

Frequently Asked Questions

Certification of Hong Kong Service Suppliers (HKSS)

1. What are the eligibility criteria for "Hong Kong Service Suppliers"?

Generally speaking, "juridical persons" (法人) including companies, partnership and sole proprietorship, as well as "natural persons" (自然人), will be able to enjoy CEPA benefits provided that they fulfil the conditions stipulated in Annex 5 to CEPA and Supplements to CEPA. Unless otherwise specified in CEPA, a "natural person" means a permanent resident of the HKSAR whereas a "juridical person" means any legal entity duly constituted or otherwise organised under the applicable laws of Hong Kong and has engaged in substantive business operations in Hong Kong for three to five years.

2. How can Hong Kong enterprises enjoy the preferential treatments provided to the various service sectors under CEPA?

To be eligible for CEPA preferential treatments in the various service sectors under CEPA, an enterprise should fulfil the eligibility criteria for "Hong Kong Service Suppliers" stipulated respectively in Annex 5 to CEPA and Supplements to CEPA.

To establish the status of a "Hong Kong service supplier" (香港服務提供者), an enterprise has to apply for a Hong Kong Service Supplier (HKSS) certificate (香港服務提供者證明書). Details of the application requirements and current fee levels are set out in relevant Notices to Service Suppliers which are available at TID's CEPA website (http://www.tid.gov.hk/english/aboutus/tradecircular/ntss/ss_maincontent.html).

After obtaining the HKSS certificate, the Hong Kong service supplier can apply to the relevant Mainland authorities for enjoyment of CEPA benefits.

3. How to apply for a HKSS certificate?

The Trade and Industry Department (TID) is responsible for handling applications for HKSS certificate. Application is open to eligible enterprises (including corporations, partnerships and sole proprietorships, etc).

Applications should be sent by post or in person to the Customer Service Centre of the HKSS Certification Section located on 11/F (Room 1113) of the TID Tower at 700 Nathan Road, Mong Kok. Applications in the banking services sector should be sent to the Hong Kong Monetary Authority. The application, will be referred to TID for processing after the Authority has completed its preliminary assessment.

Details of the application requirements and current fee levels are set out in relevant Notices to Service Suppliers which are available at TID's CEPA website (http://www.tid.gov.hk/english/aboutus/tradecircular/ntss/ss_maincontent.html).

4. How long does it take for processing a fresh HKSS certificate application?

Under normal circumstances, TID will complete the processing of an application within 14 clear working days from the date of receipt of a duly completed application form accompanied by all the requisite supporting documents.

However, the processing time may be prolonged if the application form is not properly completed or not supported by the requisite documents.

5. Can I get additional copies of the HKSS certificate to facilitate presentation to various Mainland authorities for enjoyment of

CEPA benefit?

You can apply at TID for issue of Certified True Copy (CTC) of the relevant valid HKSS Certificate. Details of the application procedures for CTC and current fee levels are set out in relevant Notices to Service Suppliers which are available at TID's CEPA website

http://www.tid.gov.hk/english/aboutus/tradecircular/ntss/ss_maincontent.html).

6. If an enterprise has engaged in a range of services in Hong Kong, should it just lodge a single application for HKSS certificate or an application for each service?

The enterprise only needs to lodge one application for HKSS certificate. However, where applicable, all relevant supporting documents, including those specific for individual service sectors, should be provided as well. Details of the supporting documents for specific service sectors are set out in the Notice to Service Suppliers on "Application Procedures for HKSS Certificate", copy of which is available at TID's CEPA website http://www.tid.gov.hk/english/aboutus/tradecircular/ntss/ss_maincontent.html).

TID will issue separate HKSS certificate each covering an approved service sector for a successful application.

7. Would current holders of a HKSS certificate need to lodge a fresh application in order to be eligible for the new preferential treatments provided under latter phases of CEPA concerning the same service sector(s)?

Generally speaking, enterprises holding a valid HKSS certificate would be able to enjoy automatically the new CEPA preferential treatments for the same service sector once the new preferential treatments come into effect.

Nonetheless, enterprises wishing to enjoy new preferential treatments for the new service areas included under latter phases of CEPA should lodge separate HKSS applications for those new service areas.

8. Is it mandatory for all eligible HKSS to apply for renewal of their HKSS certificates?

Renewal of HKSS certificates is entirely voluntary in nature.

However, while it is not a mandatory requirement to renew the validity of HKSS certificates, certificate holders should note that a valid HKSS certificate would enable them to enjoy any new preferential treatments that may be accorded to HK service suppliers in subsequent phases of liberalisation under CEPA, without having to re-apply for HKSS certificates.

9. Who are eligible to apply for renewal of HKSS certificates and when should the renewal application be lodged? How long does it take for processing a renewal application?

All HKSS certificate holders, who continue to fulfil the definition and related requirements of HKSS set out in Annex 5 to CEPA and Supplements to CEPA since the issue of the HKSS certificate concerned, are eligible to apply for renewal of their HKSS certificates.

Eligible HKSS should lodge its renewal applications to TID within the period of not earlier than 60 days before its certificate is due to expire and not later than 180 days after the date of expiry of the certificate.

If the application is in order, TID will complete the processing of a renewal application within **5 clear working days** from the date of receipt of the application and renewed certificate will be issued to the applicant. If the application form is not properly completed or there are discrepancies in the information declared therein, or the application form is not accompanied by all necessary documents or if there are discrepancies in the information provided in the accompanying documents, the processing time will be longer.

Details of the renewal procedures and current fee levels are set out in relevant Notices to Service Suppliers which are available at TID's CEPA website (http://www.tid.gov.hk/english/aboutus/tradecircular/ntss/ss_maincontent.html).

10. If my HKSS certificate has expired for more 180 days, can I still apply for its renewal?

All renewal applications have to be lodged with TID within the specified period (60 days before and 180 days after expiry of the original certificate). If a certificate has expired for more than 180 days, it cannot be renewed. The holder will have to apply for a new HKSS certificate.

11. Can an eligible HKSS lodge a single application for renewing HKSS certificates in respect of a number of service sectors with different issue and expiry dates?

A HKSS can apply for renewal of a number of certificates covering different service sectors under one single application. However, the applicant has to ensure that the validity of all certificates involved falls within the specified renewal period, i.e. 60 days before and within 180 days of date of expiry of the original certificates. All applications for renewal have to be made within the specified period.

12. Can an applicant change the name of the holder of HKSS certificate when applying for renewal?

If the applicant would like to amend the name of the holder of certificate shown on the HKSS certificate due to change of its company name, it should furnish as well an application for amendment of HKSS certificate in accordance with procedures set out in the Notice to Service Suppliers on “Application Procedures for Amendment/Replacement/Certified True Copy/Cancellation of a Certificate of HKSS”, copy of which is available at TID’s CEPA website (http://www.tid.gov.hk/english/cepa/tradeservices/hkss_scheme.html).

To facilitate the trade, TID accepts applications for amendment and renewal furnished in tandem and supported by the same set of common supporting documents.

13. We are a bank, do we need to lodge our renewal application to Hong Kong Monetary Authority (HKMA) as in the case of our application for the original certificate?

To facilitate the trade and reduce processing time, TID and HKMA have agreed that HKSS renewal applications in banking and other financial services (excluding insurance and securities) should be lodged with TID direct, instead of through HKMA first as in the case of fresh applications.