

Frequently Asked Questions

Certification of Hong Kong Service Suppliers (HKSS)

1. **What documents should I provide to support my application for HKSS Certificate ?**

On or before 31 March 2012

For Hong Kong Service Suppliers who would like to apply for HKSS Certificate on or before 31 March 2012, please refer to paragraphs 10 to 12 of the main text of Notice to Service Suppliers No.1/2012 (the Notice) which is available at the TID webpage -

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

On or after 1 April 2012

For Hong Kong Service Suppliers who intend to obtain a HKSS Certificate on or after 1 April 2012, please refer to paragraphs 13 to 15 of the main text of Notice to Service Suppliers No.1/2012 (the Notice) which is available at the TID webpage -

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

In general, applicants are required to provide the following documents to substantiate that it has fulfilled the eligibility criteria of a Hong Kong Service Supplier -

- (a) Application form;
- (b) Statutory declaration;
- (c) General supporting documents to demonstrate business operation in HK such as -
 - Certificate of Incorporation;
 - Business Registration Certificate;
 - Complete Extract of Information on the Business Register;
 - Audited financial statements;
 - Profits Tax Returns furnished to the Inland Revenue Department (IRD);
 - Tax Assessments or correspondences issued by IRD;
 - Employer's Return of Remuneration and Pensions furnished to IRD;
 - Computerized Land Register or Lease;
- (d) Licence, permit or confirmation letter issued by relevant authorities, organizations in Hong Kong relevant to the nature and scope of business in Hong Kong as required by the laws of Hong Kong; and
- (e) Documentary requirements for certain service sectors due to requirements specified in Annex 5 of CEPA. Examples of service

sectors with additional requirements include “legal services”, “maritime transport services”, “all insurance and insurance related services - insurance agencies”, “banking and other financial services (excluding insurance and securities)”

2. What are the new service sectors covered by CEPA Supplement VIII and when can I apply for the HKSS Certificate for these new service sectors?

Under CEPA Supplement VIII, the Mainland has agreed to provide preferential treatment to Hong Kong service suppliers in 16 services sectors, including 13 existing services sectors (i.e. sectors marked with # below) and 3 new services sectors (i.e. sectors marked with @ below) with effect from 1 April 2012. The total number of services sectors covered by CEPA will be expanded from 44 to 47 with details as follows:

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| 1. Accounting | 27. Public utility |
| 2. Advertising | 28. Rail transport |
| 3. Air transport | 29. Real estate |
| 4. Audiovisual | 30. Related scientific and technical consulting services |
| 5. Banking# | 31. Research and development |
| 6. Building-cleaning | 32. Road transport# |
| 7. Computer and related services | 33. Securities and futures# |
| 8. Construction and related engineering# | 34. Services incidental to mining |
| 9. Convention and exhibition | 35. Services related to management consulting |
| 10. Cultural | 36. Social services |
| 11. Distribution# | 37. Specialty design |
| 12. Environmental | 38. Sporting |
| 13. Examinations for professional and technical qualification# | 39. Storage and warehousing |
| 14. Freight forwarding agency | 40. Technical testing, analysis and product testing# |
| 15. Individually owned stores# | 41. Telecommunications |
| 16. Insurance# | 42. Tourism# |
| 17. Legal# | 43. Trade mark agency |
| 18. Logistics | 44. Translation and interpretation |
| 19. Management consulting | 45. Interdisciplinary research and experimental development services @ |
| 20. Maritime transport | 46. Services incidental to manufacturing @ |
| 21. Market research | 47. Library, archives, museums and other cultural services @ |
| 22. Medical# | |
| 23. Patent agency | |
| 24. Photographic | |
| 25. Placement and supply services of personnel# | |
| 26. Printing | |

Applicants who are interested in applying for a HKSS Certificate in the three new service sectors should lodge their applications on or after 1 April 2012.

3. In preparing my application for a HKSS Certificate application, what should I pay attention to when I provide information in the Statutory Declaration and submit the supporting documents?

When the applicant makes a declaration in the Statutory Declaration including information on nature and scope of business in Hong Kong, the applicant is reminded that such a declaration is made under the Oaths and Declaration Ordinance (Cap. 11). Any person who knowingly and willfully makes (otherwise than on oath) a statement false in a material particular, such statement being made in a statutory declaration shall be guilty of an offence and shall be liable on conviction upon indictment to imprisonment for 2 years and to a fine under the Crimes Ordinance (Cap. 200).

In addition, the Director-General of Trade and Industry also reserves the right to revoke a HKSS Certificate that has been obtained through misrepresentation, false information or other fraudulent means.

4. 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, Mongkok. 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 on the following webpage -

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

5. 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.

6. 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 on the following webpage -

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

7. If an enterprise is engaged in a range of services in Hong Kong, how should the enterprise fill in the application form and what service sector will be shown on the HKSS Certificate?

With the relaxation of the definition of Hong Kong Service Supplier which will take effect on 1 April 2012, the HKSS Certificate will be amended. It will show the service currently provided by the Hong Kong service supplier in Hong Kong instead of the service it intends to provide in the Mainland. This is intended to provide some information on the Hong Kong Service Supplier to facilitate Mainland authorities in verifying the application for preferential treatment under CEPA. In deciding on the service sector name to appear on the HKSS Certificate, applicants may refer to the Notice to Service Suppliers No.1/2012 which will be issued in January 2012 to provide details of the arrangements.

With effect from 1 April 2012, HKSS Certificate holders may apply to the Mainland authorities to enjoy CEPA benefits in service sectors not limited to the service sector the applicant is currently engaged in Hong Kong. Given this flexibility accorded by Mainland authorities, the Hong Kong Service Supplier only needs to apply for **one** HKSS Certificate. If the applicant would like copies of the HKSS Certificate for presentation to different Mainland authorities at the same time, they may apply for certified true copies. Details of the application for certified true copies at Question 6.

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. Enterprises may make their own decisions.

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 fulfill the definition and related requirements of Hong Kong Service Supplier set out in Annex 5 to CEPA and Supplements to CEPA since the issue of the HKSS Certificate concerned, may apply for renewal of their HKSS Certificates.

Eligible Hong Kong Service Supplier 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 the following webpage -

- 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 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 on the following webpage -

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

12. **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.