiable instruments and financial assets, including bullion (CPC81339)
- g. Participation in issues of all kinds of securities (CPC8132)
- h. Money broking (CPC81339)
- i. Asset management (CPC8119, 81323)
- j. Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments (CPC81339 or 81319)
- k. Advisory and other auxiliary financial services (CPC8131 or 8133)
- l. Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC8131)

**Obligations
concerned:**

National Treatment

**Reserved
Restrictive
Measures:**

Commercial Presence

1. Hong Kong service suppliers investing in financial institutions engaging in banking business shall be financial institutions or specialised financial institutions, and the relevant conditions being:
 - 1) For setting up a wholly foreign-funded bank, the shareholder shall be a

financial institution, and the sole or majority shareholder shall be a commercial bank; for setting up a Chinese-foreign joint venture bank, the Hong Kong shareholder shall be a financial institution, and the sole or majority foreign shareholder shall be a commercial bank;

- 2) The foreign founding member or strategic investor of a large commercial bank¹, joint stock commercial bank, urban commercial bank or the Postal Savings Bank of China shall be a financial institution;
- 3) The foreign founding member or strategic investor of a rural commercial bank, rural cooperative bank, rural credit union or rural bank shall be a bank;
- 4) The foreign equity investor of a trust company shall be a financial institution;
- 5) The foreign founding member of a financial leasing company shall be a financial institution or financial leasing company;
- 6) The major foreign equity investor of a consumer finance company shall be a financial institution;
- 7) The foreign investor of a money brokerage company shall be a money brokerage company;
- 8) The foreign strategic investor of a

¹ For the purpose of this clause, large commercial banks refer to Industrial and Commercial Bank of China, Agricultural Bank of China, Bank of China, China Construction Bank, and Bank of Communications.

financial asset management company shall be a financial institution.

2. Approval shall be required for investing in financial institutions listed below:
 - 1) Approval is required for Hong Kong service suppliers to invest in large commercial banks, joint stock commercial banks, the Postal Savings Bank of China or urban commercial banks in the Mainland;
 - 2) Approval is required for Hong Kong service suppliers to invest in rural commercial banks, rural cooperative banks, rural credit unions, rural banks or credit companies;
 - 3) Approval is required for Hong Kong service suppliers to invest to establish wholly foreign-funded banks, Chinese-foreign joint venture banks, or foreign bank branches;
 - 4) Approval is required for foreign banks to change the operating capital of foreign bank branches in the Mainland.
 - 5) Approval of the state council authority supervising credit information business is required for a credit information institution to provide credit information services.
 - 6) Approval from the State Internet Information Office, Ministry of Commerce and State Administration for Industry & Commerce shall be required, and the “Licence for foreign institution investing and establishing financial information services company in China” shall be

obtained, for establishing a financial information services company.

3. Hong Kong service suppliers investing in financial institutions engaging in banking business shall meet relevant asset size requirements, specifically:

- 1) The sole or majority shareholder of a wholly foreign-funded bank or a Chinese-foreign joint venture bank, and a foreign bank applying to establish a foreign bank branch, shall have total assets of no less than US\$6 billion at the end of the year preceding application;
- 2) The foreign founding member or strategic investor of a large commercial bank, joint stock commercial bank, urban commercial bank or the Postal Savings Bank of China shall in principle have total assets of no less than US\$6 billion at the end of the year immediately before;
- 3) The foreign founding member or strategic investor of a rural commercial bank, rural cooperative bank, rural bank or credit company shall in principle have total assets of no less than US\$6 billion at the end of the year immediately before; the foreign founding member or strategic investor of a rural credit union shall in principle have total assets of no less than US\$1 billion at the end of the year immediately before;
- 4) The foreign equity investor of a trust company shall in principle have total assets of no less than US\$1 billion at the end of the year immediately before;

- 5) The outside strategic investor (which itself is a foreign financial institution) of a financial company of an enterprise group shall in principle have total assets of no less than US\$1 billion at the end of the year immediately before;
 - 6) The foreign founding member of a financial leasing company shall in principle have total assets of no less than US\$1 billion at the end of the year immediately before;
 - 7) The foreign strategic investor of a financial asset management company shall in principle have total assets of no less than US\$10 billion at the end of the year immediately before.
4. Hong Kong service suppliers investing in the following financial institutions engaging in banking business shall be subject to single and aggregate limits on shareholding, specifically:
- 1) Any single foreign financial institution and its solely or jointly controlled affiliate, as a founding member or strategic investor, shall have shareholding of not more than 20% in any Chinese commercial bank (including any large commercial bank, joint-stock commercial bank, urban commercial bank and the Postal Savings Bank of China); all foreign financial institutions and their solely or jointly controlled affiliates, as founding member or strategic investors, shall have shareholding of not more than 25%. Shareholding as referred in this

clause means the shares held by a foreign financial institution as a ratio of the total shares of the Chinese commercial bank. The shareholding of the affiliate of the foreign financial institution shall be aggregated with the shareholding of the foreign financial institution.

- 2) Any single foreign bank and its solely or jointly controlled affiliate, as a founding member or strategic investor, shall have shareholding of not more than 20% in any rural commercial bank, rural cooperative bank or rural credit union; all foreign banks and their solely or jointly controlled affiliates, as founding members or strategic investors, shall have shareholding of not more than 25%.
 - 3) Any single foreign institution shall have shareholding of not more than 20% in any financial asset management company; all foreign institutions shall have shareholding of not more than 25%.
5. Foreign bank branches established by Hong Kong service suppliers shall not be allowed to conduct the following foreign currency or RMB businesses: acting as an agent for issuance, payment and underwriting of government bonds; acting as a receiving and paying agent; bank cards services. Foreign bank branches established by Hong Kong service suppliers shall not be allowed to offer RMB services

to Chinese citizens in the Mainland other than accepting time deposits of no less than RMB1 million; shall not be allowed to conduct businesses restricted to wholly foreign-funded banks or joint venture banks; shall not be allowed to conduct securities or insurance businesses.

6. For a foreign bank branch established by a Hong Kong service supplier, the RMB portion of the total of operating capital and reserves shall be no less than 8% of its RMB risk-weighted assets. A foreign bank branch shall have operating capital of no less than RMB200 million or convertible foreign currencies provided by its parent bank, and 30% of the operating capital shall be in the form of specified interest-earning assets, and interest-earning assets in the form of time deposits shall be deposited with three or less than three Chinese commercial banks in the Mainland.
7. Wholly foreign-funded banks, Chinese-foreign joint venture banks and foreign bank branches established by Hong Kong service suppliers shall be required to satisfy prudential requirements and obtain approval for conducting RMB business.
8. Wholly foreign-funded banks and Chinese-foreign joint venture banks established by Hong Kong service suppliers shall not be allowed to invest to establish, become a shareholder of, or acquire any locally incorporated financial institution.

Where the relevant regulations and regulatory instruments provided otherwise, the provisions in such regulations and instruments shall be followed.

9. Wholly foreign-funded banks, Chinese-foreign joint venture banks or foreign bank branches engaging in interbank lending and borrowing business shall be required to obtain approval of the People's Bank of China for having the qualification to conduct RMB interbank lending and borrowing business. A wholly foreign-funded bank or Chinese-foreign joint venture bank shall borrow or lend no more than 2 times of its paid-in capital; a foreign bank branch shall borrow or lend no more than 2 times of its RMB operating capital.
10. Foreign bank branches established by Hong Kong service suppliers shall not be allowed to engage in the business of acting as a receiving and paying agent for the government's treasury.
11. Hong Kong service suppliers investing in a money brokerage company shall have engaged in money brokerage business for over 20 years, have recorded profit for 2 consecutive years preceding its application, and have global institutional and communication networks necessary for conducting money brokerage business.
12. Foreign institutions shall not be allowed to

participate in the establishment of financial asset management companies.

13. Investment in securities companies can be made in the following two forms only:

1) Where investment in securities companies is made in the form of joint venture, which includes: the establishment of joint venture securities companies through joint capital contribution with domestic shareholders in accordance with law; and the conversion of Mainland-funded securities companies into joint venture securities companies according to law by legal transfer and acquisition of shareholding in the Mainland-funded securities companies. (In line with the national treatment, the “participation in one and holding of one principle” is applicable to the number of Mainland-Hong Kong joint venture securities companies that are allowed to be invested in through shareholding acquisition by the same Hong Kong-funded financial institution or by various Hong Kong-funded financial institutions which are effectively controlled by the same entity.)

2) Investment by overseas investors in listed Mainland-funded securities companies may be done by way of holding shares in a listed Mainland-funded securities company through securities transactions on a stock exchange, or by establishing a

strategic partnership with a listed Mainland-funded securities company and obtaining approval of the China Securities Regulatory Commission for holding shares in a listed Mainland-funded securities company with its approved scope of business remaining unchanged (on the premise that the controlling shareholder is a Mainland shareholder, the listed Mainland-funded securities company can be exempted from the requirement that the shareholding percentage of at least one Mainland shareholder being not less than 49%).

Overseas investors hold through securities transactions on a stock exchange in accordance with law, or hold jointly with others under an agreement or other arrangements, more than 5% of the shares of a listed Mainland-funded securities company, shall comply with the qualification requirements for overseas shareholders of joint venture securities companies.

The percentage of shareholding held (including those directly held and indirectly controlled) by a single overseas investor in a listed Mainland-funded securities company shall not exceed 20%; the percentage of aggregate shareholding held (including those directly held and indirectly controlled) by all overseas investors in a listed Mainland-funded securities company shall not exceed 25%.

14. Where investment in securities companies is made in the form of a joint venture,

except for the following circumstances, the percentage of shareholding held by overseas shareholders or the percentage of their interests in an overseas-invested securities company shall not exceed 49% in aggregation (including those directly held and indirectly controlled). Of domestic shareholders, at least one shall be a Mainland-funded securities company with the percentage of its shareholding or interests in the overseas-invested securities company being not less than 49%:

- 1) Qualified Hong Kong-funded financial institutions may set up one full-licensed Mainland-Hong Kong joint venture securities company each in Shanghai Municipality, Guangdong Province and Shenzhen Municipality. The maximum percentage of aggregate shareholding of the Hong Kong-funded institutions is 51%. The Mainland shareholders are not restricted to securities companies;
- 2) Qualified Hong Kong-funded financial institutions may set up one new full-licensed Mainland-Hong Kong joint venture securities company in accordance with relevant Mainland requirements each in certain reform experiment zones for “piloting financial reforms” as approved by the Mainland. The Mainland shareholders are not restricted to securities companies. The percentage of aggregate shareholding of the Hong Kong-funded financial institutions in

the joint venture shall not exceed 49%, and the requirement for a single Mainland shareholder to hold 49% of shareholding in the joint venture is removed.

15. Except for the circumstances set forth in paragraphs 14(1) and 14(2), overseas shareholders of a joint venture securities company shall meet the following criteria: at least one being an institution legally qualified for carrying out financial businesses; and having been in operation for more than five consecutive years.

Under the circumstances set forth in paragraphs 14(1) and 14(2), Hong Kong shareholders of a joint venture securities company shall satisfy the qualification requirements for Hong Kong-funded financial institutions specified in the Mainland.

16. Except for the circumstances set forth in paragraphs 14(1) and 14(2), the scope of business of joint venture securities companies is limited to: underwriting and sponsoring of shares (including RMB ordinary shares and foreign shares) and bonds (including government bonds and corporate bonds); brokerage of foreign shares; brokerage and proprietary trading of bonds (including government bonds and corporate bonds).
17. Investment in fund management companies by Hong Kong-funded financial institutions can be made only in the form of joint venture (in line with the national treatment, the “participation in one and holding of one principle” is applicable to the

number of Mainland-Hong Kong joint venture fund companies that are allowed to be invested in through shareholding acquisition).

18. Investment in futures companies can be made only in the form of joint venture. The percentage of shareholding owned by qualified Hong Kong service suppliers in a joint venture futures company shall not exceed 49% (including shareholding of related parties). (In line with the national treatment, the “participation in one and holding of one principle” is applicable to the number of Mainland-Hong Kong joint venture futures companies that are allowed to be invested in through shareholding acquisition by the same Hong Kong-funded financial institution or by various Hong Kong-funded financial institutions which are effectively controlled by the same entity.)

An overseas shareholder holding more than 5% of shareholding in a futures company shall meet the following criteria: being a financial institution established and legally existed under the laws of Hong Kong; all of its financial indicators and regulatory indicators in the preceding three years having met the relevant provisions of the laws of Hong Kong and the requirements of regulatory bodies.

19. Investment in securities investment advisory companies by Hong Kong-funded financial institutions can be made only in the form of joint venture. (In line with the national treatment, the “participation in one and holding of one principle” is applicable to the number of Mainland-Hong Kong joint

venture securities investment advisory companies that are allowed to be invested in through shareholding acquisition by the same Hong Kong-funded financial institution or by various Hong Kong-funded financial institutions which are effectively controlled by the same entity.)

Hong Kong securities companies which satisfy the qualification requirements as overseas shareholders of overseas-invested securities companies, and Mainland securities companies which satisfy the requirements for establishing subsidiaries, are allowed to set up joint venture securities investment advisory companies in the Mainland. The joint venture securities investment advisory company shall be a subsidiary of the Mainland securities company, the scope of business of which shall focus specifically on carrying on securities investment advisory businesses. The percentage of shareholding of the Hong Kong securities company may, at a maximum, reach 49% of the total shareholding of such joint venture securities investment advisory company.

In certain reform experiment zones for “piloting financial reforms” as approved by the Mainland, the percentage of shareholding of a Hong Kong-funded securities company which satisfies the relevant requirements for setting up a Mainland-Hong Kong joint venture securities investment advisory company in such company may reach more than 50%.

20. Where Hong Kong shareholders acquire shareholding in Mainland-Hong Kong joint

venture securities companies, fund management companies, futures companies or securities investment advisory institutions, capital contribution shall be made in a currency that is freely convertible.

For clarity and avoidance of doubt, any foreign bank branch established in the Guangdong province by a Hong Kong bank can apply to establish "cross-location" sub-branches (i.e. different from the municipality where the relevant branch is located) within the Guangdong province with reference to the relevant rules in the Mainland for establishing sub-branches. If a wholly foreign-funded bank established in the Mainland by a Hong Kong bank has already established branches in the Guangdong province, such branches can apply to establish "cross-location" sub-branches (i.e. different from the municipality where the relevant branch is located) within the Guangdong province with reference to the relevant rules in the Mainland for establishing sub-branches.

Sector:	7. Financial Services
Sub-sector:	C. Other
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	8. Health Related and Social Services
Sub-sector:	A. Hospital services (CPC9311)
Obligations concerned:	National Treatment
Reserved Restrictive Measures :	<p><u>Commercial Presence</u></p> <p>Applications for setting up medical institutions shall be approved by and registered with the Health and Family Planning Commission at provincial level and relevant authorities under the Department of Commerce at provincial level in accordance with the Mainland's regulations.</p>

Sector:	8. Health Related and Social Services
Sub-sector:	B. Other Human Health Services (CPC93192,93193,93199)
Obligations concerned:	National Treatment
Reserved Restrictive Measures :	<u>Commercial Presence</u> Not to launch services on genetic information, blood collection, pathological data and other services that may endanger public health and safety.

Sector:	8. Health Related and Social Services
Sub-sector:	C. Social services (CPC933)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Not to provide emergency relief services for disaster victims.

Sector:	9. Tourism and Travel Related Services
Sub-sector:	A. Hotels and restaurants (CPC641-643)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	9. Tourism and Travel Related Services
Sub-sector:	B. Travel agencies and tour operators services (CPC7471)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <p>The number of travel agents set up on a wholly-owned basis operating outbound group tours for Mainland residents on a pilot basis to destinations beyond Hong Kong and Macao (excluding Taiwan) is restricted to 5.</p>

Sector:	9. Tourism and Travel Related Services
Sub-sector:	C. Tourist guides services (CPC7472)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector: 9. Tourism and Travel Related Services

Sub-sector: D. Other

**Obligations
concerned:** National Treatment

**Reserved
Restrictive
Measures:** Commercial Presence
Apply national treatment.

Sector:	10. Recreational, Cultural and Sporting Services
Sub-sector:	D. Sporting and other recreational services (CPC964)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	A. Maritime Transport Services <ul style="list-style-type: none"> a. Passenger transportation (CPC7211)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. The following criteria shall be met when providing costal water transport services: <ol style="list-style-type: none"> 1) In the business areas intended to operate, Mainland water transport service suppliers could not meet the demand. 2) Having good business and operating records in providing water transport services. 3) Restricted to equity joint venture, contractual joint venture and the capital contribution of the Hong Kong service supplier not exceeding 50%. 2. For enterprises which have been approved and have obtained the permit to provide water transport services, any change of Hong Kong service suppliers and any change of the share percentage held by Hong Kong service suppliers shall be reported to the original authority-in-charge for approval

Sector:	11. Transport Services
Sub-sector:	A. Maritime Transport Services
	b. Freight transportation (CPC7212)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. The following criteria shall be met when providing coastal water transport services: <ol style="list-style-type: none"> 1) In the business areas intended to operate, Mainland water transport service suppliers could not meet the demand. 2) Having good business and operating records in providing water transport services. 3) Restricted to equity joint venture, contractual joint venture and the capital contribution of the Hong Kong service supplier not exceeding 50%. 2. For enterprises which have been approved and have obtained the permit to provide water transport services, any change of Hong Kong service suppliers and any change of the share percentage held by Hong Kong service suppliers shall be reported to the original authority-in-charge for approval.

Sector:	11. Transport Services
Sub-sector:	A. Maritime Transport Services
	c. Rental of vessels with crew (CPC7213)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Not to provide rental of vessels with crew engaging in coastal waterway transportation.

Sector:	11. Transport Services
Sub-sector:	A. Maritime Transport Services
	d. Maintenance and repair of vessels (CPC8868)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	A. Maritime Transport Services
	e. Pushing and towing services (CPC7214)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. The following criteria shall be met when providing coastal water transport services: <ol style="list-style-type: none"> 1) In the business areas intended to operate, Mainland water transport service suppliers could not meet the demand. 2) Having good business and operating records in providing water transport services. 3) Restricted to equity joint venture, contractual joint venture and the capital contribution of the Hong Kong service supplier not exceeding 50%. 2. For enterprises which have been approved and have obtained the permit to provide water transport services, any change of Hong Kong service suppliers and any change of the share percentage held by Hong Kong service suppliers shall be reported to the original authority-in-charge for approval.

Sector:	11. Transport Services
Sub-sector:	A. Maritime Transport Services
	f. Supporting services for maritime transport (CPC745)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<p><u>Commercial Presence</u></p> <p>The provision of supporting services for maritime transport is restricted to:</p> <ol style="list-style-type: none"> 1) The establishment of wholly-owned enterprises to provide material supplying services except fuels and water. 2) Providing services on cleaning, sterilizing, fumigating, pest control and sealing up of vessels and storage for arriving and anchoring vessels. 3) Corporate enterprise with Mainland party is allowed to engage in salvage business. The Mainland party should be professional salvage institution(s) with appropriate salvage operation qualifications, which are approved by Ministry of Transport according to national regulations on conditions of engaging in professional salvage services.

Sector:	11. Transport Services
Sub-sector:	B. Internal Waterways Transport <ul style="list-style-type: none"> a. Passenger transportation (CPC7221)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. The following criteria shall be met when providing internal waterways transport services: <ol style="list-style-type: none"> 1) In the business areas intended to operate, Mainland water transport service suppliers could not meet the demand. 2) Having good business and operating records in providing water transport services. 3) Restricted to equity joint venture, contractual joint venture and capital contribution of the Hong Kong service supplier not exceeding 50%. 2. For enterprises which have been approved and have obtained the permit to provide water transport services, any change of Hong Kong service suppliers and any change of the share percentage held by Hong Kong service suppliers shall be reported to the original authority-in-charge for approval.

Sector:	11. Transport Services
Sub-sector:	B. Internal Waterways Transport
	b. Freight transportation (CPC7222)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. The following criteria shall be met when providing internal waterways transport services: <ol style="list-style-type: none"> 1) In the business areas intended to operate, Mainland water transport service suppliers could not meet the demand. 2) Having good business and operating records in providing water transport services. 3) Restricted to equity joint venture, contractual joint venture and the capital contribution of the Hong Kong service supplier not exceeding 50%. 2. For enterprises which have been approved and have obtained the permit to provide water transport services, any change of Hong Kong service suppliers and any change of the share percentage held by Hong Kong service suppliers shall be reported to the original authority-in-charge for approval.

Sector:	11. Transport Services
Sub-sector:	B. Internal Waterways Transport
	c. Rental of vessels with crew (CPC7223)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Not to provide rental of vessels with crew engaging in internal water transport.

Sector:	11. Transport Services
Sub-sector:	B. Internal Waterways Transport
	d. Maintenance and repair of vessels (CPC8868)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	B. Internal Waterways Transport
	e. Pushing and towing services (CPC7224)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. The following criteria shall be met when providing internal waterways transport services: <ol style="list-style-type: none"> 1) In the business areas intended to operate, Mainland water transport service suppliers could not meet the demand. 2) Having good business and operating records in providing water transport services. 3) Restricted to equity joint venture, contractual joint venture and the capital contribution of the Hong Kong service supplier not exceeding 50%. 2. For enterprises which have been approved and have obtained the permit to provide water transport services, any change of Hong Kong service suppliers and any change of the share percentage held by Hong Kong service suppliers shall be reported to the original authority-in-charge for approval.

Sector:	11. Transport Services
Sub-sector:	B. Internal Waterways Transport
	f. Supporting services for internal waterway transport (CPC745)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<p><u>Commercial Presence</u></p> <p>The provision of supporting services for internal waterway transport is restricted to:</p> <ol style="list-style-type: none"> 1) The establishment of wholly-owned enterprises to provide material supplying services except fuels and water. 2) Providing services on cleaning, sterilising, fumigating, pest control and sealing up of vessels and storage for arriving and anchoring vessels. 3) Corporate enterprise with Mainland party is allowed to engage in salvage business. The Mainland party should be professional salvage institution(s) with appropriate salvage operation qualifications, which are approved by Ministry of Transport according to national regulations on conditions of engaging in professional salvage services.

Sector:	11. Transport Services
Sub-sector:	C. Air Transport Services
	a. Passenger transportation (CPC731)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. For the setting up and operation of public air transport companies, the Mainland party shall be the controlling shareholder, and the investment proportion of a Hong Kong service supplier (including its affiliates) shall not exceed 25%, and also the legal representative shall be a Chinese citizen. 2. For the setting up and operation of general aviation enterprises engaging in business flights, aerial tours and services to industries, the Mainland party shall be the controlling shareholder. The setting up and operation of general aviation enterprises engaging in agricultural, forestry or fisheries operations is restricted to equity joint venture or contractual joint venture with the Mainland party. The legal representative of the general aviation enterprises shall be a Chinese citizen.

Sector:	11. Transport Services
Sub-sector:	C. Air Transport Services
	b. Freight transportation (CPC732)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <p>For the setting up and operation of public air transport companies, the Mainland party shall be the controlling shareholder, the investment proportion of a Hong Kong service supplier (including its affiliates) shall not exceed 25%, and also the legal representative shall be a Chinese citizen.</p>

Sector:	11. Transport Services
Sub-sector:	C. Air Transport Services
	c. Rental of aircraft with crew (CPC734)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	C. Air Transport Services
	d. Maintenance and repair of aircraft (CPC8868)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	C. Air Transport Services
	e. Supporting services for air transport (CPC746)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ol style="list-style-type: none"> 1. Not to invest and manage air traffic control system in the Mainland. 2. For investment in civil airports, the Mainland party shall take the corresponding controlling shareholding position. 3. The period of validity of the management services contract for small and medium airports shall not exceed 20 years; the provision of contract management services for large airports on a wholly-owned basis is not allowed. 4. To allow ground services for air transport on a wholly-owned basis, excluding security-related projects. 5. For investment in aviation oil supply projects, the Mainland party shall be the controlling shareholder. 6. For investment in computerised reservation

system projects, an equity joint venture shall be set up with the Mainland service suppliers of computerised reservation system and the Mainland party shall be the controlling shareholder.

For clarity and avoidance of doubt, Hong Kong service suppliers may submit the economic guarantee provided by Mainland-incorporated banks or guarantee companies recommended by the China Air Transport Association in their applications for the setting up of air transport sales agency enterprises on wholly-owned, equity joint ventures or contractual joint ventures basis in the Mainland. Guarantee can also be provided by Hong Kong banks, supplemented by the economic guarantee provided by the Mainland-incorporated banks or guarantee companies recommended by the China Air Transport Association within a specified period of time after the applications have been approved by the Mainland.

Sector:	11. Transport Services
Sub-sector:	D. Space Transport (CPC733)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Not to provide space transport service.

Sector:	11. Transport Services
Sub-sector:	E. Rail Transport Services <ul style="list-style-type: none"> a. Passenger transportation (CPC7111)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> For the setting up and operation of rail passenger transport company, the Mainland party shall be the controlling shareholder.

Sector:	11. Transport Services
Sub-sector:	E. Rail Transport Services
	b. Freight transportation (CPC7112)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	E. Rail Transport Services
	c. Pushing and towing services (CPC7113)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	E. Rail Transport Services
	d. Maintenance and repair of rail transport equipment (CPC8868)
Obligations concerned:	National Treatment
Reserved Restrictive Measures :	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	E. Rail Transport Services
	e. Supporting services for rail transport services (CPC743)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> For engaging in the construction and operation of major rail lines, the Mainland party shall be the controlling shareholder.

Sector:	11. Transport Services
Sub-sector:	F. Road Transport Services
	a. Passenger transportation (CPC7121,7122)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	F. Road Transport Services
	b. Freight transportation (CPC7123)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	F. Road Transport Services
	c. Rental of commercial vehicles with operator (CPC7124)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	F. Road Transport Services
	d. Maintenance and repair of road transport equipment (CPC6112, 8867)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	F. Road Transport Services
	e. Supporting services for road transport services (CPC744)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	G. Pipeline Transport
	a. Transportation of fuels (CPC7131)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	G. Pipeline Transport
	b. Transportation of other goods (CPC7139)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	H. Services auxiliary to all modes of transport <ul style="list-style-type: none"> a. Cargo-handling services (CPC741)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	H. Services auxiliary to all modes of transport b. Storage and warehouse services (CPC742)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	11. Transport Services
Sub-sector:	H. Services auxiliary to all modes of transport c. Freight transport agency services (CPC748)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Maritime freight transport agency services provided by Hong Kong service suppliers are restricted to: <ol style="list-style-type: none"> 1. The business of the wholly-owned shipping companies being set up is restricted to: <ol style="list-style-type: none"> 1) Set up wholly-owned shipping companies to provide regular business services only for vessels that they own or operate, such as shipping undertaking, issuance of bills of lading, settlement of freight rates, signing of service contracts, etc. 2) Set up wholly-owned shipping companies to provide shipping agency services only for vessels owned or operated by their parent company, including customs declaration and inspection, and use of common commercial bills of lading or multimodal transport documents for

conducting multimodal transport services.

- 3) Set up wholly-owned shipping companies to provide regular business services only for feeders and tugs that their parent company operate between Hong Kong and ports that are opened to foreign vessels in the Mainland, such as shipping undertaking, issuance of bills of lading, settlement of freight rates, signing of service contracts, etc.
 - 4) Set up wholly-owned shipping companies to provide regular business services only for the shipping transport between Hong Kong and the Mainland's opened-up ports operated by the concerned Hong Kong service suppliers using chartered Mainland vessels, such as shipping undertaking, issuance of bills of lading, settlement of freight rates, signing of service contracts, etc.
2. To set up wholly-owned enterprises and their branches to provide shipping agency services only to the concerned vessel operators, for routes between the Mainland and Hong Kong/Macao. Provision of third party international shipping agency services is only restricted to equity joint venture or contractual joint venture, of which the percentage of shareholding shall not exceed 51%.

3.The registration of Hong Kong service suppliers for the establishment of foreign-invested enterprises engaging in international maritime container station, container yard services, and international cargo warehousing services is delegated to the transport authorities of above prefecture-level (only in Guangdong Province). The registration of Hong Kong service suppliers for the establishment of foreign-invested enterprises engaging in international ship management services is delegated to the transport authorities of provincial-level (only in Guangdong Province).

Sector:	11. Transport Services
Sub-sector:	H. Services auxiliary to all modes of transport d. Other (CPC749)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Provision of tally services to foreign vessels is restricted to equity joint venture or contractual joint venture. For clarity and avoidance of doubt, Hong Kong service suppliers having registered in Hong Kong and independently engaging in the inspection and surveying business for over 3 years can be treated as the qualification of making the application to set up Import and Export Commodities Inspection and Surveying Organisations in the Mainland.

Sector:	11. Transport Services
Sub-sector:	I. Other Transport Services
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> Apply national treatment.

Sector:	12. Other Services Not Included Elsewhere
Sub-sector:	<ul style="list-style-type: none"> A. Services of membership organisations (CPC95) B. Other services (CPC97) C. Private households with employed persons (CPC98) D. Services provided by extraterritorial organisations and bodies (CPC99)
Obligations concerned:	National Treatment
Reserved Restrictive Measures:	<u>Commercial Presence</u> <ul style="list-style-type: none"> 1. Not to provide services on trade unions, ethnic minority bodies, and religious or political group membership organisations. 2. Not to set up representative offices of overseas organisations and institutions in the Mainland.

Table 2

**Liberalisation Measures under Cross-border Services
(Positive List)¹**

Sectors or Sub-sectors	1. Business services
	A. Professional services
	a. Legal services (CPC861)
Specific commitments	<p>1. To allow Mainland law firms to employ Hong Kong legal practitioners². Such practitioners who are employed by Mainland law firms must not handle matters of Mainland law³.</p> <p>2. To allow Hong Kong permanent residents with Chinese citizenship to sit the legal qualifying examination in the Mainland and acquire Mainland legal professional qualification in accordance with the “State Judicial Examination Implementation Measures”⁴.</p> <p>3. To allow those who have acquired Mainland legal professional qualification under item 2 above to engage</p>

¹ Under the cross-border services mode, the liberalisation commitments by the Mainland to Hong Kong service suppliers shall maintain the use of Positive List to set out the liberalisation measures. Table 2 of Annex 1 of this Agreement covers all liberalisation measures under the cross-border services mode (excluding telecommunications and cultural services) in CEPA and its Supplements, and the Guangdong Agreement. Sectoral classification is based on WTO’s GATS Services Sectoral Classification List (GNS/W/120). For the contents of the sectors, reference is made to the relevant United Nations Provisional Central Product Classification (CPC).

² Hong Kong legal practitioners refer to barristers and solicitors of Hong Kong. Their years of practice should be calculated according to the actual number of years for which the solicitor or barrister has practised in Hong Kong as shown on the relevant certificate respectively issued by the Law Society of Hong Kong or the Hong Kong Bar Association.

³ Covering the liberalisation measures provided in CEPA.

⁴ Covering the liberalisation measures provided in CEPA.

	<p>in non-litigation legal work in Mainland law firms in accordance with the “Law of the People's Republic of China on Lawyers”¹.</p> <p>4. Hong Kong lawyers providing professional assistance at the request of Mainland law firms on the basis of individual cases will not be required to apply for a Hong Kong legal consultant permit².</p> <p>5. A Hong Kong resident who is allowed to practise in the Mainland will practise in one Mainland law firm only, and will not simultaneously be employed by the representative office set up by a law firm of a foreign country in China, or the representative office set up by a law firm of Hong Kong or Macao in the Mainland³.</p> <p>6. To allow Hong Kong residents who have acquired Mainland lawyer qualifications or legal professional qualifications and hold a Mainland lawyer's practice certificate to engage in activities as agents in civil litigation cases relating to Hong Kong in the capacity of Mainland lawyers, according to the specific scope of permitted business provided in the relevant provisions of the judicial administrative authority⁴.</p> <p>7. To allow Hong Kong barristers to act as agents in civil litigation cases in the Mainland in the capacity of citizens⁵.</p> <p>8. To allow Hong Kong residents who have acquired</p>
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¹ Covering the liberalisation measures provided in CEPA.

² Covering the liberalisation measures provided in CEPA Supplement.

³ Covering the liberalisation measures provided in CEPA Supplement II.

⁴ Covering the liberalisation measures provided in CEPA Supplement III, Supplement VIII, and Guangdong Agreement, and the newly added liberalisation measures in this Agreement.

⁵ Covering the liberalisation measures provided in CEPA Supplement III.

	<p>Mainland lawyer qualifications or legal professional qualifications to undergo internship in a branch office of a Mainland law firm set up in Hong Kong in accordance with the <i>Outline for Practical Training and the Guidelines on Practical Training</i> as required in the Mainland¹.</p> <p>9. To allow Hong Kong legal practitioners who have at least 5 years' experience in legal practice and who have passed the National Judicial Examination to undergo the intensive training offered by lawyers associations in the Mainland that lasts for at least 1 month in accordance with the "Law of the People's Republic of China on Lawyers" and the provisions of the "Rules on Management of Internship for Application for Legal Practice (Provisional)" drawn up by the All-China Lawyers Association. Upon completion of the training and passing the assessment, they can apply to practise as lawyers in the Mainland².</p> <p>10. To waive the residency requirement in the Mainland for representatives stationed in representative offices of Hong Kong law firms in the Mainland³.</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement III.

² Covering the liberalisation measures provided in CEPA Supplement VI.

³ Covering the liberalisation measures provided in CEPA Supplement III.

Sectors or Sub-sectors	1. Business services
	A. Professional services
	b. Accounting, auditing and bookkeeping services (CPC862)
Specific commitments	<p>1. Hong Kong accountants who have already qualified as Chinese Certified Public Accountants (CPAs) and practised in the Mainland (including partnership) are treated on par with Chinese CPAs in respect of the requirement for annual working period in the Mainland. ¹</p> <p>2. To allow consultancy companies in the Mainland established by Hong Kong accountants that have satisfied the requirements of the Mainland's "Provisional Measures for the Administration of the Provision of Bookkeeping Services" to provide bookkeeping services. Hong Kong accountants providing bookkeeping services should have obtained the Mainland's accounting qualification certificate. In addition, the person in charge of the bookkeeping services should hold the relevant Mainland's professional qualification (professional title) of accountant or above. ²</p> <p>3. When Hong Kong accountants apply for a practising licence in the Mainland, the length of auditing experience that they have acquired in Hong Kong is equivalent to the length of auditing experience acquired in the Mainland. ³</p> <p>4. The validity period of the "Provisional Licence to Perform Audit-Related Services", applied for by Hong</p>

¹ Covering the liberalisation measures provided in CEPA.

² Covering the liberalisation measures provided in CEPA Supplement.

³ Covering the liberalisation measures provided in CEPA Supplement.

	<p>Kong accounting firms for the purpose of conducting auditing business on a temporary basis in the Mainland, is extended to five years. ¹</p> <p>5. To permit the setting up of an examination centre in Hong Kong for holding the Mainland's Accounting Professional Technician Qualification Examination. ²</p> <p>6. To allow Shenzhen Municipality and Dongguan Municipality in the Guangdong Province to set up dedicated examination centres for Hong Kong residents to sit the Mainland's accounting qualification examination and handle related matters. Those who pass the examination will be issued an accounting qualification certificate by the Guangdong Province. ³</p> <p>7. To suitably simplify the documentation requirements for applications for conducting business on a temporary basis in the Mainland by Hong Kong accounting firms. ⁴</p> <p>8. When Hong Kong permanent residents who have obtained the Chinese Certified Public Accountants (CPAs) qualification apply to become partners of accounting firms in the Mainland, the length of auditing experience that they have acquired in Hong Kong is considered equivalent to the length of auditing experience acquired in the Mainland. ⁵</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement V.

² Covering the liberalisation measures provided in CEPA Supplement V.

³ Covering the liberalisation measures provided in CEPA Supplement V.

⁴ Covering the liberalisation measures provided in CEPA Supplement IX.

⁵ Covering the liberalisation measures provided in Guangdong Agreement.

Sectors or Sub-sectors	1. Business services
	A. Professional services
	d. Architectural services (CPC8671) e. Engineering services (CPC8672) f. Integrated engineering services (CPC8673) g. Urban planning and landscape architectural services (CPC8674) Including Construction engineering cost consulting services
Specific commitments	<p>1. To relax the requirement of residence in the Mainland for Hong Kong professional and technical staff by counting their period of residence in Hong Kong as equivalent to their period of residence in the Mainland.¹</p> <p>2. Hong Kong professionals, who have obtained Mainland's construction professional qualifications through mutual recognition, are allowed to register and practise in Guangdong, Guangxi and Fujian and enjoy the same treatment as Mainland professionals having the same professional qualifications.²</p> <p>3. Hong Kong professionals, who have obtained Mainland's registered urban planner qualification, are allowed to register in Guangdong, Guangxi and Fujian regardless of whether they are registered in Hong Kong.³</p> <p>4. Hong Kong professionals, who have obtained Mainland's supervision engineer qualification, are</p>

¹ Covering the liberalisation measures provided in CEPA Supplement II and Supplement X.

² Covering the liberalisation measures provided in CEPA Supplement VIII, and the newly added liberalisation measures in this Agreement.

³ Covering the liberalisation measures provided in CEPA Supplement V, and the newly added liberalisation measures in this Agreement.

	<p>allowed to register in Guangdong, Guangxi and Fujian regardless of whether they are registered practitioners in Hong Kong.¹</p> <p>5. Hong Kong professionals, who have obtained Mainland's supervision engineer qualification, are recognised as registered practitioners for the purpose of declaration of supervision enterprise qualifications within Guangdong, Guangxi and Fujian, in accordance with the relevant Mainland regulations.²</p> <p>6. Hong Kong professionals, who have obtained Mainland's class 1 registered architect qualification by mutual recognition, are allowed to register and practise in Guangdong, Guangxi and Fujian regardless of whether they are registered practitioners in Hong Kong.³</p> <p>7. Hong Kong professionals, who have obtained Mainland's class 1 registered architect qualification, are allowed to act as partners to set up construction and engineering design offices in the Mainland in accordance with the relevant qualification requirements. For these enterprises, there is no restriction on the ratio of the number of the Hong Kong partners to the number of the Mainland partners, the ratio of the total capital contributed by the Hong Kong partners to that by the Mainland</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement V, and the newly added liberalisation measures in this Agreement.

² Covering the liberalisation measures provided in CEPA Supplement IX, and the newly added liberalisation measures in this Agreement.

³ Covering the liberalisation measures provided in CEPA Supplement VII, and the newly added liberalisation measures in this Agreement.

	<p>partners, and the period of residence in the Mainland for the Hong Kong partners.¹</p> <p>8. Hong Kong professionals, who have obtained Mainland's class 1 registered architect qualification through mutual recognition, are recognised as registered practitioners for the purpose of declaration of engineering design enterprise qualifications within Guangdong, Guangxi and Fujian, in accordance with the relevant Mainland regulations.²</p> <p>9. Hong Kong professionals, who have obtained through examination Mainland's registered architect qualification, are allowed to register and practise in Guangdong, Guangxi and Fujian regardless of whether they are registered practitioners in Hong Kong. They are recognised as registered practitioners for the purpose of declaration of engineering design enterprise qualifications within Guangdong, Guangxi and Fujian, in accordance with the relevant Mainland regulations.³</p> <p>10. Hong Kong professionals, who have obtained Mainland's class 1 registered structural engineer qualification by mutual recognition, are allowed to register and practise in Guangdong, Guangxi and Fujian regardless of whether they are registered practitioners in Hong Kong.⁴</p> <p>11. Hong Kong professionals, who have obtained</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement VII.

² Covering the liberalisation measures provided in CEPA Supplement VIII, and the newly added liberalisation measures in this Agreement.

³ Covering the liberalisation measures provided in CEPA Supplement IX, and the newly added liberalisation measures in this Agreement.

⁴ Covering the liberalisation measures provided in CEPA Supplement VII, and the newly added liberalisation measures in this Agreement.

	<p>Mainland's class 1 registered structural engineer qualification, are allowed to act as partners to set up construction and engineering design offices in the Mainland in accordance with the relevant qualification requirements. For these enterprises, there is no restriction on the ratio of the number of the Hong Kong partners to the number of the Mainland partners, the ratio of the total capital contributed by the Hong Kong partners to that by the Mainland partners, and the period of residence in the Mainland for the Hong Kong partners.¹</p> <p>12. Hong Kong professionals, who have obtained Mainland's class 1 registered structural engineer qualification through mutual recognition, are recognised as registered practitioners for the purpose of declaration of engineering design enterprise qualifications within Guangdong, Guangxi and Fujian, in accordance with the relevant Mainland regulations.²</p> <p>13. Hong Kong professionals, who have obtained through examination Mainland's registered structural engineer, registered civil engineer (harbour and waterway), registered public facility engineer, registered chemical engineer or registered electrical engineer qualification, are allowed to register and practise in Guangdong, Guangxi and Fujian regardless of whether they are registered practitioners in Hong Kong. They are recognised as registered practitioners for the purpose of declaration of engineering design enterprise qualifications within</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement VII.

² Covering the liberalisation measures provided in CEPA Supplement VIII, and the newly added liberalisation measures in this Agreement.

	<p>Guangdong, Guangxi and Fujian, in accordance with the relevant Mainland regulations.¹</p> <p>14. When Hong Kong service suppliers set up construction and engineering design enterprises in Guangdong Province, they are allowed to employ architects and structural engineers registered in Hong Kong (who have not yet obtained the relevant professional qualifications in the Mainland), who may be regarded as key professional and technical personnel, but not registered personnel, in assessing the enterprise qualifications.²</p> <p>15. Regarding elective courses of the continuing education which Mainland's registered architects have to attend, Hong Kong service suppliers are allowed to complete elective courses in Hong Kong or to be taught by Mainland teachers in Hong Kong. The arrangement for conducting elective courses of the continuing education must be recognised by the Mainland authorities.³</p> <p>16. When foreign wholly-owned or joint-venture urban-rural planning enterprises declare their enterprise qualifications in Guangdong Province, Hong Kong professionals in their employment, who have obtained Mainland's registered planner qualification through mutual recognition, can be regarded as essential registered personnel during the assessment.⁴</p> <p>17. Regarding the elective courses of continuing</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement IX, and the newly added liberalisation measures in this Agreement.

² Covering the liberalisation measures provided in Guangdong Agreement.

³ Covering the liberalisation measures provided in CEPA Supplement X.

⁴ Covering the liberalisation measures provided in Guangdong Agreement.

	<p>education which class 1 registered structural engineers have to take, Hong Kong service suppliers are allowed to complete the courses in Hong Kong or to be taught by teachers sent from the Mainland. The arrangements for taking the elective courses of continuing education are subject to the approval of the Mainland authorities.¹</p> <p>18. Regarding the elective courses of continuing education which supervision engineers have to take, Hong Kong service suppliers are allowed to complete all the courses in Shenzhen Municipality.²</p> <p>19. To allow contractual service providers³ employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland^{4, 5}.</p>
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¹ Covering the liberalisation measures provided in Guangdong Agreement.

² Covering the liberalisation measures provided in Guangdong Agreement.

³ The “contractual service provider”, as specified in the Annex of this Agreement refers to a natural person who holds a Hong Kong Special Administrative Region identity document and enters the Mainland to provide temporary service for the performance of the service contract(s) secured in the Mainland by his/her employer. His/her employer should be a Hong Kong service supplier without commercial presence in the Mainland. The remuneration of a contractual service provider during his/her stay in the Mainland will be borne by the employer. The contractual service provider should possess academic qualification and technical (professional) qualification relevant to the services provided. During his/her stay in the Mainland, the contractual service provider cannot involve in any service activities irrelevant to the contract.

⁴ Architectural services, engineering services, and integrated engineering services.

⁵ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	1. Business services
	A. Professional services
	h. Medical and dental services (CPC9312) j. Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC93191) Including Pharmaceutical services
	8. Health related and social services (excluding those listed in the professional services)
	A. Hospital services B. Other human health services
	Hospital services (CPC9311) Convalescent hospital services
Specific commitments	<p>1. Statutory healthcare professionals¹ who are registered to practise in Hong Kong are allowed to provide short-term services in the Mainland.²</p> <p>2. The maximum duration of the short-term practice is three years. On expiry, new application procedures should be made for renewing the short-term practice.³</p> <p>3. Hong Kong permanent residents who are legally eligible to practise western medicine, dentistry and Chinese medicine in the Hong Kong Special Administrative Region are not required to sit the Mainland's qualification examination for the purpose of short-term practice in the Mainland.⁴</p>

¹ Under the legislation of Hong Kong, there are 12 types of statutory healthcare professionals who are required to be registered with their respective boards or councils before they are allowed to practise in Hong Kong. These include Medical Practitioners, Chinese Medicine Practitioners, Dentists, Pharmacists, Nurses, Midwives, Medical Laboratory Technologists, Occupational Therapists, Optometrists, Radiographers, Physiotherapists and Chiropractors.

² Covering the liberalisation measures provided in CEPA and CEPA Supplement VII.

³ Covering the liberalisation measures provided in CEPA and Supplement.

⁴ Covering the liberalisation measures provided in CEPA and Supplement.

	<p>4. To allow Hong Kong permanent residents, who have acquired a medicine degree or above from the University of Hong Kong, or the Chinese University of Hong Kong, and who have completed one-year internship in Hong Kong and are legally eligible to practise in Hong Kong, to sit the Mainland's qualification examination. A "medical practitioner's qualification certificate" of the Mainland will be issued to those who pass the examination.¹</p> <p>5. To allow Hong Kong permanent residents who have acquired a dental degree or above from the University of Hong Kong and who are legally eligible to practise in Hong Kong and have been practising for more than one year to sit the Mainland's qualification examination. A "medical (dental) practitioner's qualification certificate" of the Mainland will be issued to those who pass the examination.²</p> <p>6. To allow Hong Kong permanent residents in possession of a medicine degree or above of the Mainland to sit the Mainland's qualification examination after they have completed one-year uninterrupted internship under the supervision of a practising doctor in a tier 3 (tertiary) hospital and passed an assessment, or after they have passed the Hong Kong qualification examination and completed one-year internship and become legally eligible to practise in Hong Kong. A "medical practitioner's qualification certificate" of the Mainland will be issued to those who pass the examination.³</p>
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¹ Covering the liberalisation measures provided in CEPA.

² Covering the liberalisation measures provided in CEPA.

³ Covering the liberalisation measures provided in CEPA.

	<p>7. To allow Hong Kong permanent residents in possession of a dental degree or above of the Mainland to sit the Mainland's dental qualification examination after they have completed one-year uninterrupted internship under the supervision of a practising dentist in a tier 3 (tertiary) hospital and passed an assessment, or after they have become legally eligible to practise through examination in Hong Kong and have been practising in Hong Kong for more than one year. A "medical (dental) practitioner's qualification certificate" of the Mainland will be issued to those who pass the examination.¹</p> <p>8. To allow Hong Kong permanent residents who have acquired a Chinese medicine degree from the Chinese University of Hong Kong, or the Hong Kong Baptist University, or the University of Hong Kong and are legally eligible to practise in Hong Kong to sit the Mainland's qualification examination on the condition that they have completed one-year internship in the Mainland and passed an assessment in accordance with the relevant requirements, or that they have been practising in Hong Kong for more than one year. A "medical (traditional Chinese medicine) practitioner's qualification certificate" of the Mainland will be issued to those who pass the examination.²</p> <p>9. To allow Hong Kong permanent residents who are in possession of a Chinese medicine higher degree from a full-time tertiary institution approved by the</p>
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¹ Covering the liberalisation measures provided in CEPA.

² Covering the liberalisation measures provided in CEPA and Supplement, and the newly added liberalisation measures in this Agreement.

	<p>Education Administration Department of the Mainland State Council to sit the Mainland's medical qualification examination after they have become legally eligible to practise in Hong Kong through the Chinese medicine qualification examination and have been practising for more than one year. They may also sit the Mainland's medical qualification examination after they have completed one-year internship in the Mainland and passed an assessment in accordance with the relevant requirements. A "medical (traditional Chinese medicine) practitioner's qualification certificate" of the Mainland will be issued to those who pass the examination.¹</p> <p>10. The categories of medical qualification examinations that Hong Kong permanent residents may apply to sit are clinical medicine, traditional Chinese medicine and dental medicine.²</p> <p>11. To allow Hong Kong permanent residents who are legally eligible to practise western medicine and dentistry in Hong Kong to sit the Mainland's medical qualification examination (excluding Chinese medicine practitioners). A "medical practitioner's qualification certificate" of the Mainland will be issued to those who pass the examination.³</p> <p>12. Qualified Hong Kong permanent residents with Chinese citizenship are allowed to apply for and obtain the Mainland's "medical practitioner's qualification certificates" through accreditation^{4,1}</p>
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¹ Covering the liberalisation measures provided in CEPA.

² Covering the liberalisation measures provided in CEPA.

³ Covering the liberalisation measures provided in CEPA Supplement.

⁴ Details of implementation to be promulgated by the health authorities (Health and Family Planning Commission).

	<p>13. To allow Hong Kong permanent residents who are licensed Hong Kong pharmacists and who fulfil the application criteria under the Mainland's Provisional Regulations on Licensed Pharmacists Qualification System (No. 34[1999] of the State Food & Drug Administration) to sit the Mainland's licensed pharmacists qualification examination. A "licensed pharmacist's qualification certificate" of the Mainland will be issued to those who pass the examination.²</p> <p>14. To allow Hong Kong permanent residents who are licensed Hong Kong pharmacists, after obtaining the "licensed pharmacist's qualification certificate", to register in accordance with requirements under the Mainland's Provisional Mechanism for Licensed Pharmacists Registration Management (No. 156[2000] of the State Food and Drug Administration) and under other relevant documents.³</p> <p>15. To allow Hong Kong permanent residents to apply for registration as Mainland practising pharmacists in accordance with the relevant Mainland's regulations.⁴</p> <p>16. To allow Hong Kong service suppliers to provide, in the mode of cross-border supply, services classified under this sector or sub-sector in the Mainland^{5, 6}.</p> <p>17. To allow contractual service providers employed by</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement V.

² Covering the liberalisation measures provided in CEPA Supplement VI.

³ Covering the liberalisation measures provided in CEPA Supplement VI.

⁴ Covering the liberalisation measures provided in Guangdong Agreement.

⁵ Hospital services.

⁶ Covering the liberalisation measures provided in CEPA Supplement X.

	Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland ¹ .
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¹ Hospital services; covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	1. Business services
	A. Professional services
	i. Veterinary services (CPC932)
Specific commitments	To allow Hong Kong residents who obtained the qualification as national practising Licensed Veterinarians to practise in the Mainland. ¹

¹ Covering the newly added liberalisation measures in this Agreement.

Sectors or Sub-sectors	1. Business services
	A. Professional services
	k. Other (Patent agency, Trade mark agency etc.) (CPC8921-8923)
Specific commitments	<p>1. To allow contractual service providers employed by Hong Kong service suppliers to provide services under this sector or sub-sector in the Mainland within the scope allowed by the relevant rules and regulations^{1, 2}</p> <p>2. To allow eligible Hong Kong permanent residents with Chinese citizenship to take the National Qualification Examination for Patent Agents in the Mainland. A Patent Agent Qualification Certificate will be issued to those who pass the examination.³</p> <p>3. Hong Kong permanent residents with Chinese citizenship who have obtained the Patent Agent Qualification Certificates may practise in patent agencies established with permission in the Mainland. Those who meet the prescribed requirements may become partners or shareholders of patent agencies established with permission in the Mainland.⁴</p>

¹ Trade mark agency.

² Covering the liberalisation measures provided in CEPA Supplement X.

³ Covering the liberalisation measures provided in CEPA Supplement.

⁴ Covering the liberalisation measures provided in CEPA Supplement.

Sectors or Sub-sectors	1. Business services
	B. Computer and related services
	<ul style="list-style-type: none"> a. Consultancy services related to the installation of computer hardware (CPC841) b. Software implementation services (CPC842) c. Data processing services (CPC843) d. Database services (CPC844, except network operation services and value-added network services¹) e. Other (CPC845, 849)
Specific commitments	<ul style="list-style-type: none"> 1. To allow Hong Kong service suppliers to provide cross-boundary database services in Qianhai and Hengqin on a pilot basis². 2. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland^{3 4}.

¹ "Network operation services and value-added network services" belongs to the areas covered by Table 3 of Annex 1 of this Agreement (Telecommunications Services Positive List).

² Covering the liberalisation measures provided in CEPA Supplement IX.

³ Software Implementation services.

⁴ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	1. Business services
	D. Real estate services
	b. Real estate services on a fee or contract basis (CPC822)
Specific commitments	To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland. ¹

¹ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	1. Business services
	F. Other business services
	d. Services related to management consulting (CPC8660) Project management services other than for construction (CPC86601)
Specific commitments	To allow Hong Kong service suppliers to provide, in the form of cross-border supply, project management services other than for construction in services related to management consulting. ¹

¹ Covering the liberalisation measures provided in CEPA Supplement IV.

Sectors or Sub-sectors	1. Business services
	F. Other business services
	e. Technical testing and analysis services (CPC8676) and Product testing services (CPC749)
Specific commitments	<p>1. To allow testing organisations in Hong Kong to cooperate with designated Mainland organisations to undertake testing of products for the China Compulsory Certification (CCC) System on all existing products processed in Hong Kong (i.e. the processing facilities are located in Hong Kong) that require CCC. These testing organisations have to be accredited by the accreditation body of the Government of Hong Kong Special Administrative Region (i.e. the Hong Kong Accreditation Service (HKAS)) to be capable of performing testing of the relevant products under the CCC System. Cooperation arrangements should comply with relevant requirements in the Regulations on Certification and Accreditation of the People's Republic of China.¹</p> <p>2. To allow testing organisations in Hong Kong to cooperate with designated Mainland organisations to undertake testing of products for the China Compulsory Certification (CCC) System. The products are under the "audio and visual apparatus" category of the CCC System, and have to be designed and prototyped in Hong Kong, as well as processed or manufactured in Guangdong Province. These testing organisations have to be accredited by the accreditation body of the Government of the</p>

¹ Covering the liberalisation measures provided in CEPA Supplement VII and Supplement VIII.

	<p>Hong Kong Special Administrative Region (i.e. the Hong Kong Accreditation Service) to be competent in performing testing of the relevant products under the CCC System.¹</p> <p>3. In the area of voluntary certification, to allow testing organisations in Hong Kong to cooperate with Mainland certification bodies to undertake testing of products manufactured or processed in Hong Kong or on the Mainland. These testing organisations have to be accredited by the accreditation body of the Government of the Hong Kong Special Administrative Region (i.e. the Hong Kong Accreditation Service) to be competent in performing testing of the relevant products.²</p> <p>4. To implement, on a pilot basis, a mutual recognition arrangement of certification and relevant testing business among Guangdong, Hong Kong and Macao in the China (Guangdong) Pilot Free Trade Zone, with a view to carry out “certified once, tested once, and results accepted by three places”.³</p> <p>5. On the basis of mutual trust and mutual benefit, to allow testing and certification organisations in Hong Kong to cooperate with the Mainland testing and certification organisations in respect of acceptance of testing data (results). Specific cooperation arrangements are subject to further discussion.⁴</p> <p>6. To allow contractual service providers employed by</p>
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¹ Covering the liberalisation measures provided in Guangdong Agreement.

² Covering the liberalisation measures provided in Guangdong Agreement.

³ Covering the newly added liberalisation measures provided in this Agreement.

⁴ Covering the liberalisation measures provided in CEPA Supplement X.

	Hong Kong service suppliers, in the mode of movement of natural persons, to provide services ¹ under this sector or sub-sector on the Mainland. ²
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¹ Technical testing and analysis services (CPC8676) and product testing services (CPC749) do not include the statutory testing service under product testing services.

² Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	1. Business services
	F. Other business services
	k. Placement and supply services of Personnel (CPC872)
Specific commitments	<p>1. To allow the international ship management companies set up by Hong Kong service suppliers in the form of wholly-owned enterprises, equity joint ventures or contractual joint ventures in the Mainland, in their application for the qualification to conduct dispatch of seafarers type of foreign labour service co-operation, without the need to apply for the qualification in foreign invested personnel placement agencies or talent intermediary agencies.¹</p> <p>2. Hong Kong service suppliers are allowed to directly apply in Guangdong Province to set up wholly-owned seafarer despatch enterprises to provide seafarer despatch services to Hong Kong - registered ships, without the need for setting up ship management companies.²</p>

¹ Covering the liberalisation measures provided in CEPA Supplement VI.

² Covering the liberalisation measures provided in Guangdong Agreement.

Sectors or Sub-sectors	1. Business services
	F. Other business services
	o. Building-cleaning services (CPC 874)
Specific commitments	To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland. ¹

¹ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	1. Business services
	F. Other business services
	p. Photographic services (CPC875)
Specific commitments	To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland. ¹

¹ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	1. Business services
	F. Other business services
	s. Convention services (CPC87909)
Specific commitments	<p>1. To allow Hong Kong service suppliers to organise exhibitions, in the form of cross-border supply, in the Guangdong Province, Shanghai Municipality, Beijing Municipality, Tianjin Municipality, Chongqing Municipality, Zhejiang Province, Jiangsu Province, Fujian Province, Jiangxi Province, Hunan Province, Guangxi Zhuang Autonomous Region, Hainan Province, Sichuan Province, Guizhou Province and Yunnan Province on a pilot basis^{1, 2}</p> <p>2. To entrust the Guangdong Province with the authority to approve applications submitted by Hong Kong service suppliers for organising foreign economic and technical exhibitions with an exhibition area exceeding 1 000 square metres in the Guangdong Province^{3, 4}</p> <p>3. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland^{5, 6}</p>

¹ Subject to the approval of the Ministry of Commerce according to relevant laws and regulations in the Mainland.

² Covering the liberalisation measures provided in CEPA Supplement IV, Supplement VI, and the newly added liberalisation measures in this Agreement.

³ Exhibitions using the word "China/Chinese" at the beginning of their titles shall be subject to the approval of the Ministry of Commerce upon notification by the relevant authorities in charge of commerce in the Guangdong Province.

⁴ Covering the liberalisation measures provided in CEPA Supplement VI.

⁵ Convention and exhibition services (CPC 87909).

⁶ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	1. Business services
	F. Other business services
	t. Other (CPC8790) - Duplicating services (CPC87904) - Translation and interpretation services (CPC87905)
Specific commitments	To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland ¹ . ²

¹ Duplicating services, translation and interpretation services.

² Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	3. Construction and related engineering services CPC511, 512, 513 ¹ , 514, 515, 516, 517, 518 ²
Specific commitments	<p>1. For Hong Kong service suppliers setting up construction enterprises in the Mainland, there will be no restriction on the proportion of Hong Kong permanent residents being project managers accredited by the qualification administration authorities.³</p> <p>2. From the signing date of CEPA Supplement VI and before promulgation of the new "Standards for the Qualifications of Construction Enterprises", the recognition policy of the then-Ministry of Construction for Hong Kong Project Managers concerning the qualification assessment of Hong Kong-invested construction enterprises in the Mainland remains unchanged. The recognition of Hong Kong Project Managers remains valid for the purpose of qualification administration of such enterprises employing them originally.⁴</p> <p>3. After promulgation of the new "Standards for the Qualifications of Construction Enterprises", the originally recognized Hong Kong Project Managers are allowed to continue to act as Project Managers of projects that they contracted or have commenced construction before promulgation of the standards, until completion.⁵</p> <p>4. The residency requirement is waived for Hong Kong</p>

¹ Including dredging services relating to infrastructure construction.

² The coverage is limited only to the rental and leasing services of construction and/or demolition equipment (with operators) which are owned and used by foreign construction enterprises in the course of providing services.

³ Covering the liberalisation measures provided in CEPA Supplement.

⁴ Covering the liberalisation measures provided in CEPA Supplement VI.

⁵ Covering the liberalisation measures provided in CEPA Supplement VI.

	<p>permanent residents employed as engineering technical staff and economic managerial staff in construction enterprises in the Mainland set up by Hong Kong service suppliers.¹</p> <p>5. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.²</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement.

² Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	4. Distribution services
	B. Wholesale trade services (CPC622) C. Retailing services (CPC631, 632, 6111, 6113, 6121)
Specific commitments	To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland. ¹

¹ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	5. Educational services
	C. Higher education services (CPC923)
Specific commitments	To allow Guangdong Province to endorse the admission of Hong Kong students by ordinary higher education institutions in its province. ¹

¹ Covering the liberalisation measures provided in Guangdong Agreement.

Sectors or Sub-sectors	6. Environmental services (excluding environmental quality monitoring and pollution source investigation)
	A. Sewage services (CPC9401) B. Refuse disposal services (CPC9402) C. Sanitation and similar services (CPC9403) D. Cleaning services of exhaust gases (CPC9404) E. Noise abatement services (CPC9405) F. Nature and landscape protection services (CPC9406) G. Other environmental protection services (CPC9409)
Specific commitments	To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland. ¹

¹ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	7. Financial services
	A. All insurance and insurance-related services (CPC812)
	<ul style="list-style-type: none"> a. Life, accident and health insurance services (CPC8121) b. Non-life insurance services (CPC8129) c. Reinsurance and retrocession (CPC81299) d. Services auxiliary to insurance (including broking and agency services, consultancy services, actuarial services) (CPC8140)
Specific commitments	<ol style="list-style-type: none"> 1. To allow Hong Kong residents with Chinese citizenship, after obtaining the Mainland's professional qualifications in actuarial science, to practise in the Mainland without prior approval.¹ 2. To allow Hong Kong residents, after obtaining the Mainland's insurance practitioners' qualifications and being employed or appointed by a Mainland insurance institution, to engage in the relevant insurance business.² 3. To permit the setting up of an examination centre in Hong Kong for the Mainland qualifying examinations for insurance intermediaries.³ 4. To encourage Mainland insurance companies to cede their business to Hong Kong insurance or reinsurance companies with RMB as the settlement currency.⁴

¹ Covering the liberalisation measures provided in CEPA.

² Covering the liberalisation measures provided in CEPA.

³ Covering the liberalisation measures provided in CEPA Supplement IV.

⁴ Covering the liberalisation measures provided in Guangdong Agreement.

	<p>5. To encourage Hong Kong insurance companies to continue expanding the scale of their outward reinsurance business placements to the Mainland reinsurance companies.¹</p> <p>6. To allow Guangdong insurance companies that fulfil regulatory requirements to entrust Hong Kong insurance companies to develop RMB insurance policies selling services in Hong Kong. These insurance companies must strictly follow the requirements of relevant insurance laws, regulations and codes, and their businesses being carried on in a regulated manner with a view to enhancing mutual development of insurance markets.²</p>
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¹ Covering the liberalisation measures provided in Guangdong Agreement.

² Covering the liberalisation measures provided in Guangdong Agreement.

Sectors or Sub-sectors	7. Financial services
	B. Banking and other financial services (excluding insurance)
	<ul style="list-style-type: none"> a. Acceptance of deposits and other repayable funds from the public (CPC81115-81119) b. Lending of all types, including, inter alia, consumer credit, mortgage credit, factoring and financing of commercial transaction (CPC8113) c. Financial leasing (CPC8112) d. All payment and money transmission services (CPC81339) e. Guarantees and commitments (CPC81199) f. Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following: <ul style="list-style-type: none"> f1. money market instruments (CPC81339) f2. foreign exchange (CPC81333) f3. derivative products including, but not limited to, futures and options (CPC81339) f4. exchange rate and interest rate instruments, including products such as swaps, forward rate agreements, etc. (CPC81339) f5. transferable securities (CPC81321) f6. other negotiable instruments and financial assets, including bullion (CPC81339) g. Participation in issues of all kinds of securities (CPC8132) h. Money broking (CPC81339) i. Asset management (CPC8119, 81323) j. Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments (CPC81339 or

	<p>81319)</p> <p>k. Advisory and other auxiliary financial services (CPC8131 or 8133)</p> <p>l. Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC8131)</p>
Specific commitments	<p>1. To allow any Mainland-incorporated banking institution established by a Hong Kong bank that meets the following criteria to locate its data centre in Hong Kong:¹</p> <ul style="list-style-type: none"> (1) Incorporated in the Mainland on or before 30 June 2008; (2) At the time of its incorporation, its parent bank has already established a data centre in Hong Kong; (3) The data centre for the Mainland business (which should include core systems such as those for customer, accounting and product information) should operate independently; (4) Its board of directors and senior management should assume the ultimate oversight and accountability over the management of the data centre for the Mainland business; and (5) The data centre for the Mainland business should meet the relevant supervisory requirements and be subject to the approval of the relevant Mainland authorities. <p>2. To develop a more diversified offshore RMB product market and increase channels for two-way fund flows.²</p>

¹ Covering the liberalisation measures provided in CEPA Supplement V.

² Covering the liberalisation measures provided in Guangdong Agreement.

	<p>3. Relevant agencies of both sides shall affirm concluded cooperation agreements on mutual recognition of banking professional qualifications and further promote and expand the work on mutual recognition of banking professional qualifications.¹</p> <p>4. To simplify the relevant procedures for Hong Kong professionals² applying in the Mainland for securities and futures industry qualifications. Hong Kong professionals applying to obtain securities and futures industry qualifications of the Mainland need only to undertake training and pass examination on Mainland laws and regulations; and examination on professional knowledge is not required.³</p> <p>5. To support qualified Mainland securities companies approved by the China Securities Regulatory Commission or other financial institutions engaged in securities activities to set up subsidiaries in Hong Kong according to relevant requirements and operate businesses in accordance with the laws. The timeframe for Mainland securities companies to complete registration for their subsidiaries is extended from six months to one year.⁴</p> <p>6. To allow the Hong Kong Exchanges and Clearing Limited to set up a representative office in Beijing.⁵</p> <p>7. To allow Mainland fund management companies approved by the China Securities Regulatory</p>
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¹ Covering the liberalisation measures provided in Guangdong Agreement.

² In this sector, professionals refer to Hong Kong permanent residents who have been licensed by the Securities and Futures Commission of Hong Kong.

³ Covering the liberalisation measures provided in CEPA.

⁴ Covering the liberalisation measures provided in CEPA Supplement IV.

⁵ Covering the liberalisation measures provided in CEPA.

	<p>Commission to establish subsidiaries in Hong Kong to operate relevant businesses.¹</p> <p>8. To allow subsidiaries set up in Hong Kong by qualified Mainland futures companies in developing business in Hong Kong in accordance with the laws.²</p> <p>9. To explore further lowering of the eligibility requirements for QDII, QFII and RQFII schemes and to increase relevant investment quotas.³</p> <p>10. To deepen the co-operation between the Mainland and Hong Kong in financial services and product development, it is agreed that ETF (open-end index-tracking exchange-traded fund), which portfolios are constituted by Hong Kong listed stocks, will be launched in the Mainland.⁴</p> <p>11. To deepen the cooperation between the Mainland and Hong Kong in financial services and products development, and to allow investments in the Mainland securities market by means of the RMB Qualified Foreign Institutional Investor scheme (RQFII); to allow Hong Kong-funded securities companies to make reference to the securities assets being managed by the respective group when applying for QFII status.⁵</p> <p>12. To explore promoting RMB bond issuances on the Mainland exchanges by eligible Hong Kong companies.⁶</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement IV.

² Covering the liberalisation measures provided in CEPA Supplement II and Supplement VII.

³ Covering the liberalisation measures provided in Guangdong Agreement.

⁴ Covering the liberalisation measures provided in CEPA Supplement VII.

⁵ Covering the liberalisation measures provided in CEPA Supplement VIII, Supplement IX, Supplement X, and Guangdong Agreement.

⁶ Covering the newly added liberalisation measures in this Agreement.

	<p>13. Support eligible Hong Kong financial institutions to conduct RMB direct investment activities in China (Guangdong) Pilot Free Trade Zone, such as establishing, injecting capital into, or becoming a shareholder of financial institutions in the Pilot Free Trade Zone.¹</p> <p>14. On the basis of summing up relevant pilot experience in other areas and enhancing macro-prudential management, to explore allowing enterprises in China (Guangdong) Pilot Free Trade Zone to conduct cross-border RMB financing within specified scope; and allowing financial institutions engaging in banking business in the Pilot Free Trade Zone to conduct businesses such as cross-border RMB lending with Hong Kong banking institutions.²</p> <p>15. Allow financial institutions in China (Guangdong) Pilot Free Trade Zone to, in accordance with relevant regulations, provide services to individual investors in the Pilot Free Trade Zone for investing in stocks, bonds and other negotiable securities in Hong Kong's capital market.³</p>
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¹ Covering the newly added liberalisation measures in this Agreement.

² Covering the newly added liberalisation measures in this Agreement.

³ Covering the newly added liberalisation measures in this Agreement.

Sectors or Sub-sectors	8. Health related services and social services
	C. Social services
	Welfare services delivered through residential institutions to old persons and the handicapped (CPC93311) Welfare services not delivered through residential institutions (CPC93323)
Specific commitments	To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide social welfare services in the Mainland to old persons and the handicapped through residential institutions (CPC93311) and not through residential institutions (CPC93323). ¹

¹ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	9. Tourism and travel related services
	<p>A. Hotels (including apartment buildings) and restaurants (CPC641-643)</p> <p>B. Travel agency and tour operator (CPC7471)</p> <p>C. Tourist guides services (CPC7472)</p> <p>Others</p>
Specific commitments	<p>1. To allow residents of Beijing and other Mainland municipalities (a total of 49 municipalities) to visit Hong Kong individually for tourism, among which to allow the same in respect of the whole of Guangdong Province not later than 1 July 2004^{1, 2}</p> <p>2. Optimising the current "144-hour facilitation visa" policy in Guangdong Province through relaxing the requirement to pre-register the outbound control point, and reviewing the requirement regarding tour size at an appropriate juncture.³</p> <p>3. To allow Hong Kong permanent residents with Chinese citizenship to take the "Mainland Qualification Examination for Tourist Guide". Those who have passed the examination can obtain the "Mainland Tourist Guide Certificate" and register to obtain tourist guide credential in accordance with the relevant requirements. Those who have obtained the Mainland tourist guide credential can obtain Mainland outbound tour escort credential (excluding tour escort credential for outbound group tours to Taiwan) in accordance with the relevant requirements.⁴</p>

¹ The 49 Mainland municipalities include: All 21 municipalities of the Guangdong Province, Beijing, Shanghai, Tianjin, Chongqing, Nanjing, Suzhou, Wuxi (Jiangsu Province), Hangzhou, Ningbo, Taizhou (Zhejiang Province), Fuzhou (municipal district), Xiamen, Quanzhou (Fujian Province), Chengdu (Sichuan Province), Jinan (Shandong Province), Dalian, Shenyang (Liaoning Province), Nanchang (Jiangxi Province), Changsha (Hunan Province), Nanning (Guangxi Zhuang Autonomous Region), Haikou (Hainan Province), Guiyang (Guizhou Province), Kunming (Yunnan Province), Shijiazhuang (Hebei Province), Zhengzhou (Henan Province), Changchun (Jilin Province), Hefei (Anhui Province) and Wuhan (Hubei Province).

² Covering the liberalisation measures provided in CEPA.

³ Covering the liberalisation measures provided in CEPA Supplement VIII.

⁴ Covering the liberalisation measures provided in CEPA Supplement V and Supplement VI.

	<p>4. Mainland travel agents authorised to operate group tours to Taiwan can organise group tours for Mainland residents who hold valid exit/entry permit for travelling to and from Taiwan and travel endorsement (type L) to enter and remain in Hong Kong in transit. This measure aims to facilitate travel trade in the Mainland and Hong Kong to develop multi-destination tour products.⁵</p> <p>5. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland^{6, 7}</p>
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⁵ Covering the liberalisation measures provided in CEPA Supplement VI.

⁶ Travel agency and tour operator.

⁷ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	10. Recreational, Cultural and Sporting services
	D. Sporting and other recreational services (CPC964)
	Sporting services (CPC96411, 96412, 96413)
Specific commitments	<p>1. To allow Hong Kong service suppliers to provide, in the mode of cross-border supply, services classified under this sector or sub-sector in the Mainland^{1, 2}</p> <p>2. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland^{3, 4}</p>

¹ Sporting services (CPC96411, 96412, 96413).

² Covering the liberalisation measures provided in CEPA Supplement X.

³ Sporting services (CPC96411, 96412, 96413).

⁴ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	11. Transport services
	A. Maritime transport services
	<ul style="list-style-type: none"> - International transport (freight and passengers)(CPC7211, 7212, excluding cabotage transport services) - Container station and depot services - Others
	H. Auxiliary services
	<ul style="list-style-type: none"> b. Storage and warehouse services (CPC742) c. Freight forwarding agency services (CPC748, 749, excluding freight inspection)
Specific commitments	<ol style="list-style-type: none"> 1. To delegate to the transport authorities of provincial level to approve applications for general water cargo transportation between Hong Kong and Guangdong, Guangxi, Fujian Hainan, as well as applications of shipping liners engaging in waterborne transportation between Hong Kong and Guangdong Province for changing relevant records of ships.¹ 2. To allow contractual service providers employed by Hong Kong service suppliers², in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland^{3, 4}. 3. To allow Hong Kong service suppliers to use liner vessels serving main routes to move, without any restrictions, empty containers that they own or rent, as long as customs procedures are observed.⁵

¹ Covering the liberalisation measures provided in CEPA Supplement X and the newly added liberalisation measures in this Agreement.

² In this sector, the Hong Kong service suppliers must be enterprise juridical persons.

³ Cargo loading/unloading, container station and storage and international freight forwarding agency services (CPC748, 749, not including cargo inspection services).

⁴ Covering the liberalisation measures provided in CEPA Supplement X.

⁵ Covering the liberalisation measures provided in CEPA.

Sectors or Sub-sectors	11. Transport services
	C. Air transport services
	<ul style="list-style-type: none"> - Airport operation services (excl. cargo handling) (CPC74610) - Other supporting services for air transport (CPC74690) - Computer reservation system (CRS) services - Sales and marketing services for air transport
Specific commitments	<p>1. To allow Hong Kong service suppliers to provide, in the mode of cross-border supply, contract management services for small and medium airports. The period of validity of the contract should not exceed 20 years. ¹</p> <p>2. To allow Hong Kong service suppliers to provide, in the mode of cross-border supply or consumption abroad, airport management training and consultation services. ²</p> <p>3. To allow Hong Kong service suppliers to provide, in the mode of cross-border supply, sales agency services for international flights or regional flights between Hong Kong, Macao and Taiwan for the Mainland. ³</p> <p>4. To allow Hong Kong airlines to sell air tickets and hotel packages in their offices in the Mainland or through their official websites, without engaging Mainland sales agents. ⁴</p>

¹ Covering the liberalisation measures provided in CEPA Supplement.

² Covering the liberalisation measures provided in CEPA Supplement.

³ Covering the liberalisation measures provided in CEPA Supplement X.

⁴ Covering the liberalisation measures provided in Guangdong Agreement.

	<p>5. To allow contractual service providers employed by Hong Kong service suppliers to provide sales and marketing services for air transport (limited to air transport sales agencies) in the Mainland, except that providers not eligible for the statutory operating body qualification shall not engage in such services activities^{1, 2}.</p>
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¹ The definition in Annex on Air Transport Services of the WTO's General Agreement on Trade in Services applies.

² Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	11. Transport services
	F. Road transport services
	<ul style="list-style-type: none"> a. Road passenger transportation (CPC7121, 7122) b. Freight transportation by road in trucks or cars (CPC7123) c. Rental of commercial vehicles with operator (CPC7124) d. Maintenance and repair of road transport equipment (CPC6112, CPC8867) e. Supporting services for road transport services (CPC744)
Specific commitments	<p>1. To allow Hong Kong service suppliers to provide direct non-stop road freight transport services between Hong Kong and individual provinces, municipalities and autonomous regions in the Mainland^{1, 2}</p> <p>2. To introduce examination papers in traditional Chinese characters for Hong Kong drivers participating in the Mainland driving licence examinations and to designate an examination venue in Shenzhen for Hong Kong drivers to facilitate access.³</p> <p>3. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland^{4, 5}</p>

¹ Non-stop services mean direct road transport services between Hong Kong and the Mainland. In this sector, Hong Kong service suppliers supplying non-stop services must be enterprise juridical persons.

² Covering the liberalisation measures provided in CEPA.

³ Covering the liberalisation measures provided in CEPA Supplement VIII.

⁴ Freight transportation by road in trucks or cars, regular transport service for travelers, road passenger and freight transport station (depot).

⁵ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	12. Other Services Not Included Elsewhere
	B. Other services (CPC97)
	After-death services facilities (CPC9703)
Specific commitments	To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland. ¹

¹ Covering the liberalisation measures provided in CEPA Supplement X.

Others	Professional and technical personnel qualification examinations ¹
Specific commitments	<p>1. To allow eligible Hong Kong residents to take the following qualification examinations for professionals and technicians in the Mainland: registered architect, registered structural engineer, registered civil engineer (geotechnical), construction supervising engineer, cost engineer, registered town planner, estate agent, registered fire engineers, certified safety engineer, registered nuclear safety engineer, constructor, registered public facility engineer, registered chemical engineer, registered civil engineer (harbour and waterway), registered facility supervising engineer, registered land surveying and design engineers, cost evaluator, enterprise legal consultant, cotton quality examiner, auctioneer, medical practitioner specialized in public health, practising pharmacist, environmental impact assessment engineer, real estate appraiser, registered electrical engineer, certified tax accountant, certified public valuer, prosthetist and orthotist, mining rights assessor, registered consulting engineer (investment), international business, land registration agent, gemstone quality examiner; quality, translation, computing technology and software, auditing, health, economic, statistics, accountant professional qualification. Certificates of the relevant professional qualifications will be issued to those who pass the examination.²</p> <p>2. To allow Hong Kong permanent residents to take the qualification examination for real estate valuer in the</p>

¹ Examination subjects in the List may change according to the State's abatement of certification of vocational qualifications and approvals of job requirements. Specific subject(s) announced by the State Council shall prevail.

² Covering the liberalisation measures provided in CEPA Supplement, Guangdong Agreement and the newly added liberalisation measures in this Agreement.

	<p>Mainland. “Certificate of professional qualification of real estate valuer” will be issued to those who pass the examination.¹</p> <p>3. To allow eligible Hong Kong permanent residents to take the qualification examination for land surveyors in the Mainland, and a qualification certificate will be issued to those who pass the examination.²</p> <p>4. To allow eligible Hong Kong residents to apply in the Guangdong Province to take the qualification examination for veterinary practitioners in the whole Mainland, and a corresponding qualification certificate will be issued to those who pass the examination.³</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement VII.

² Covering the liberalisation measures provided in CEPA Supplement VIII.

³ Covering the liberalisation measures provided in Guangdong Agreement.

Others	Individually Owned Stores ¹
Specific commitments	<p>1. To allow Hong Kong permanent residents with Chinese citizenship to set up, in accordance with the relevant Mainland laws, regulations and administrative regulations, individually owned stores in all provinces, autonomous regions, municipalities directly under the Central Government in the Mainland, without being subject to approval procedures applicable to foreign investments, excluding franchising operation. Scope of business includes: grain cropping; cropping of vegetables, ornamental crops such as edible mushroom; fruit cropping; nut cropping; spice cropping; cropping of Chinese herbal medicine; forestry²; animal husbandry; poultry husbandry; aquaculture; irrigation services; primary processing services of agricultural products (excluding processing of seed cotton); other agricultural services; forestry services; animal husbandry services; fishery services (aquaculture breeding production permits required); grinding of grains (excluding processing of rice and flour); processing of meat products and sub-products (excluding western meat products processing items of 3000 tonne/year or below); aquatic products refrigeration processing; minced fish products and aquatic products dry-cure processing (excluding frozen minced seawater fish production line); processing of vegetables, fruits and nuts; manufacture of starch and starch products (excluding wet process production line of corn starch with annually-processed corn below 300 thousand tonnes and oven-dry yield below 98%); manufacture of bean products; processing of egg products; manufacture of baked food; manufacture of candies,</p>

¹ With respect to the organisation form of individually owned stores, all liberalisation commitments made by the Mainland to Hong Kong service suppliers are set out in the form of Positive List in accordance with the new Industry Classification for the National Economy (GB/T 4754-2011).

² The development of commercial plantation for wood-based oil materials, such as oil tea, walnut, oil olive, eucommia ulmoides, oil-use peony, amygdalus pedunculatus, etc., shall be approved by the local forestry authorities at provincial level.

	<p>chocolate and succade; manufacture of convenience food; manufacture of dairy products [excluding concentrating and spray dry equipment with the daily processing capacity of raw milk (two shifts) below 20 tonnes and manual and semi-automatic liquid milk canning equipment below 200 kilogram/hour]; manufacture of canned food; manufacture of gourmet powder; manufacture of sauces, vinegar and similar products; manufacture of other flavourings and fermented products (excluding salt); manufacture of nutrition food; manufacture of cold beverages and edible ice; beer brewing (excluding beer filling production line with production capacity less than 18 thousand bottles/hour); vinification; manufacture of carbonated beverages [excluding production line of carbonated beverages with production capacity below 150 bottles/minute (with bottle volume of 250 millimetres or less)]; manufacture of bottled (canned) drinking water; manufacture of fruit/vegetable juice and fruit/vegetable drinks; manufacture of milk beverages and vegetable protein beverages; manufacture of solid beverages; manufacture of tea beverages and other beverages; textile industry; manufacture of curtains and fabric products; textile and garments, garment industry; leather, furs, feathers and related products and footwear manufacturing industry; timber processing and wood, bamboo, cane, palm and straw products industries; furniture manufacturing industry; paper making and paper products industries (excluding production of rice paper); manufacture of stationery, education and office products; manufacture of musical instruments; manufacture of arts and crafts (excluding carving and processing of nationally key protected wildlife, production of bodiless lacquerware, production of enamelware and production of inksticks); manufacture of sporting goods; manufacture of toys; manufacture of amusement equipment and entertainment goods; manufacture of daily chemical products; manufacture of plastic products; manufacture of daily glass products, manufacture of daily ceramic products; manufacture of</p>
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	<p>metal tools; manufacture of porcelain-on-steel daily commodities and other porcelain-on-steel products; manufacture of metal daily commodities; manufacture of bicycles; manufacture of off-road leisure vehicles and spare parts; manufacture of batteries; manufacture of domestic electrical appliances; manufacture of non-electrical domestic appliances; manufacture of lighting tools; manufacture of clocks, watches and timers; manufacture of glasses; manufacture of daily sundries; wholesale of forestry products; wholesale of textile, apparel and household goods; wholesale of stationery; wholesale of sporting goods; wholesale of other cultural goods; trade agency; other trade brokerage and agency; import and export of goods and technologies; retailing services (excluding the retailing of tobacco products and franchising operation); retailing of books, newspapers and journals; retailing of audio-video products and electronic publications; retailing of arts and crafts and collectibles (excluding the retailing of cultural relics collectibles); road freight transport; other maritime transport auxiliary activities, specifically referred to port cargo loading and unloading services, storage and warehousing, port supplies (vessel materials and daily commodities), leasing and repair of port facilities, equipment and port machinery; goods handling and loading/ unloading services, and transport agency services (excluding agency services for air passenger and cargo transport, and agency for Mainland internal water transport); storage and warehousing services; food and beverages services; software development; information system integration services; information technology consulting services; data processing and storage services (only limited to business of offline data processing services); leasing services; economic and trade consulting and company management consulting in socio-economic consulting; advertising; intellectual property services (excluding trade mark agency services and patent agency services); packaging services; the following items of office services: the design and production services of</p>
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	<p>signs and bronze plaques, the design and production services of trophies, plaques, medals and silk banners; translation services under office services; two items of the other unlisted business services under the business services: corporate ceremonial services: ceremonial services for opening ceremonies, celebrations and other major events; personal business services: personal image design services, organisation services of personal activities, and other personal business services; research and experimental development (excluding research in social sciences and humanities); professional technical services; quality inspection technical services (excluding animal quarantine services, plant quarantine services, inspection/testing and certification-related services, and special equipment inspection/testing services); engineering technology (excluding planning management, surveying, design and supervision); photography and photographic processing services; scientific technology promotion and application services; technology promotion services; scientific technology intermediary services; sewage treatment (excluding environmental quality monitoring and pollution source investigation services); air pollution control (excluding environmental quality monitoring and pollution source investigation services); refuse disposal (excluding environmental quality monitoring and pollution source investigation services); noise abatement services under other pollution control and other environmental protection services (excluding environmental quality monitoring and pollution source investigation services); municipal facilities management (excluding environmental quality monitoring and pollution source investigation services); environmental sanitation management (excluding environmental quality monitoring and pollution source investigation services); washing, cleaning and dyeing services; hair dressing and beauty treatment services; bathing services; marriage services under residents services</p>
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	<p>(excluding matchmaking services); other residents services; repair of motor vehicles¹; repair of computers and auxiliary equipment; repair services of household electrical appliances; repair services of other daily goods; building-cleaning services; other unlisted services: pet services (to be operated in municipalities only); outpatient clinic; sports; craft activities which are mainly for the purpose of leisure and entertainment (pottery, sewing, painting etc.) under other indoor entertainments; cultural entertainment agents; sports agents; wholesale of food and beverage; general guesthouses; other accommodation services; real estate intermediary services ; operation of activities with individually owned real estates.²</p> <p>2. To allow Hong Kong permanent residents with Chinese citizenship to set up, in accordance with the relevant Mainland laws, regulations and administrative regulations, individually owned stores, lifting restrictions on the number of persons engaged in the operation and the business area of individually owned stores.³</p> <p>3. To lift the identity authentication requirements on Hong Kong permanent residents with Chinese citizenship setting up, in accordance with the relevant Mainland laws, regulations and administrative regulations, individually owned stores. ⁴</p>
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¹ Repair and maintenance of vehicles and motorcycles.

² Covering the liberalisation measures provided in CEPA, CEPA Supplement, Supplement II, Supplement III, Supplement IV, Supplement V, Supplement VI, Supplement VII, Supplement VIII, Supplement IX, Supplement X, and Guangdong Agreement, and the newly added liberalisation measures in this Agreement.

³ Covering the liberalisation measures provided in CEPA, CEPA Supplement, Supplement II, Supplement III, Supplement IV, Supplement V, Supplement VI, Supplement VII, Supplement VIII and Supplement IX.

⁴ Covering the liberalisation measures provided in CEPA Supplement IX.

Table 3

Liberalisation Measures under Telecommunications
(Positive List)¹

Sectors or Sub-sectors	2. Communications services
	C. Telecommunications services
	<ul style="list-style-type: none"> a. Voice telephone services b. Packet-switched data transmission services c. Circuit-switched data transmission services d. Telex services e. Telegraph services f. Facsimile services g. Private leased circuit services h. Electronic mail services i. Voice mail services j. On-line information and data base retrieval services k. Electronic data interchange (EDI) services l. Enhanced/value-added facsimile services, including store and forward, store and retrieve m. Code and protocol conversion services n. On-line information and/or data processing (including transaction processing) o. Other (paging, teleconference, mobile maritime and air-to-ground communications, etc.)
Specific commitments	1. To allow Hong Kong service suppliers to set up joint ventures or wholly-owned enterprises to provide the

¹ With respect to the modes of commercial presence and cross-border services of telecommunications services sector (sub-sector), the liberalisation commitments by the Mainland to Hong Kong service suppliers shall maintain the use of Positive List to set out the liberalisation measures. Table 3 of Annex 1 of this Agreement covers all liberalisation measures under the telecommunications services sector (sub-sector) in CEPA and its Supplements, and Guangdong Agreement.

	<p>following telecommunications services within the Mainland. There is no restriction on the proportion of Hong Kong capital in the shareholding¹:</p> <ol style="list-style-type: none"> 1) Online data processing and transaction processing services (restricted to e-commerce business websites only); 2) Multi-party communications services within the Mainland; 3) Store and forward services; 4) Call centre services; 5) Internet access services (restricted to provide Internet access services to users); 6) Content services (restricted to application stores only). <p>2. To allow Hong Kong service suppliers to set up joint venture enterprises to provide the following telecommunications services within the Mainland. The proportion of Hong Kong capital in the shareholding should not exceed 50%²:</p> <ol style="list-style-type: none"> 1) Online data processing and transaction processing services (except e-commerce business websites); 2) Mainland IP based Virtual Private Network Services; 3) Internet data centre services; 4) Internet access services (except providing Internet access services to users); 5) Content services (except application stores). <p>3. To allow Hong Kong service suppliers to distribute in Guangdong Province fixed/mobile telephone service</p>
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¹ Covering the liberalisation measures provided in CEPA, Supplement X, and Guangdong Agreement, and the newly added liberalisation measures in this Agreement.

² Covering the liberalisation measures provided in CEPA and Supplement IV.

	<p>cards which can only be used in Hong Kong (excluding mobile satellite phone service card)¹</p> <p>4. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide the following telecommunications services in the Mainland²:</p> <ol style="list-style-type: none"> 1) Online data processing and transaction processing (confine to e-commerce business websites only); 2) Call centre services; 3) Internet access services.
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¹ Covering the liberalisation measures provided in CEPA Supplement VI; shall meet the requirements stipulated in the Memorandum of Understanding concerning the distribution of telephone cards in the Guangdong Province signed between the relevant Mainland and Hong Kong telecommunications authorities.

² Covering the liberalisation measures provided in CEPA Supplement X.

Table 4

Liberalisation Measures under Cultural Services
(Positive List)¹

Sectors or Sub-sectors	1. Business services
	F. Other business services
	r. Printing and publishing services (CPC88442)
Specific commitments	1. To allow Hong Kong service suppliers to set up equity joint venture enterprises or contractual joint venture enterprises in the Mainland to engage in the printing of publications and other printed matters. For the equity joint venture enterprises, the proportion of Hong Kong service suppliers' shareholding should not exceed 49%. For the contractual joint venture enterprises, the Mainland investors should hold dominant position in these enterprises. For the equity joint venture enterprises set up in Qianhai and Hengqin on a pilot

¹ With respect to the modes of commercial presence and cross-border services of cultural services sector (sub-sector), the liberalisation commitments by the Mainland to Hong Kong service suppliers shall maintain the use of Positive List to set out the liberalisation measures. Table 4 of Annex 1 of this Agreement covers all liberalisation measures under the cultural services sector (sub-sector) in CEPA and its Supplements, and the Guangdong Agreement.

In this Agreement and its Annexes, the cultural sector includes service trade sectors (and sub-sectors) of research and experimental development services on social sciences and humanities (CPC852), printing and publishing services (CPC88442), read-only optical disc duplication services under other business services (CPC8790), motion picture and video tape production and distribution services (CPC9611), motion picture projection service (CPC9612), radio and television services (CPC9613), radio and television broadcast transmission services (CPC7524), sound recording services, other audiovisual services, wholesale trade services of books, newspapers, magazines and cultural relics (CPC622), retailing services of books, newspapers, magazines and cultural relics (CPC631,632,6111,6113,6121), cultural relic auctioning services under other distribution services, entertainment services (CPC9619), news agency services (CPC962), library, archive, museum and other cultural services (CPC963), etc., (including cultural information services of news, publishing, audio-visual programmes, sound and images, games etc. provided through the internet, and cultural relic services).

	<p>basis, the proportion of Hong Kong service suppliers' shareholding should not exceed 70%.¹</p> <p>2. To allow Hong Kong service suppliers to set up wholly-owned enterprises in the Mainland to provide printing and binding services for packaging materials. The minimum registered capital required for Hong Kong service suppliers to set up printing enterprise to provide services in respect of packaging materials follows the requirements applicable to the Mainland enterprises.²</p> <p>3. To allow Hong Kong service suppliers to establish typesetting and production services company on a wholly-owned, equity joint venture or contractual joint venture basis in the Mainland to provide pre-press services such as proof-reading, design and typesetting for books.³</p> <p>4. To simplify the approval procedures for importing Hong Kong books and to establish a Green Passage for importing Hong Kong books.⁴</p> <p>5. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.⁵</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement IV, Supplement IX and Supplement X.

² Covering the liberalisation measures provided in CEPA Supplement IV and Supplement V.

³ Covering the liberalisation measures provided in CEPA Supplement VI.

⁴ Covering the liberalisation measures provided in CEPA Supplement X.

⁵ Referring to printing and its auxiliary services; covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	4. Distribution services
	B. Wholesale trade services (wholesale trade of books, newspapers, magazines, cultural relics)
Specific commitments	<p>1. To allow wholesale trade enterprises, established by Hong Kong service suppliers in the Mainland on a wholly-owned basis, to operate services in respect of books, newspapers, magazines.¹</p> <p>2. The minimum registered capital required for Hong Kong service suppliers to set up publication distribution enterprises in the Mainland follows the requirements applicable to Mainland enterprises.²</p>

¹ Covering the liberalisation measures provided in CEPA Supplement.

² Covering the liberalisation measures provided in CEPA Supplement VI.

Sectors or Sub-sectors	4. Distribution services
	C. Retailing services (retailing of books, newspapers, magazines, cultural relics)
Specific commitments	<p>1. To allow retail trade enterprises, established by Hong Kong service suppliers in the Mainland on a wholly-owned basis, to operate services in respect of books, newspapers, magazines.¹</p> <p>2. For the same Hong Kong service supplier which operates more than 30 stores accumulatively in the Mainland, if the commodities for sale include books, newspapers, magazines, etc. and the aforementioned commodities are of different brands and come from different suppliers, the Hong Kong service supplier is allowed to engage in retailing services of books, newspapers, magazines on a wholly-owned or equity joint venture basis.²</p> <p>3. The minimum registered capital required for Hong Kong service suppliers to set up publication distribution enterprises in the Mainland follows the requirements applicable to Mainland enterprises.³</p> <p>4. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.⁴</p>

¹ Covering the liberalisation measures provided in CEPA Supplement.

² Covering the liberalisation measures provided in CEPA Supplement II, Supplement III and the newly added liberalisation measures in this Agreement.

³ Covering the liberalisation measures provided in CEPA Supplement VI.

⁴ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	2. Communications services
	D. Audiovisual services
	<ul style="list-style-type: none"> - Videos distribution services (CPC83202), sound recording products distribution services - Cinema theatre services - Chinese language motion pictures and motion pictures jointly produced - Technical services of cable television - Jointly produced television dramas - Motion picture or video tape production services (CPC96112) - Others
Specific commitments	<p>Videos, sound recording products</p> <ol style="list-style-type: none"> 1. To allow Hong Kong service suppliers to provide videos and sound recording (including motion picture products) distribution services in the Mainland in the form of wholly-owned or equity joint venture operations¹. 2. To allow Hong Kong service suppliers to set up enterprises on a wholly-owned, equity joint venture or contractual joint venture basis in the Mainland to produce video and sound recording products². 3. To allow motion pictures produced by Hong Kong to screen the original sound track of the dialects spoken in the motion pictures when it is contextually required, on the condition that standard Chinese subtitles are provided on screen³.

¹ Covering the liberalisation measures provided in CEPA and Supplement VI.

² Covering the liberalisation measures provided in CEPA Supplement VII.

³ Covering the liberalisation measures provided in CEPA Supplement X.

	<p>4. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under the specific liberalisation commitments of this sector or sub-sector in the Mainland¹.</p> <p>Cinema theatre services</p> <p>5. Hong Kong service suppliers are permitted to establish wholly-owned companies in the Mainland, each of which may construct or renovate more than one cinema theatre at more than one location for the operation of film screening business².</p> <p>Chinese language motion pictures and motion pictures jointly produced</p> <p>6. Chinese language motion pictures produced in Hong Kong after being vetted and approved by the relevant Mainland authority may be solely imported through the China Film Group Corporation and distributed in the Mainland by distributors possessing “Operation Licence for Film Distribution”, without any restriction on import quotas³.</p> <p>7. Chinese language motion pictures produced in Hong Kong refer to those motion pictures made by production companies which are set up or established in accordance with the relevant laws of the Hong Kong Special Administrative Region, and which own more than 50% of the copyright of the motion pictures concerned. Hong Kong residents</p>
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¹ Motion picture or video tape production services and motion picture or video tape distribution services include entertainment software and sound recording products distribution services; covering the liberalisation measures provided in CEPA Supplement X.

² Covering the liberalisation measures provided in CEPA Supplement II.

³ Covering the liberalisation measures provided in CEPA and the newly added liberalisation measures in this Agreement.

	<p>should comprise more than 50% of the total principal personnel¹ in the motion pictures concerned².</p> <p>8. Motion pictures jointly produced by Hong Kong and the Mainland are treated as Mainland motion pictures for the purpose of distribution in the Mainland. Translated versions of the motion pictures in languages of other Chinese ethnic groups and Chinese dialects, which are based on the Putonghua version, are allowed to be distributed in the Mainland³.</p> <p>9. For motion pictures jointly produced by Hong Kong and the Mainland, there is no restriction on the percentage of principal creative personnel⁴ from Hong Kong, but at least one-third of the leading artistes must be from the Mainland; there is no restriction on where the story takes place, but the plots or the leading characters must be related to the Mainland⁵.</p> <p>10. To allow motion pictures co-produced by Hong Kong and the Mainland to be processed outside the Mainland after obtaining the approval of the relevant authorities in the Mainland⁶.</p> <p>11. To allow Mainland motion pictures and motion</p>
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¹ Principal personnel includes personnel performing the roles of director, screenwriter, leading actor, leading actress, supporting actor, supporting actress, producer, cinematographer, editor, art director, costume designer, action choreographer, and composer of the original film score.

² Covering the liberalisation measures provided in CEPA and Supplement II.

³ Covering the liberalisation measures provided in CEPA.

⁴ Principal creative personnel refer to personnel performing the roles of director, screenwriter, cinematographer and leading artistes. Leading artistes refer to leading actor and actress, and leading supporting actor and actress.

⁵ Covering the liberalisation measures provided in CEPA.

⁶ Covering the liberalisation measures provided in CEPA Supplement.

	<p>pictures co-produced by Hong Kong and the Mainland to be processed in Hong Kong¹.</p> <p>12. To allow Hong Kong service suppliers to establish wholly owned companies in the Mainland on a pilot basis to engage in the distribution of Mainland produced motion pictures after obtaining the approval of the relevant authorities in the Mainland².</p> <p>13. To allow the dialect version of motion pictures co-produced by Hong Kong and the Mainland to be distributed and screened in the Mainland, after obtaining the approval of the relevant authorities in the Mainland, on the condition that standard Chinese subtitles are provided on screen.³</p> <p>14. To allow the dialect version of motion pictures produced by Hong Kong after being vetted and approved by the relevant Mainland authority to be solely imported by the China Film Group Corporation and distributed in the Mainland by distributors possessing "Operation Licence for Film Distribution", on the condition that standard Chinese subtitles are provided on screen⁴.</p> <p>15. To allow post production of domestic films (including co-productions) to be processed in Hong Kong after obtaining approval of the State Administration of Press, Publication, Radio, Film and Television on applications initiated by the principal production entity in the Mainland⁵.</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement X.

² Covering the liberalisation measures provided in CEPA Supplement.

³ Covering the liberalisation measures provided in CEPA Supplement X.

⁴ Covering the liberalisation measures provided in CEPA Supplement X and the newly added liberalisation measures in this Agreement.

⁵ Covering the liberalisation measures provided in CEPA Supplement VI.

	<p>16. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under the specific liberalisation commitments of this sector or sub-sector in the Mainland¹.</p> <p>Technical services of cable television</p> <p>17. To allow Hong Kong companies engaging in the operation of cable television networks to provide professional technical services for cable television networks in the Mainland after obtaining the approval of the relevant Mainland authorities.²</p> <p>Jointly produced television dramas</p> <p>18. Television dramas co-produced by the Mainland and Hong Kong are permitted to be broadcast and distributed in the same way as Mainland produced television dramas after being examined by the relevant Mainland authorities.³</p> <p>19. Television dramas co-produced by the Mainland and Hong Kong should be subject to the same standard on the number of episodes as that applicable to Mainland produced television dramas.⁴</p> <p>20. The State Administration of Press, Publication, Radio, Film and Television has delegated to the provincial radio and television administration the authority of examining the finished tapes of Mainland</p>
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¹ Motion picture or video type production services and motion picture or video tape distribution services include entertainment software and sound recording products distribution services; covering the liberalisation measures provided in CEPA Supplement X.

² Covering the liberalisation measures provided in CEPA Supplement IX.

³ Covering the liberalisation measures provided in CEPA Supplement.

⁴ Covering the liberalisation measures provided in CEPA Supplement II.

	<p>produced television dramas which are produced by the production organisations under the provinces, autonomous regions or municipalities and participated by artistes or production crew from Hong Kong.¹</p> <p>21. For any proposal of television drama to be co-produced by the Mainland and Hong Kong programme production organisations, the minimum number of words in Chinese contained in the synopsis of each episode is revised to 1500.²</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement III.

² Covering the liberalisation measures provided in CEPA Supplement IV.

Sectors or Sub-sectors	10. Recreational, Cultural and Sporting services
	A. Entertainment services (other than audiovisual services) (CPC9619)
Specific commitments	<ol style="list-style-type: none"> 1. To allow Hong Kong service suppliers to set up performing venues in the Mainland on an equity joint venture, contractual joint venture or wholly-owned basis.¹ 2. To allow Hong Kong performing arts agencies to set up branches in the Mainland.² 3. To allow Hong Kong service suppliers to set up performance agencies in the Mainland on an equity joint venture, contractual joint venture or wholly-owned basis.³ 4. To allow Hong Kong service suppliers to set up internet culture business units in the Mainland in the form of equity joint venture or contractual joint venture with the Mainland party holding controlling shareholding or in the form of contractual joint ventures with the Mainland party holding dominant interests.⁴ 5. To allow Hong Kong service suppliers to set up internet online service business premises in the Mainland on wholly-owned, equity joint venture or contractual joint venture basis or in the form of contractual joint ventures with the Mainland party holding dominant interests.⁵ 6. To allow Hong Kong service suppliers to set up art

¹ Covering the liberalisation measures provided in CEPA Supplement.

² Covering the liberalisation measures provided in CEPA Supplement.

³ Covering the liberalisation measures provided in CEPA Supplement and Supplement IV.

⁴ Covering the liberalisation measures provided in CEPA Supplement and Supplement VII.

⁵ Covering the liberalisation measures provided in CEPA Supplement, Supplement VII and Supplement IX.

	<p>galleries, art shops and art work exhibition units in the Mainland on wholly-owned, equity joint venture or contractual joint venture basis.¹</p> <p>7. To allow Hong Kong service suppliers to set up performing arts groups in the Mainland on an equity joint venture basis, with the Mainland party holding controlling shareholding.²</p> <p>8. To allow performing arts agencies or performing arts groups to organise commercial performances in the form of cross-border supply in the Guangdong Province and the Shanghai Municipality on a pilot basis upon approval of the relevant authorities of that Province or Municipality. Performing arts agencies and performing arts groups organising performances in the Mainland should seek prior approval of the Ministry of Culture.³</p> <p>9. To allow Hong Kong service suppliers to set up wholly-owned entertainment premises in Guangdong Province.⁴</p> <p>10. The time limit for completion of the examination of contents (including examination conducted by experts) of imported online game products developed by Hong Kong shall be 2 months, subject to provision of full supporting documents.⁵</p> <p>11. To allow Hong Kong service suppliers to engage in the sales services of amusement game equipment in the Mainland.⁶</p>
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¹ Covering the liberalisation measures provided in CEPA Supplement.

² Covering the liberalisation measures provided in CEPA Supplement IX.

³ Covering the liberalisation measures provided in CEPA Supplement IV.

⁴ Covering the liberalisation measures provided in CEPA Supplement IX, Guangdong Agreement, and the newly added liberalisation measures in this Agreement.

⁵ Covering the liberalisation measures provided in CEPA Supplement VI.

⁶ Covering the liberalisation measures provided in Guangdong Agreement, and the newly added liberalisation measures in this Agreement.

	12. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland. ¹
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¹ Covering the liberalisation measures provided in CEPA Supplement X.

Sectors or Sub-sectors	10. Recreational, Cultural and Sporting services
	C. Library, archive, museum and other cultural services (CPC963)
Specific commitments	<ol style="list-style-type: none"> 1. To further develop closer cooperation between the library sectors in the Mainland and Hong Kong, and to explore potential cooperation in the provision of library services.¹ 2. To allow Hong Kong service suppliers to provide, in the form of wholly-owned operations, professional services for libraries in the Mainland.² 3. To allow Hong Kong service suppliers to provide, in the form of wholly-owned operations, professional services for museums in the Mainland.³

¹ Covering the liberalisation measures provided in CEPA Supplement VIII.

² Covering the liberalisation measures provided in CEPA Supplement VIII.

³ Covering the liberalisation measures provided in CEPA Supplement VIII.

[Cursory Translation]

Annex 2

**Hong Kong's Specific Commitments
on Liberalisation of Trade in Services for the Mainland¹**

¹ This is implemented in accordance with the relevant provisions of this Agreement. Hong Kong's reserved restrictive measures and further liberalisation measures will be listed in this Annex after consultation between the two sides.

[Cursory Translation]

Annex 3

Definition of “Service Supplier” and Related Requirements

1. Pursuant to the Mainland and Hong Kong Closer Economic Partnership Arrangement (hereinafter referred to as the “CEPA”) and this Agreement, the Mainland and Hong Kong Special Administrative Region have concluded this Annex on the definition of “service supplier” and related requirements.

2. Unless otherwise stipulated in this Agreement and its Annexes, “service supplier” as used in this Agreement and its Annexes refers to any person that supplies a service. In this context:

2.1. “person” means either a natural person or a juridical person;

2.2. “natural person”:

2.2.1. in the case of the Mainland, means a citizen of the People’s Republic of China;

2.2.2. in the case of Hong Kong, means a permanent resident of the Hong Kong Special Administrative Region of the People’s Republic of China;

2.3. “juridical person” means any legal entity duly constituted or organised under the applicable laws of the Mainland or the Hong Kong Special Administrative Region, whether for profit or otherwise, and whether privately-owned or governmentally-owned, including any corporation, trust, partnership, joint venture, sole proprietorship or association

(business association).

3. The specific criteria for Hong Kong service suppliers who provide services in the form of juridical persons:

3.1. with the exception of the legal services sector, a Hong Kong service supplier, when applying to provide the relevant services under Annex 1 in the Mainland, should:

3.1.1. be incorporated or established pursuant to the Companies Ordinance or other relevant laws of the Hong Kong Special Administrative Region,¹ and have obtained a valid Business Registration Certificate. If required by law, it should also have obtained the licence or permit for providing such services; and

3.1.2. engage in substantive business operations in Hong Kong. The criteria for determination are:

(1)The nature and scope of business

The nature and scope of the services provided in Hong Kong by a Hong Kong service supplier who intends to provide services in the Mainland should meet the requirements in this Agreement, and any restrictive requirements applicable to the nature and scope of the business of foreign investment entities in the laws, regulations and administrative regulations of the Mainland shall apply.

(2)Years of operation required

A Hong Kong service supplier should be incorporated or

¹ Any overseas company, representative office, liaison office, "mail box company" and company specifically established for providing certain services to its parent company, which is registered in Hong Kong, is not a Hong Kong service supplier under this Annex.

established in Hong Kong, and have engaged in substantive business operations for 3 years or more². In this context:

A Hong Kong service supplier providing construction and related engineering services should be incorporated or established in Hong Kong, and have engaged in substantive business operations for 5 years or more; there is no limitation on the years of substantive business operations in Hong Kong for Hong Kong service suppliers providing real estate services;

A Hong Kong service supplier providing banking and other financial services (excluding insurance and securities), i.e. a Hong Kong bank or finance company, should have engaged in substantive business operations for 5 years or more; or should have operated as a branch for 2 years and also engaged in substantive business operations as a locally incorporated entity for 3 years or more, after it has been granted a relevant licence by the Monetary Authority pursuant to the Banking Ordinance;

A Hong Kong service supplier providing insurance and related services, i.e. a Hong Kong insurance company, should be incorporated or established in Hong Kong and have engaged in substantive business operations for 5 years or more.

A Hong Kong service supplier providing air transport ground services should have obtained the relevant licence for the provision of the relevant air transport

² From the day the CEPA comes into effect, where more than 50% of the equity interest of a Hong Kong service supplier has been owned for at least one year since a merger or acquisition by a service supplier other than one from either side, the service supplier which has been acquired or merged will be regarded as a Hong Kong service supplier.

ground services in Hong Kong, and have engaged in substantive business operations for 5 years or more.

A Hong Kong service supplier providing third party international shipping agency services should have been incorporated or established in Hong Kong and have engaged in substantive business operations for 5 years or more.

(3) Profits tax

During the period of substantive business operations in Hong Kong, a Hong Kong service supplier should have paid profits tax in accordance with the law.

(4) Business premises

A Hong Kong service supplier should own or rent premises in Hong Kong to engage in substantive business operations. The scale of its business premises should be commensurate with the scope and the scale of its business.

For a Hong Kong service supplier providing maritime transport services, 50% or more of the ships owned by it, calculated in terms of tonnage, should be registered in Hong Kong.

(5) Employment of staff

More than 50% of the staff employed in Hong Kong by the Hong Kong service supplier should be residents staying in Hong Kong without limit of stay, and people from the Mainland staying in Hong Kong on One Way Permit.

3.2. A Hong Kong law firm (office) of the legal services sector, when applying to provide the relevant services under Annex 1 in the Mainland, should:

3.2.1. be registered and established as a Hong Kong law firm (office) and have obtained a valid Business Registration Certificate pursuant to the relevant legislation of the Hong Kong Special Administrative Region.

3.2.2. The sole proprietor and all the partners of the law firm (office) should be registered Hong Kong practising lawyers.

3.2.3. The principal scope of business of the law firm (office) should be to provide Hong Kong legal services in Hong Kong.

3.2.4. The law firm (office) or its sole proprietor or partners should pay profits tax in accordance with the law.

3.2.5. The law firm (office) should have engaged in substantive business operations in Hong Kong for 3 years or more.

3.2.6. The law firm (office) should own or rent premises in Hong Kong to engage in substantive business operations.

4. Unless otherwise stipulated in this Agreement and its Annexes, Hong Kong service suppliers providing services in the form of natural persons should be permanent residents of the Hong Kong Special Administrative Region of the People's Republic of China.

5. Service suppliers of the Mainland should fulfil the definition of Article 2 of this Annex. Specific criteria will be determined by the two sides through consultation.

6. To obtain the treatment under this Agreement, a Hong Kong service supplier should provide:

6.1. In the event that the Hong Kong service supplier is a juridical person, the Hong Kong service supplier should submit the following documents and information, and statutory declaration, which have been verified by relevant institutions (persons) of Hong Kong, as well as the certificate issued by the Government of the Hong Kong Special Administrative Region:

6.1.1. Documents and information (if applicable)

(1) Copy of the Certificate of Incorporation issued by the Companies Registry of the Hong Kong Special Administrative Region;

(2) Copies of the Business Registration Certificate of the Hong Kong Special Administrative Region and an Extract of Information in the Register of Businesses;

(3) Annual reports or audited financial statements of the Hong Kong service supplier for the past 3 years (or 5 years);

(4) Original or copy of document(s) substantiating that the Hong Kong service supplier owns or rents business premises in Hong Kong;³

(5) Copy of the Profits Tax Returns, Notice of Assessment and Demand for Tax in respect of the Hong Kong service supplier for the past 3 years (or 5 years); in the event of loss, the Hong Kong service supplier should provide supporting document(s) from the relevant

³ A Hong Kong service supplier applying to provide maritime transport services in the Mainland should separately submit document(s) or its copy (verified) to attest that 50% or more of the ships owned by it, calculated in terms of tonnage, is registered in Hong Kong.

department of the Hong Kong Special Administrative Region attesting to the loss;

(6) Copy of the Employer's Return of Remuneration and Pensions of the Hong Kong service supplier in respect of the remuneration and pension of its employees in Hong Kong, and the original or a copy of other relevant document(s) substantiating that the company fulfils the requirement of Article 3.1.2.(5) of this Annex on the percentage threshold;

(7) Original or copy of other relevant document(s) substantiating that the Hong Kong service provider engages in substantive business operations in Hong Kong, such as licences, permits, or confirmation letters issued by relevant authorities or bodies in Hong Kong relevant to the nature and scope of business in Hong Kong as required by the laws of Hong Kong, Annex 1 or this Annex.

6.1.2. Statutory declaration

For any Hong Kong service supplier applying to obtain treatment under this Agreement, its authorised representative should make a statutory declaration pursuant to the procedures and requirements of the Oaths and Declarations Ordinance of the Hong Kong Special Administrative Region.⁴ The form of the declaration will be determined by the relevant authorities of the Mainland and the Hong Kong Special Administrative Region through consultation.

6.1.3. Certificate

⁴ A person is subject to criminal liability under Hong Kong law if he wilfully makes a false or untrue declaration pursuant to the Oaths and Declarations Ordinance.

A Hong Kong service supplier should submit the documents and information, and the statutory declaration as required under Articles 6.1.1 and 6.1.2 of this Annex to the Trade and Industry Department of the Hong Kong Special Administrative Region (hereinafter referred to as the “TID”) for examination. The TID may, in the circumstances it considers necessary, entrust other government departments of the Hong Kong Special Administrative Region, statutory bodies, or independent professional institutions (personnel) to conduct verification.⁵ The TID will issue a certificate to an applicant that it considers to have fulfilled the criteria of Hong Kong service supplier as required under this Annex. The contents and form of the certificate will be determined by the relevant authorities of the Mainland and the Hong Kong Special Administrative Region through consultation.

6.2. In the event that a Hong Kong service supplier is a natural person, the Hong Kong service supplier should provide identification of his or her Hong Kong permanent resident status. For Chinese citizens among such service suppliers, their Home Visit Permit for Hong Kong and Macau Residents or Hong Kong Special Administrative Region passport should also be provided.

6.3. Copies of the statutory declarations and the identification documents of natural persons, as well as the documents and information that the TID considers should be attested by a lawyer, as required under Articles 6.1.1 and 6.1.2 and 6.2 of this Annex, should be attested by attesting officers recognised by the Mainland (excluding Hong Kong permanent residents with Chinese citizenship applying for Mainland legal professional qualifications [note: implemented from 1 July 2017]).

⁵ In the telecommunications sector, the TID will entrust the authority of the Government of the Hong Kong Special Administrative Region that regulates telecommunications to conduct verification with a view to substantiating the nature and scope of business of the Hong Kong service suppliers providing internet data centre services, call centre services, and content services.

7. When applying to the Mainland's examining authorities to obtain treatment under this Agreement, a Hong Kong service supplier should follow the following procedures:

7.1. When it applies to provide the services under Annex 1 in the Mainland, a Hong Kong service supplier should submit to the Mainland's examining authorities the documents and information, statutory declaration and certificate as required under Article 6 of this Annex.

7.2. Pursuant to the powers conferred under Mainland laws and regulations, the Mainland examining authorities, in examining the application for supplying Hong Kong services, should at the same time verify the qualifications of the Hong Kong service supplier.

7.3. When holding a different view in respect of the qualification of the Hong Kong service supplier, the Mainland examining authority should inform the Hong Kong service supplier within a stipulated period, and notify the Ministry of Commerce. The Ministry of Commerce will in turn inform the TID, giving the reasons for the divergent views. The Hong Kong service supplier may, through the TID and with written justification, request the Ministry of Commerce for reconsideration. The Ministry of Commerce should give a written reply to the TID within a stipulated period.

8. Hong Kong service suppliers who have already been providing services in the Mainland should apply for obtaining treatment under this Agreement in accordance with the requirements of Articles 6 and 7 of this Annex.