### [Cursory Translation]

Annex 1

The Mainland's Specific Commitments on Liberalisation of Trade in Services for Hong Kong<sup>1</sup>

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:

#### **Commercial Presence**

- 1. Solely invested representative offices must not handle legal matters related to the application of Mainland law or employ Mainland practising lawyers.
- Provision of legal services in the form of co-operation with a Mainland party is restricted to:
  - (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) Operating association with in а Mainland party in the form of partnership, in accordance with the specific provisions approved by the judicial administrative authority. There is no restriction on the minimum ratio of the sole or joint capital input of law firm(s) of the Hong Kong side.

Where Hong Kong law firms and Mainland law firms operate partnership associations in Guangdong:

- (1) the Mainland lawyers can handle and undertake legal matters on administrative litigation related to the application of Mainland law.
- (2) the partnership associations can employ Mainland and Hong Kong lawyers direct in the partnership associations' own name.
- (3) the requirement on the number of lawyers seconded to the partnership associations be suitably reduced.

**Sub-sector:** A. Professional Services

b. Accounting, auditing and bookkeeping services (CPC862)

Obligations concerned:

National Treatment

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** A. Professional Services

c. Taxation Services (CPC863)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

**Commercial Presence** 

Apply national treatment.

For clarity and avoidance of doubt, in the Qianhai of Shenzhen Area in China (Guangdong) Pilot Free Trade Zone, the restriction on the number of partners from Hong Certified Tax Kong Agents not exceeding 35% of the total number of partners in a tax agent firm is removed; and the restriction of Tax Agents (Certified Tax Agents) to practise in the partnership tax agent firm for at least 180 days every year since its establishment is removed.

**Sub-sector:** A. Professional Services

d. Architectural and design services

(CPC8671)

**Obligations** National Treatment **concerned**:

Restrictive

Reserved Commercial Presence

**Sub-sector:** A. Professional Services

e. Engineering services (CPC8672)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** A. Professional Services

f. Integrated engineering services

(CPC8673)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** A. Professional Services

g. Urban planning and landscape architectural services (CPC8674)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

Not to provide national territorial spatial general urban planning services and services for general planning for national-level scenic areas.

**Sub-sector:** A. Professional Services

h. Medical and dental services

(CPC9312)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

**Commercial Presence** 

Applications for setting up medical institutions shall be approved by and registered with the Health Commission at provincial level in accordance with the Mainland regulations.

**Sub-sector:** A. Professional Services

i. Veterinary services (CPC932)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** A. Professional Services

j. Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC93191)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Measures:** No commitment<sup>1</sup>.

<sup>&</sup>lt;sup>1</sup> The operating mode in the form of commercial presence for this sector (sub-sector) has not yet existed in the Mainland.

**Sub-sector:** A. Professional Services

k. Other (Patent agency, Trade mark

agency etc.) (CPC8921-8923)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** B. Computer and Related Services

a. Consultancy services related to the installation of computer hardware

(CPC841)

Obligations concerned:

**National Treatment** 

Reserved Restrictive **Commercial Presence** 

**Sub-sector:** B. Computer and Related Services

b. Software implementation services (CPC842)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** B. Computer and Related Services

c. Data processing services (CPC843)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** B. Computer and Related Services

d. Database services (CPC844, except network operation services and

value-added network services)

Obligations concerned:

**National Treatment** 

Reserved Restrictive **Commercial Presence** 

**Sub-sector:** B. Computer and Related Services

e. Other (CPC845, 849)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** C. Research and Development Services

a. Research and development services on natural sciences (CPC851)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

#### **Commercial Presence**

- 1. Not to engage in the development and application of human stem cells, genetic diagnosis and therapy technologies.
- 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).
- 3. For research in cooperation with the Mainland on livestock or poultry genetic resource in the protection list, application shall be filed with the administrative department of agriculture and rural affairs of the Provincial People's Government and a plan shall be simultaneously put forward sharing with the on benefit Application reviewed and accepted by the administrative department of agriculture and rural affairs at the provincial level shall administrative be submitted to the

department of agriculture and rural affairs 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 administrative department of agriculture and rural affairs of the State Council.

**Sub-sector:** C. Research and Development Services

b. Research and development services on social sciences and

humanities (CPC852)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

Not to invest in research and development institutions on humanities and social sciences.

**Sub-sector:** C. Research and Development Services

c. Interdisciplinary research and

development services (CPC853)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

Restricted to interdisciplinary research and

experimental development services on natural

sciences.

**Sub-sector:** D. Real Estate Services

a. Real estate services involving own or leased property (CPC821)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** D. Real Estate Services

b. Real estate services on a fee or

contract basis (CPC822)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

Sub-sector: E. Rental/Leasing Services without

Operators

a. Rental/leasing services relating to

ships (CPC83103)

Obligations National Treatment concerned:

Reserved Commercial Presence
Restrictive

Sub-sector: E. Rental/Leasing Services without

Operators

b. Rental/leasing services relating to

aircraft (CPC83104)

Obligations National Treatment concerned:

Reserved Commercial Presence
Restrictive

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 Commercial Presence

Sub-sector: E. Rental/Leasing Services without

Operators

d. Rental/leasing services relating to agricultural machinery and

equipment (CPC83106-83109)

Obligations National Treatment concerned:

Reserved Commercial Presence
Restrictive

Sub-sector: E. Rental/Leasing Services without

Operators

e. Rental/leasing services relating to personal and household goods

(CPC832)

Obligations National Treatment concerned:

Restrictive

**Reserved** Commercial Presence

**Sub-sector:** F. Other Business Services

a. Advertising services (CPC871)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** F. Other Business Services

b. Market research and public opinion polling services (CPC864)

Obligations concerned:

**National Treatment** 

# Reserved Restrictive Measures:

#### **Commercial Presence**

- For provision of broadcast and television rating surveys, the Mainland party shall be the controlling shareholder. For social investigation, the shareholding proportion of the Mainland party shall not be less than 67% and the legal representative shall be of Chinese nationality.
- 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, and any foreign-related social investigation must handled be through а Mainland-funded institution which has obtained foreign-related investigation

qualifications with the approval of the authority concerned.

**Sub-sector:** F. Other Business Services

c. Management consulting services

(CPC865)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** F. Other Business Services

d. Services related to management

consulting (CPC866)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

Commercial Presence

**Sub-sector:** F. Other Business Services

e. Technical testing and analysis

services (CPC8676)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

Not to provide inspection services for

Mainland-registered vessels.

**Sub-sector:** F. Other Business Services

f. Services incidental to agriculture, hunting and forestry (CPC881)

Obligations concerned:

National Treatment

# Reserved Restrictive Measures:

#### Commercial Presence

- 1. For the selection of new species and seed production of wheat, the shareholding proportion of Hong Kong service suppliers shall not exceed 66%. For the selection of new species and seed production of corn, the Mainland party shall be the controlling shareholder, except for the China Pilot Free Trade Zones and the Hainan Free Trade Port, where the shareholding proportion of Hong Kong service suppliers shall not exceed 66%.
- Not to engage in carving, processing or sales of nationally protected wild animals (including but not limited to ivory and tiger bone).
- 3. Not to engage in damage assessment of forest fires and other forest assessments.
- 4. Not to be granted Forest Ownership Certificates.

**Sub-sector:** F. Other Business Services

g. Services incidental to fishing (CPC882)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

**Commercial Presence** 

The locations for Hong Kong service suppliers which are in compliance with the relevant national fisheries regulations to engage in Mainland capture operations are limited to the three provinces (region) of Guangdong,

Guangxi and Hainan.

**Sub-sector:** F. Other Business Services

h. Services incidental to mining

(CPC883, 5115)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

Apply national treatment.

**Sub-sector:** F. Other Business Services

i. Services incidental to manufacturing (CPC884,885, except CPC88442)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

Not to provide services relating to manufacturing not allowed to foreign

investment.

**Sub-sector:** F. Other Business Services

j. Services incidental to energy

distribution (CPC887)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

**Commercial Presence** 

For engaging in the construction and operation of nuclear power plant, the Mainland party

shall be the controlling shareholder.

**Sub-sector:** F. Other Business Services

k. Placement and supply services of

Personnel (CPC872)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** F. Other Business Services

 Investigation and security services (CPC873)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

# **Commercial Presence**

- 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.

**Sub-sector:** F. Other Business Services

m. Related scientific and technical consulting services (CPC8675)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

### Commercial Presence

Not to engage in:

1) surveying of tungsten;

- surveying and beneficiation of rare earths and radioactive mineral products;
- scientific and technical consulting services related to hydraulic engineering (except in the In-Depth Cooperation Zone in Hengqin);
- 4) geodetic survey; aerial photography of and mapping; survey ground movement measuring; administrative region boundary survey and mapping; marine survey and mapping; compilation of topographic maps, national world political maps, administrative region maps, administrative region maps at the provincial level and below, national teaching regional teaching maps, three-dimensional and true maps maps, and compilation of electronic maps for navigation; survey of regional

geological mapping, geology for mineral resources, geophysics, hydrogeology, geochemistry, environmental geology, geologic hazard, geological remote and sensing, etc. (Mining right holders are not subject to this restriction when carrying out work within the scope of their mining rights.)

**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

**Commercial Presence** 

**Sub-sector:** F. Other Business Services

o. Building-cleaning services (CPC874)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** F. Other Business Services

p. Photographic services (CPC875)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** F. Other Business Services

q. Packaging services (CPC876)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** F. Other Business Services

r. Printing and publishing services (CPC88442)

Obligations concerned:

**National Treatment** 

# Reserved Restrictive Measures:

## **Commercial Presence**

- 1. Not to engage in the editing, publishing production services of books. and newspapers, journals and electronic publications. Not to engage in the editing and publishing services of video and sound recording products. Hong Kong service suppliers are allowed to set up enterprises on a wholly-owned, equity joint venture basis in the Mainland to engage in the production services of video and sound recording products.
- 2. Not to invest in online publishing services.
- The shareholding proportion of Hong Kong service suppliers engaging in the printing of publications and other printed matters (except packaging materials) shall not exceed 70%.

**Sub-sector:** F. Other Business Services

s. Convention and exhibition services

(CPC87909)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** F. Other Business Services

t. Other (CPC8790, except read-only optical discs duplication services)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

Commercial Presence

**Measures:** Not to engage in seal engraving services.

**Sub-sector:** A. Postal Services (CPC7511)

Obligations National Treatment concerned:

Reserved Commercial Presence
Restrictive

**Measures:** Not to provide postal services.

**Sub-sector:** B. Courier services (CPC7512)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

Not to provide express delivery service of correspondence within the Mainland and delivery service of official documents of state

organs.

**Sub-sector:** C. Telecommunications services<sup>1</sup>

- 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
- I. 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, transoceanic mobile communications, air-to-ground communications, etc.)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

Commercial Presence

Measures:

1. For engaging in basic telecommunications services, Hong Kong service suppliers

Classification for this sector is based on the Mainland classification for telecommunications sector.

shall set up joint venture enterprises in the Mainland, and the Mainland parties shall be the controlling shareholder.

- 2. For the provision of the following services by Hong Kong service suppliers, the proportion of Hong Kong capital in the shareholding shall not exceed 50%:
  - Online data processing and transaction processing services (except operating e-commerce business websites);
  - Mainland IP based Virtual Private Network Services;
  - 3) Internet data centre services;
  - Internet access services (except for providing Internet access services to end users);
  - 5) Content services (except application stores);
  - 6) Content delivery network services;
  - 7) Code and protocol conversion services.

For clarity and avoidance of doubt, to accord priority to support Hong Kong service suppliers' pilot participation in providing services in Internet data centre, content delivery network, Internet access services, online data processing and transaction processing. as well as information dissemination platforms and information delivery services in content services (except information. Internet news publishing, online audiovisual, Internet culture business), content protection and processing services in areas such as Beijing, Shanghai, Hainan and Shenzhen, etc., with no restriction on the shareholding proportion of Hong Kong capital.

**Sub-sector:** D. Audiovisual services

Cinema theatre services
Motion picture or video tape production
and distribution services (CPC9611)
Radio and television services (CPC9613)

Other

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

**Cinema theatre services** 

1. Not to construct cinema theatre chains.

# Motion picture or video tape production and distribution services

2. Approval of the relevant Mainland authorities is required for establishment of enterprises on a wholly-owned basis in the Mainland to distribute Mainland motion pictures.

For clarity and avoidance of doubt, distribution enterprises established by Hong Kong service suppliers and approved by the relevant Mainland authorities can operate distribution of imported buy-out Hong Kong motion pictures.

3. Not to invest in enterprises engaging in import of motion pictures.

#### Radio and television services

4. Not to invest in radio stations, television stations, broadcasting television channels

(frequencies), broadcasting television transmission networks (transmitting broadcasting relay stations, stations, uplinking television satellites, satellite stations, satellite transposers, microwave link stations, monitoring stations, cable broadcasting television transmission networks, etc.) at any regional level. Not to engage in video-on-demand broadcasting television services and installation services of satellite television receiving facilities.

5. Not to engage in the production and operation of radio and television programmes (including importing business).

#### **Others**

6. Not to engage in online audiovisual services.

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 Hong Kong service suppliers, performance of the enterprises in works contracts both in the Mainland and outside the Mainland can be taken into account as a basis qualification assessing the enterprises construction set in the up 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. Not provide to construction works, procurement of facilities and equipment, as well as maintenance and management services for waterways, facilities equipment in relation national to international rivers and waterways.
- 2. Not to provide dredging service in relation to waterway maintenance.

For clarity and avoidance of doubt, for construction enterprises set up in the Mainland Kong service by Hong suppliers, 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.

Services

**Sub-sector:** C. Installation and assembly work

(CPC514,516)

**Obligations** National Treatment **concerned**:

Reserved Commercial Presence
Restrictive

Services

Sub-sector: D. Building completion and finishing work

(CPC517)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

Services

**Sub-sector:** E. Other (CPC511,515,518)

**Obligations** National Treatment

concerned:

Reserved Commercial Presence
Restrictive

**Sub-sector:** A. Commission agents' services

(CPC621)

Obligations National Treatment concerned:

Reserved Commercial Presence
Restrictive

**Sub-sector:** B. Wholesale trade services (CPC622,

except wholesale trade services of

cultural relics)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

Sub-sector: C. Retailing services (CPC631, 632, 6111,

6113, 6121, except retailing services of

cultural relics)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Measures:** Not to provide retailing services of tobacco.

**Sub-sector:** D. Franchising (CPC8929)

Obligations National Treatment concerned:

**Reserved** Commercial Presence **Restrictive** 

**Sub-sector:** E. Other distribution services (except the

auction of cultural relics)

Obligations concerned:

**National Treatment** 

Reserved
Restrictive
Measures:

### **Commercial Presence**

- 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.

**Sub-sector:** A. Primary education services (CPC921)

Obligations concerned:

National Treatment

Reserved Restrictive Measures:

### **Commercial Presence**

- 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 in the establishment of education institutions providing compulsory education and religious education.

For clarity and avoidance of doubt, for schools set up on a wholly-owned basis for the children of foreign nationals in the Guangdong Province, admission may be extended to cover the children of overseas Chinese and talents who returned from studies abroad working in Guangdong, in addition to the children of foreign nationals who hold residence permits in the Mainland.

**Sub-sector:** B. Secondary education services

(CPC922)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

### **Commercial Presence**

- 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.<sup>1</sup>
- 2. Not to invest in the establishment of education institutions providing compulsory education and religious education.

For clarity and avoidance of doubt, for schools set up on a wholly-owned basis for the children of foreign nationals in the Guangdong Province, admission may be extended to cover the children of overseas Chinese and talents who returned from studies abroad working in Guangdong, in addition to the children of foreign nationals who hold residence permits in the Mainland.

To allow the 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.

**Sub-sector:** C. Higher education services (CPC923)

Obligations concerned:

National Treatment

Reserved Restrictive Measures:

# **Commercial Presence**

- The setting up of schools and other education institutions mainly admitting Chinese citizens of the Mainland is restricted to cooperation on a contractual basis.<sup>1</sup>
- 2. Not to invest in the establishment of education institutions providing religious education.

To allow the 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.

**Sub-sector:** D. Adult education (CPC924)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

Not to invest in the establishment of education

institutions providing religious education.

**Sector:** 5. Education Services

**Sub-sector:** E. Other education services (CPC929)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

Not to invest in the establishment of education

institutions providing religious education.

**Sub-sector:** A. Sewage services (CPC9401)

Obligations National Treatment concerned:

Restrictive

Reserved Commercial Presence

**Sub-sector:** B. Refuse disposal services (CPC9402)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

Sub-sector: C. Sanitation and similar services

(CPC9403)

**Obligations** National Treatment

concerned:

Reserved Commercial Presence
Restrictive

Sub-sector: D. Cleaning services of exhaust gases

(CPC9404)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** E. Noise abatement services (CPC9405)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

Sub-sector: F. Nature and landscape protection

services (CPC9406)

**Obligations** Na

concerned:

National Treatment

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** G. Other environmental protection

services (CPC9409)

Obligations National Treatment

concerned:

Commercial Presence

Reserved Restrictive

**Sector:** 7. Financial Services

**Sub-sector:** A. All insurance and insurance-related services (CPC812)

- 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)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

# **Commercial Presence**

- 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:
  - Total assets held by the group of over US\$5 billion;
  - 2) The place of their domicile is having a robust insurance regulatory system; and the insurance companies are under effective supervision by the relevant authority where the insurance companies are domiciled;
  - 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;
- Healthy internal control system; and effective information management system; and
- Good operating condition; and having no records of significant violation of laws and regulations.
- 2. Foreign financial institutions which invest in shares of insurance companies must fulfil the following criteria:
  - A good and stable financial condition with continuous profit making record for the recent three consecutive accounting years;
  - Having long term credit rating of A or above given by international credit agencies in the recent three years;
  - Having no records of significant violation of laws and regulations for the recent three years;
  - Having fulfilled the requirements of prudential supervision standards of the financial regulators where they are domiciled.
- 3. 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 3 years.

- 4. Hong Kong insurance brokerage companies setting up wholly-owned insurance agency companies in the Mainland must fulfil the following criteria:
  - 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
  - Within 3 years before application, there has been no serious violation of regulations and records of disciplinary action.
- 5. Except otherwise approved by the National Financial Regulatory Administration, Hong Kong insurance companies are not allowed to carry out the purchase or sale of assets or other transactions with their related enterprises.

**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:
  - 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 81319)
- k. Advisory and other auxiliary financial services (CPC8131 or 8133)
- 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**

- 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 financial а institution, and the sole or majority foreign shareholder shall be commercial bank;

- 2) The foreign founding member or strategic investor of a large commercial bank 1, 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:
- The foreign investor of a money brokerage company shall be a money brokerage company;
- 8) The foreign strategic investor of a financial asset management company shall be a financial institution.
- 2. Approval shall be required for investing in financial institutions listed below:
  - 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

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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.

- service suppliers to invest in rural commercial banks, rural cooperative banks, rural credit unions, rural banks or credit companies;
- 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;
- Approval is required for foreign banks to change the operating capital of foreign bank branches in the Mainland;
- 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;
- 7) Approval is required for Hong Kong service suppliers to invest in trust companies;
- 8) Approval is required for Hong Kong service suppliers to invest in financial asset management companies, corporate group finance companies, financial leasing companies, automotive finance companies, money brokerage companies and consumer finance companies.

- 3. Hong Kong service suppliers investing in financial institutions engaging in banking business shall meet relevant asset size requirements, including specifically:
  - 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;
  - 2) 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;
  - 3) 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;
  - 4) The foreign founding member of a financial leasing company shall in principle have total assets of no less than US\$1 billion or equivalent amount in convertible foreign currencies at the end of the year immediately before;
  - 5) 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. 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 RMB500,000; 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.
- 5. 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. The branch of a foreign bank that continues to meet capital adequacy ratio requirements set by its domestic supervisory authorities as well as the banking regulation authorities of the exempt State Council from the is above-mentioned requirement. The branch of a foreign bank shall hold a certain proportion of interest-earning assets as required by the banking regulation authorities of the State Council.
- 6. 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 for conducting RMB business.
- 7. 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.

- 8. 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.
- 9. 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.
- 10. Foreign institutions shall not be allowed to participate in the establishment of financial asset investment companies as majority shareholders.
- 11. The form of investment in securities companies includes: the establishment of wholly-owned securities companies; 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 companies ioint venture securities according to law by legal transfer and acquisition of shareholding Mainland-funded securities companies. (The number of securities companies that are allowed to be invested in through shareholding acquisition by the same Hong Kong-funded financial institution or by Kong-funded Hona financial various institutions which are effectively controlled by the same entity is in line with the national treatment.)

- 12. 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.
- 13. The overseas shareholders of a securities company shall comply with the Mainland's qualification requirements for overseas shareholders of foreign-invested securities companies and abide by the Securities Law and regulations of the Mainland on acquisition of listed companies as well as change in particulars of securities companies.
- 14. The form of investment in fund management companies by Hong Kong-funded financial institutions can be made in wholly-owned venture or joint venture. The number of fund management

companies that are allowed to be invested in through shareholding acquisition is in line with the national treatment.

The overseas shareholders of a fund management company shall comply with the Mainland's qualification requirements for overseas shareholders of foreign-invested fund management companies and abide by the Securities Investment Fund Law and regulations on change in particulars of fund management companies.

15. When investing in futures companies, the number of futures companies that are allowed be invested in through to shareholding acquisition by the same Hong Kong-funded financial institution or by Hong Kong-funded financial various institutions which are effectively controlled by the same entity is in line with the national treatment.

The overseas shareholders of a futures company shall comply with the Mainland's qualification requirements for overseas shareholders of foreign-invested futures companies and abide by the Futures and Derivatives Law and regulations of the Mainland on acquisitions of listed companies as well as change in particulars of futures companies.

16. Investment in securities investment advisory companies by Hong Kong-funded financial institutions can be made only in the form of joint venture. (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 is in line with the national treatment.)

Hong Kong securities companies which satisfy the qualification requirements as overseas shareholders Ωf 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 shareholding of a Hong Kong-funded securities company which satisfies the relevant requirements for setting up a Mainland-Hong Kona ioint venture securities investment advisory company in such company may reach more than 50%.

17. 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 "cross-location" establish apply to sub-branches different (i.e. 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** National Treatment

concerned:

**Reserved** Commercial Presence **Restrictive** 

**Sector:** 8. Health Related and Social Services

**Sub-sector:** A. Hospital services (CPC9311)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

Applications for setting up medical institutions shall be approved by and registered with the Health Commission at provincial level in accordance with the Mainland's regulations.

**Sector:** 8. Health Related and Social Services

Sub-sector: B. Other Human Health Services

(CPC93192,93193,93199)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

Measures: 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 **Commercial Presence** 

Measures: Not to provide emergency relief services for

disaster victims.

**Sub-sector:** A. Hotels and restaurants (CPC641-643)

Obligations National National

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** B. Travel agencies and tour operators

services (CPC7471)

Obligations concerned:

National Treatment

Reserved
Restrictive
Measures:

## **Commercial Presence**

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.

For clarity and avoidance of doubt, investment of setting up travel agents in the Pilot Free Trade Zones shall be approved by the authorities of the Pilot Free Trade Zones.

**Sub-sector:** C. Tourist guides services (CPC7472)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** D. Other

Obligations National Treatment concerned:

**Reserved** Commercial Presence **Restrictive** 

Services

Sub-sector: A. Entertainment services (other than

audiovisual services) (CPC9619)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

## **Commercial Presence**

- 1. Establishment of Internet culture business units is restricted to equity joint venture with the Mainland party holding controlling shareholding or dominant interests.
- Establishment of performing arts groups is restricted to equity joint venture with the Mainland party holding controlling shareholding or dominant interests.

Services

**Sub-sector:** B. News agency services (CPC962)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

1. Not to invest in news agencies (including but not limited to press agencies).

2. Not to invest in Internet news services and Internet public-oriented information dissemination services.

Services

**Sub-sector:** C. Library, archive, museum and other

cultural services (CPC963)

Obligations concerned:

National Treatment

Reserved
Restrictive
Measures:

**Commercial Presence** 

1. Not to invest in the state-owned cultural relic museums. For clarity and avoidance of doubt, Hong Kong service suppliers can provide, in the form of wholly-owned operations, professional services for museums in the Mainland.

2. Not to invest in companies selling cultural relics and cultural relic stores.

Services

**Sub-sector:** D. Sporting and other recreational services

(CPC964)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

Measures:

Apply national treatment.

**Sector:** 11. Transport Services

**Sub-sector:** A. Maritime Transport Services

a. Passenger transportation (CPC7211)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

#### Commercial Presence

- 1. The following criteria shall be met when providing costal water transport services:
  - In the business areas intended to operate, Mainland water transport service suppliers could not meet the demand;
  - Having good business and operating records in providing water transport services;
  - 3) Restricted to equity joint venture and the capital contribution of the Hong Kong service supplier not exceeding 50%.
- 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:

## **Commercial Presence**

- 1. The following criteria shall be met when providing costal water transport services:
  - In the business areas intended to operate, Mainland water transport service suppliers could not meet the demand;
  - Having good business and operating records in providing water transport services;
  - Restricted to equity joint venture and the capital contribution of the Hong Kong service supplier not exceeding 50%.
- 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.

**Sub-sector:** A. Maritime Transport Services

c. Rental of vessels with crew (CPC7213)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

Not to provide rental of vessels with crew

engaging in coastal waterway transportation.

**Sub-sector:** A. Maritime Transport Services

d. Maintenance and repair of vessels

(CPC8868)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

Commercial Presence

**Sub-sector:** A. Maritime Transport Services

e. Pushing and towing services (CPC7214)

Obligations concerned:

National Treatment

# Reserved Restrictive Measures:

### **Commercial Presence**

- 1. The following criteria shall be met when providing costal water transport services:
  - In the business areas intended to operate, Mainland water transport service suppliers could not meet the demand;
  - Having good business and operating records in providing water transport services;
  - 3) Restricted to equity 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 reported to the original authority-in-charge for approval.

**Sub-sector:** A. Maritime Transport Services

f. Supporting services for maritime transport (CPC745)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

# **Commercial Presence**

The provision of supporting services for maritime transport is restricted to:

- The establishment of wholly-owned enterprises to provide material supplying services except fuels and water;
- 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.

**Sub-sector:** B. Internal Waterways Transport

a. Passenger transportation (CPC7221)

Obligations concerned:

**National Treatment** 

# Reserved Restrictive Measures:

### **Commercial Presence**

- The following criteria shall be met when providing internal waterways transport services:
  - In the business areas intended to operate, Mainland water transport service suppliers could not meet the demand;
  - Having good business and operating records in providing water transport services;
  - 3) Restricted to equity joint venture and capital contribution of the Hong Kong service supplier not exceeding 50%.
- 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.

**Sub-sector:** B. Internal Waterways Transport

b. Freight transportation (CPC7222)

Obligations concerned:

**National Treatment** 

# Reserved Restrictive Measures:

### **Commercial Presence**

- 1. The following criteria shall be met when providing internal waterways transport services:
  - In the business areas intended to operate, Mainland water transport service suppliers could not meet the demand;
  - Having good business and operating records in providing water transport services;
  - 3) Restricted to equity joint venture and the capital contribution of the Hong Kong service supplier not exceeding 50%.
- 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.

**Sub-sector:** B. Internal Waterways Transport

c. Rental of vessels with crew

(CPC7223)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures: **Commercial Presence** 

: Not to provide rental of vessels with crew

engaging in internal water transport.

**Sub-sector:** B. Internal Waterways Transport

d. Maintenance and repair of vessels

(CPC8868)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** B. Internal Waterways Transport

e. Pushing and towing services (CPC7224)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

### **Commercial Presence**

- 1. The following criteria shall be met when providing internal waterways transport services:
  - In the business areas intended to operate, Mainland water transport service suppliers could not meet the demand:
  - Having good business and operating records in providing water transport services;
  - Restricted to equity joint venture and the capital contribution of the Hong Kong service supplier not exceeding 50%.
- 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.

**Sub-sector:** B. Internal Waterways Transport

f. Supporting services for internal waterway transport (CPC745)

Obligations concerned:

**National Treatment** 

Reserved Restrictive Measures:

### **Commercial Presence**

The provision of supporting services for internal waterway transport is restricted to:

- 1) The establishment of wholly-owned enterprises to provide material supplying services except fuels and water;
- 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.

**Sub-sector:** C. Air Transport Services

a. Passenger transportation (CPC731)

Obligations concerned:

National Treatment

Reserved
Restrictive
Measures:

### **Commercial Presence**

- 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 with the Mainland party. The legal representative of the general aviation enterprises shall be a Chinese citizen.

11. Transport Services Sector:

C. Air Transport Services Sub-sector:

b. Freight transportation (CPC732)

**Obligations** concerned:

National Treatment

Reserved Restrictive Measures:

## **Commercial Presence**

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.

**Sub-sector:** C. Air Transport Services

c. Rental of aircraft with crew

(CPC734)

Obligations Na concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** C. Air Transport Services

d. Maintenance and repair of aircraft

(CPC8868)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** C. Air Transport Services

e. Supporting services for air transport (CPC746)

Obligations concerned:

National Treatment

# Reserved Restrictive Measures:

#### Commercial Presence

- 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.

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 or

equity 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.

**Sub-sector:** D. Space Transport (CPC733)

Obligations National Treatment

concerned:

Reserved Commercial Presence
Restrictive

**Measures:** Not to provide space transport service.

**Sub-sector:** E. Rail Transport Services

a. Passenger transportation (CPC7111)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** E. Rail Transport Services

b. Freight transportation (CPC7112)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** E. Rail Transport Services

c. Pushing and towing services (CPC7113)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** E. Rail Transport Services

d. Maintenance and repair of rail transport equipment (CPC8868)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

Commercial Presence

**Sub-sector:** E. Rail Transport Services

e. Supporting services for rail transport

services (CPC743)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** F. Road Transport Services

a. Passenger transportation (CPC7121,7122)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** F. Road Transport Services

b. Freight transportation (CPC7123)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** F. Road Transport Services

c. Rental of commercial vehicles with operator (CPC7124)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** F. Road Transport Services

d. Maintenance and repair of road transport equipment (CPC6112,

8867)

Obligations concerned:

National Treatment

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** F. Road Transport Services

e. Supporting services for road

transport services (CPC744)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** G. Pipeline Transport

a. Transportation of fuels (CPC7131)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sub-sector:** G. Pipeline Transport

b. Transportation of other goods

(CPC7139)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

Sub-sector: H. Services auxiliary to all modes of

transport

a. Cargo-handling services (CPC741)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

Sub-sector: H. Services auxiliary to all modes of

transport

b. Storage and warehouse services

(CPC742)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

Sub-sector: H. Services auxiliary to all modes of

transport

c. Freight transport agency services

(CPC748)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

Commercial Presence

Sub-sector: H. Services auxiliary to all modes of

transport

d. Other (CPC749)

Obligations concerned:

**National Treatment** 

Reserved Restrictive

Commercial Presence

**Sub-sector:** I. Other Transport Services

Obligations concerned:

**National Treatment** 

Reserved Restrictive

**Commercial Presence** 

**Sector:** 12. Other Services Not Included Elsewhere

**Sub-sector:** 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:

### **Commercial Presence**

- 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)

Sectors or Sub-sectors	1. Business services
	A. Professional services
	a. Legal services (CPC861)
Specific commitments	<ol> <li>To allow Mainland law firms to employ Hong Kong legal practitioners <sup>1</sup>. Such practitioners who are employed by Mainland law firms must not handle matters of Mainland law.</li> <li>To allow Hong Kong legal practitioners to be employed as legal consultants by not more than 3</li> </ol>
	Mainland law firms simultaneously.
	3. To allow Hong Kong permanent residents with Chinese citizenship to sit the Unified Legal Professional Qualification Examination in the Mainland and acquire legal professional qualification in accordance with the "Implementation Measures for the National Unified Legal Professional Qualification Examination".
	4. To allow those who have acquired Mainland legal professional qualification under item 3 above to engage in non-litigation legal matters in Mainland law firms in accordance with the "Law of the People's Republic of China on Lawyers".

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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.

- 5. To allow Hong Kong legal practitioners to obtain practice qualification in the nine Pearl River Delta municipalities of the Guangdong-Hong Kong-Macao Greater Bay Area by passing a special examination and to engage in matters on specific areas of Mainland law.
- 6. 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 the Mainland, or the representative office set up by a law firm of Hong Kong or Macao in the Mainland.
- 7. The approval requirement for the employment of Hong Kong legal practitioners as legal consultants will be changed to filing procedures. Annual registration is not required.
- 8. 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 permit.
- 9. 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 authority.
- 10. To allow Hong Kong barristers to act as agents in civil litigation cases in the Mainland in the capacity of citizens<sup>1</sup>.

Should comply with the requirements set out under Article 58 of the Civil Procedure Law of the

- 11. To allow Hong Kong residents who have acquired 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 *Outline for Practical Training and the Guidelines on Practical Training* as required in the Mainland.
- 12. To allow Hong Kong legal practitioners who have at least 5 years' experience in legal practice and who have passed the Unified Legal Professional Qualification Examination in the Mainland 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" 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 Mainland.
- 13. To waive the residency requirement in the Mainland for representatives stationed in representative offices of Hong Kong law firms in the Mainland.

Sectors or	1. Business services
Sub-sectors	A. Professional services
	b. Accounting, auditing and bookkeeping services (CPC862)
Specific commitments	<ol> <li>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.</li> </ol>
	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. The person in charge of the bookkeeping services should hold the relevant Mainland's professional qualification (professional title) of accountant or above, or be in practice of accounting for not less than three years and be a full-time practitioner. Hong Kong accountants providing bookkeeping services should fulfil the relevant requirements set by the responsible Mainland financial ministries.
	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.
	4. The validity period of the "Provisional Licence to Perform Audit-Related Services", applied for by Hong Kong accounting firms for the purpose of conducting auditing business on a temporary basis in

the Mainland, is extended to five years.

- 5. To permit the setting up of an examination centre in Hong Kong for holding the Mainland's Accounting Professional Technician Qualification Examination.
- 6. To suitably simplify the documentation requirements for applications for conducting business on a temporary basis in the Mainland by Hong Kong accounting firms.
- 7. 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.
- 8. When determining the duration of residency in the Mainland for Hong Kong accountants who hold the Chinese Certified Public Accountants (CPAs) qualification and practise as partners of accounting firms in the Mainland, the days spent on travelling between the Mainland and Hong Kong are counted towards the days of residency in the Mainland and any part of a day is counted as a full day.

## Sectors or 1. Business services Sub-sectors 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** 1. To relax the requirement of residence in the Mainland commitments 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. 2. Hong Kong professionals, who have obtained Mainland's construction professional qualifications through mutual recognition, are allowed to register and practise in the Mainland and enjoy the same treatment as Mainland professionals having the same professional qualifications. 3. Hong Kong professionals, who have Mainland's certified urban-rural planner qualification, are allowed to register in the Mainland regardless of whether they are registered in Hong Kong. 4. Hong Kong professionals, who have obtained Mainland's supervision engineer qualification, are allowed to register and practise in the Mainland whether regardless of they are registered practitioners in Hong Kong. 5. Hong Kong professionals, who have obtained Mainland's supervision engineer qualification, are recognised registered practitioners as for the

purpose of declaration of supervision enterprise qualifications within the Mainland, in accordance with the relevant Mainland regulations.

- 6. Hong Kong professionals, who have obtained Mainland's class 1 registered architect qualification by mutual recognition, are allowed to register and practise in the Mainland regardless of whether they are registered practitioners in Hong Kong.
- 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 with accordance 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.
- 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 the Mainland, in accordance with the relevant Mainland regulations.
- 9. Hong Kong professionals, who have obtained through examination Mainland's registered architect qualification, are allowed to register and practise in the Mainland 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 the Mainland, in accordance with the relevant Mainland regulations.
- 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 the Mainland regardless of whether they are registered practitioners in Hong Kong.
- 11. Hong Kong professionals, who have obtained Mainland's class 1 registered structural engineer qualification, are allowed to act as partners to set up construction and engineering design offices in the with Mainland in accordance 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.
- 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 the Mainland, in accordance with the relevant Mainland regulations.
- 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 the Mainland 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 the Mainland, in accordance with the relevant Mainland regulations.
- 14. When Hong Kong service suppliers construction and engineering design enterprises in the Mainland, 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 (assessment of the qualifications for key professional and technical personnel is limited to their academic qualifications, years of practice in Kong construction design, Hong registration qualifications, performance and reputation in the construction design sector, etc. but not their titles).
- 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.
- 16. When foreign wholly-owned or joint-venture urban-rural planning enterprises declare their enterprise qualifications, 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.

- 17. Regarding the elective courses of continuing 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.
- 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.
- 19. Regarding the mandatory courses of continuing education for mutual recognition of professional qualification, Hong Kong service suppliers are allowed to complete all the courses in Hong Kong.
- 20. 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.
- 21. To extend the scope of mutual recognition of qualifications; to renew the expired agreements for mutual recognition of professional qualifications, including agreements between structural engineers in Hong Kong and the Mainland, planners in Hong Kong and urban planners in the Mainland, building surveyors in Hong Kong and supervision engineers in the Mainland, and architects in Hong Kong and the Mainland.
- 22. To arrange for mutual recognition of professional qualifications between architects, structural engineers and building surveyors of Hong Kong who possess the membership of professional institutions

in Hong Kong, and architects, structural engineers, building surveyors of the Mainland who possess the membership of respective professional institutions in the Mainland.

- 23. To allow professionals who obtained the qualification of General Practice Surveyors in Hong Kong to directly register for practice in Qianhai of Shenzhen, Hengqin of Zhuhai and Nansha of Guangzhou and enable them to provide real estate appraisal services without the need to obtain professional qualification in the Mainland through mutual recognition.
- 24. To allow town planning enterprises on the list of consultants of the Government of the Hong Kong Special Administrative Region to provide strategic planning, conceptual planning, urban studies and design, etc. except master planning and detailed planning services in Guangdong Province after filing of records.
- 25. To extend the scope of the "Interim Guidelines for Hong Kong the Management of Engineering Construction Consultant **Enterprises** and Professionals Starting Business and Practising in the Guangdong-Hong Kong-Macao Greater Bay Area Cities" to allow Hong Kong general practice enterprises to provide professional surveying services in the nine Pearl River Delta municipalities in the Guangdong-Hong Kong-Macao Greater Bay Area and also in Guangdong Province through filing of records.
- 26. To allow Hong Kong professional enterprises on the list of the Government of the Hong Kong Special Administrative Region approved by the Development Bureau to provide construction cost related services in the Qianhai Shenzhen-Hong Kong Modern Service

Industry Cooperation Zone after filing of records.

27. To allow Hong Kong engineering construction consultant enterprises which have completed filing of records to bid for consultancy services projects in joint venture in compliance with the laws in the nine Pearl River Delta municipalities in the Guangdong-Hong Kong-Macao Greater Bay Area.

Sectors or	1. Business services
Sub-sectors	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	1. Statutory healthcare professionals who are
commitments	registered to practise in Hong Kong are allowed to provide short-term services in the Mainland.
	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. 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. 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 or who have completed one-year uninterrupted internship under the

supervision of a practising doctor in a Tier 3 (tertiary) hospital in the Mainland and passed an assessment, 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.

- 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. "medical (dental) practitioner's qualification certificate" of the Mainland will be issued to those who pass the examination.
- 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 qualification certificate" of practitioner's the Mainland will be issued to those who pass the examination.
- 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.

- 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 that they have completed one-year condition internship in the Mainland and passed 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.
- 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 Administration Department Education 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 the Mainland and passed assessment in accordance with the relevant A "medical (traditional requirements. Chinese medicine) practitioner's qualification certificate" of the Mainland will be issued to those who pass the

examination.

- 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.
- 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.
- 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.
- 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.
- 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 (No. Management 156[2000] the State Food Drug of and Administration) relevant and under other

documents.

- 15. To allow Hong Kong permanent residents to apply for registration as Mainland practising pharmacists in accordance with the relevant Mainland's regulations.
- 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.
- 17. 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.

Sectors or	1. Business services
Sub-sectors	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.

Sectors or Sub-sectors	1. Business services
	A. Professional services
	k. Other (Patent agency, Trade mark agency etc.) (CPC8921-8923)
Specific commitments	<ol> <li>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.</li> </ol>
	2. To allow eligible Hong Kong permanent residents with Chinese citizenship to take the National Qualification Examination for Patent Attorneys in the Mainland. A Patent Attorney Qualification Certificate will be issued to those who pass the examination.
	3. Hong Kong permanent residents with Chinese citizenship who have obtained the Patent Attorney 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.

Sectors or Sub-sectors	1. Business services
	B. Computer and related services
	a. Consultancy services related to the installation of computer hardware (CPC841)
	<ul><li>b. Software implementation services (CPC842)</li><li>c. Data processing services (CPC843)</li></ul>
	d. Database services (CPC844, except network operation services and value-added network services)
	e. Other (CPC845, 849)
Specific commitments	To allow Hong Kong service suppliers to provide cross-boundary database services in Qianhai and Hengqin on a pilot basis.
	<ol> <li>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.</li> </ol>

Sectors or Sub-sectors	1. Business services
Sub-sectors	D. Real estate services
	b. Real estate services on a fee or contract basis (CPC822)
Specific	1. To allow contractual service providers employed by
commitments	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. To provide facilitation for Hong Kong property management enterprises and professionals to develop business in the Mainland.

Cootono on	1. Business services
Sectors or Sub-sectors	F. Other business services
	a. Advertising services (CPC871)
Specific commitments	<ol> <li>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.</li> </ol>
	2. To provide more preferential treatment to Hong Kong service suppliers to develop online media agency services in the Mainland.

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

#### Sectors or 1. Business services Sub-sectors F. Other business services e. Technical testing and analysis services (CPC8676) and Product testing services (CPC749) Specific 1. To allow testing organisations in Hong Kong to commitments cooperate with designated Mainland organisations to undertake testing of products for the China Compulsory Certification (CCC) System on all CCC. These products that require testing organisations have be accredited the to by accreditation body of the Government of the Hong Kong Special Administrative Region to be competent of performing testing of the relevant products under the CCC System, and cooperation arrangements should comply with relevant requirements in the Regulations on Certification and Accreditation of the People's Republic of China. 2. To allow certification bodies in Hong Kong to cooperate with Mainland CCC certification bodies on CCC factory inspection through assigning inspectors such inspection of factories carry out manufacturing CCC products. These certification bodies have to be accredited by the accreditation body of the Government of the Hong Kong Special Administrative Region to be competent of performing certification of relevant products under the CCC System. 3. To allow certification bodies in Hong Kong to cooperate with Mainland CCC certification bodies to select post-certification test samples at factories manufacturing CCC products. These certification bodies have to be accredited by the accreditation body of the Government of the Hong Kong Special

Administrative Region to be competent of performing certification of relevant products under the CCC System.

- 4. 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 the Mainland. These testing organisations have to be accredited by the accreditation body of the Government of the Hong Kong Special Administrative Region to be competent in performing testing of relevant products.
- 5. 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 carrying out "certified once, tested once, and results accepted by three places".
- 6. On the basis of mutual trust and mutual benefit, to allow testing and certification organisations in Hong Kong to cooperate with Mainland testing and certification organisations in respect of acceptance of testing data (results). Specific cooperation arrangements are subject to further discussion.
- 7. 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.

Sectors or Sub-sectors	1. Business services
	F. Other business services
	k. Placement and supply services of Personnel (CPC872)
Specific commitments	<ol> <li>To allow the international ship management companies set up by Hong Kong service suppliers in the form of wholly-owned enterprises, equity 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.</li> <li>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.</li> </ol>

Sectors or Sub-sectors	1. Business services
Sub-sectors	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.

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.

Sectors or Sub-sectors	1. Business services
	F. Other business services
	r. Printing and publishing services (CPC88442)
Specific commitments	1. To simplify the approval procedures for importing Hong Kong books and to establish a Green Passage for importing Hong Kong books.
	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 <sup>1</sup> .

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<sup>&</sup>lt;sup>1</sup> Referring to printing and its auxiliary services.

Sectors or Sub-sectors	1. Business services
	F. Other business services
	s. Convention and exhibition services (CPC87909)
Specific commitments	To allow Hong Kong service suppliers to organise exhibitions in the form of cross-border supply.
	<ol> <li>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.</li> </ol>

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

### Sectors or 2. Communications services Sub-sectors C. Telecommunications services 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 a. Private leased circuit services h. Electronic mail services Voice mail services i. On-line information and data base retrieval services k. Electronic data interchange (EDI) services I. 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, transoceanic communications. mobile air-to-ground communications, etc.) **Specific** 1. To allow Hong Kong service suppliers to distribute in the Mainland telephone service cards which can be commitments used globally but cannot be activated in the Mainland. 2. 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 Mainland: 1) Online processing data and transaction processing (confined to e-commerce business websites only): Call centre services: 2) 3) Internet access services.

# Sectors or Sub-sectors

#### 2. Communications services

#### D. Audiovisual services

- Videos and sound recording products
- Chinese language motion pictures and motion pictures jointly produced
- Technical services of cable television
- Jointly produced television dramas
- Imported dramas
- Other television programmes
- Television animations
- Motion picture or video tape production services (CPC96112)
- Others

# Specific commitments

## Videos and sound recording products

- 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 screen.
- 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 Mainland.

# Chinese language motion pictures and motion pictures jointly produced

3. 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 quotas.

- 4. 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 should comprise more than 50% of the total principal personnel<sup>1</sup> in the motion pictures concerned.
- 5. 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 Mainland.
- 6. For motion pictures jointly produced by Hong Kong and the Mainland, there is no restriction on the percentage of principal creative personnel and artistes as well as the Mainland-related content.
- 7. To remove the restriction on the number of Hong Kong people participating in Mainland film productions.
- 8. 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.

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<sup>&</sup>lt;sup>1</sup> Principal personnel includes personnel performing the roles of director, screenwriter, leading actor, leading actor, leading actress, supporting actor, supporting actress, producer, cinematographer, editor, art director, costume designer, action choreographer, and composer of the original film score.

- 9. 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 screen.
- 10. To waive the fees for establishing the Mainland and Hong Kong co-production motion pictures projects.
- 11. 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 Mainland.

#### Technical services of cable television

12. 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.

## Jointly produced television dramas

- 13. 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 provincial radio and television administration.
- 14. 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.
- 15. To relax the restrictions on the percentage of principal creative personnel, Mainland-related content, investment proportion, etc. for television dramas co-produced by Hong Kong and the Mainland; and to shorten the time limit for approval of synopses for any proposal of television drama to be co-produced by the Mainland and Hong Kong.
- 16. National Radio and Television Administration has delegated to the provincial radio and television administration the authority of examining the finished tapes of Mainland 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.
- 17. 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 800.
- 18. To remove the restriction on the number of Hong Kong people participating as principal creative personnel in online television dramas.

### **Imported dramas**

19. To remove the restriction on the number of Hong Kong produced television dramas imported by Mainland television stations, audiovisual websites and cable television networks, and to relax the restriction on the number and time of broadcast of Hong Kong produced television dramas.

20. To allow imported dramas produced in Hong Kong to be broadcast during prime time in television stations in the Mainland after obtaining approval from the National Radio and Television Administration.

### Other television programmes

- 21. To remove the restriction on the number of Hong Kong people participating in the production of Mainland television programmes and television dramas
- 22. To remove the restriction on the number of Hong Kong people participating in the production of Mainland online audiovisual programmes.
- 23. To allow television programmes other than television dramas co-produced by the Mainland and Hong Kong to be broadcast and distributed in the same way as those produced by the Mainland, after obtaining the approval of the relevant Mainland authorities.
- 24. To allow terrestrial and satellite television channels in Hong Kong to obtain the landing right to broadcast within specific areas such as hotels, guesthouses, etc. in the Mainland after obtaining approval from the National Radio and Television Administration.

## **Television animations**

25. To remove the restriction on the number of Hong Kong produced animation television programmes imported by Mainland television stations, audiovisual websites and cable television networks; and to relax the restriction on the number and time of broadcast of Hong Kong produced animation television programmes in the Mainland.

26. To allow animation television programmes co-produced by the Mainland and Hong Kong to be broadcast and distributed in the same way as those produced by the Mainland, after obtaining the approval of the relevant Mainland authorities.

Sectors or	3.	Construction and related engineering services
Sub-sectors		(CPC511, 512, 513 <sup>1</sup> , 514, 515, 516, 517, 518 <sup>2</sup> )
Specific commitments	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.
	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.
	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.
	4.	The residency requirement is waived for Hong Kong permanent residents employed as engineering technical staff and economic managerial staff in

<sup>1</sup> Including dredging services relating to infrastructure construction.

Hong Kong service suppliers.

construction enterprises in the Mainland set up by

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.

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.

Sectors or Sub-sectors	4. Distribution services
	B. Wholesale trade services (CPC622, except wholesale trade of books, newspapers, magazines and cultural relics)
	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.

Sectors or	4. Distribution services
Sub-sectors	C. Retailing services (retailing services of books, newspapers, magazines and cultural relics)
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.

Sectors or Sub-sectors	5. Educational services
	C. Higher education services (CPC923)
Specific commitments	<ol> <li>To allow Guangdong Province to implement the admission of Hong Kong students to regular higher education institutions in the Province.</li> <li>To allow Hong Kong institutions fulfilling the conditions required for recruiting students in the Mainland to increase the student quota for admitting Mainland students and to actively increase the quota for admitting Mainland students from the Guangdong-Hong Kong-Macao Greater Bay Area, provided that the institutions comply with the requirements for recruiting students in the Mainland.</li> </ol>

Sectors or	6. Environmental services
Sub-sectors	(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.

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Sectors or	7. Financial services
Sub-sectors	A. All insurance and insurance-related services (CPC812)
	a. Life, accident and health insurance services     (CPC8121)
	b. Non-life insurance services (CPC8129)
	c. Reinsurance and retrocession (CPC81299)
	<ul> <li>d. Services auxiliary to insurance (including broking and agency services, consultancy services, actuarial services) (CPC8140)</li> </ul>
Specific commitments	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.
	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.
	3. To permit the setting up of an examination centre in Hong Kong for the Mainland qualifying examinations for insurance intermediaries.
	4. To encourage Mainland insurance companies to cede their business to Hong Kong insurance or reinsurance companies with RMB as the settlement currency.
	5. To encourage qualified Mainland insurance companies to set up regional headquarters in Hong Kong.
	6. On the basis of regulatory equivalence, to apply more

relaxed requirements of credit risk for Mainland insurance companies ceding reinsurance businesses to qualified Hong Kong insurers and continue to consider taking forward other preferential policies under equivalence.

- 7. To encourage Hong Kong insurance companies to continue expanding the scale of their outward reinsurance business placements to the Mainland reinsurance companies.
- 8. 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.
- 9. To relax requirements for Mainland insurance companies or large corporates setting up special purpose insurers (SPI) in Hong Kong via intermediary companies for the purpose of issuing catastrophe bonds, such as restriction on rating, capital and solvency criteria, and support Mainland insurance companies with wilful intention to issue catastrophe bonds in the Hong Kong market.

Sectors or
Sub-sectors

## 7. Financial services

- 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:
    - 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 81319)

- k. Advisory and other auxiliary financial services (CPC8131 or 8133)
- Provision and transfer of financial information, and financial data processing and related software by providers of other financial services (CPC8131)

## Specific commitments

- 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) 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.
- To develop a more diversified offshore RMB product market and increase channels for two-way fund flows.
- 3. The authorities of both sides have confirmed the re-signing of the cooperation agreement to mutually recognise professional qualifications for banking professionals, and shall further promote and expand the work on mutual recognition of banking

professional qualifications.

- 4. To simplify the relevant procedures for Hong Kong professionals <sup>1</sup> 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.
- 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.
- To allow the Hong Kong Exchanges and Clearing Limited to set up a representative office in Beijing.
- 7. To allow Mainland fund management companies approved by the China Securities Regulatory Commission to establish subsidiaries in Hong Kong to operate relevant businesses.
- 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.
- 9. To explore further lowering of the eligibility requirements for QDII scheme and to increase relevant investment quotas.

<sup>&</sup>lt;sup>1</sup> In this sector, professionals refer to Hong Kong permanent residents who have been licensed by the Securities and Futures Commission of Hong Kong.

- 10. To deepen the co-operation between the Mainland and Hong Kong in financial services and product development and launch ETF (open-ended index-tracking exchange-traded fund), of which portfolios are constituted by Hong Kong-listed stocks in the Mainland.
- 11. To continuously promote and enhance the Mainland-Hong Kong Mutual Recognition of Funds scheme.
- 12. To continuously promote the cross listing arrangement of the Mainland and Hong Kong ETF (i.e. open-ended index-tracking exchange-traded funds).
- 13. To enhance the variety of products under the Mainland-Hong Kong Stock Connect and allow companies with weighted voting rights structure as listed in Hong Kong to be included as eligible securities under Stock Connect upon fulfilment of certain criteria.
- 14. To consider extending the scope of eligible products under the mutual market access programme by including REITs (i.e. Real Estate Investment Trusts).
- 15. To deepen the opening-up of the Mainland securities and futures market and to support Hong Kong institutions' investments in the Mainland securities and futures market by means of the RMB Qualified Foreign Institutional Investor scheme (RQFII) and QFII.
- 16. To explore promoting RMB bond issuances on the Mainland exchanges by eligible Hong Kong companies.

- 17. To support eligible Hong Kong financial institutions to conduct direct investment activities in the nine Pearl River Delta municipalities in the Guangdong-Hong Kong-Macao Greater Bay Area, such as establishing, injecting capital into, or becoming a shareholder of financial institutions in the nine Pearl River Delta municipalities in the Guangdong-Hong Kong-Macao Greater Bay Area.
- 18. To 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.
- 19. To continuously and enhancethe promote Cross-boundary Wealth Management Connect Pilot Scheme that supports Mainland residents in the Guangdong-Hong Kong-Macao Greater Bay Area in purchasing wealth management products sold by Hong Kong banks and eligible Hong Kong licensed corporations, through Hong Kong banks and eligible Hong Kong licensed corporations, and Hong Kong wealth residents in purchasing management products sold by Mainland banks and Mainland securities companies, through Mainland banks and Mainland securities companies in the Guangdong-Hong Kong-Macao Greater Bay Area.
- 20. To support Hong Kong-funded non-bank payment institutions to conduct electronic payment business in the Mainland.
- 21. To continuously enhance Southbound Trading and Northbound Trading under Bond Connect.

22. To allow Hong Kong-funded banks to take capital guarantee deposits for Mainland insurance companies.

Sectors or Sub-sectors	8. Health related services and social services
Sub-sectors	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).

## 9. Tourism and travel related services Sectors or Sub-sectors A. Hotels (including apartment buildings) and restaurants (CPC641-643) B. Travel agency and tour operator (CPC7471) C. Tourist guides services (CPC7472) Others 1. To **Specific** allow residents of specified Mainland municipalities to visit Hong Kong individually for commitments tourism. 2. Optimising the implementation of the 144-hour visa-exemption policy for foreign group tours entering Guangdong from Hong Kong through increasing the number of inbound control points and expanding the area allowed to stay. 3. To provide facilitation for Mainland travel agents when receiving group tours in the West Kowloon Station of the High Speed Rail. 4. To allow Hong Kong permanent residents with Chinese citizenship to the "Mainland take 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 become Mainland outbound tour escort by filing of records (excluding tour escort credential for outbound group tours to Taiwan) in accordance with the relevant requirements. 5. 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.

- 6. To support cruise companies to arrange international cruise itineraries involving port-of-call in the Mainland cruise ports in accordance with the laws. In respect of Mainland visitors participating in such cruise itineraries, they can travel to Hong Kong in transit to join all sorts of cruise itineraries, by presenting their passports and confirmation documents of the relevant cruise itineraries.
- 7. 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.

Sectors or Sub-sectors	10. Recreational, Cultural and Sporting services
Sub-sectors	A. Entertainment services (other than audiovisual services) (CPC9619)
Specific commitments	1. To allow performing arts agencies or performing arts groups of Hong Kong 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 and Tourism.
	2. 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.
	3. To allow Hong Kong service suppliers to engage in the sales services of amusement game equipment in the Mainland.
	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.

Sectors or	10. Recreational, Cultural and Sporting services
Sub-sectors	C. Library, archive, museum and other cultural services (CPC963)
Specific commitments	To further develop closer cooperation between the

Sectors or Sub-sectors	10. Recreational, Cultural and Sporting services
Sub-sectors	D. Sporting and other recreational services (CPC964)
	Sporting services (CPC96411, 96412, 96413)
Specific commitments	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.      To allow contractual service providers ampleyed by
	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.

Sectors or Sub-sectors	11. Transport services
Sub-sectors	A. Maritime transport services
	<ul> <li>International transport (freight and passengers)         (CPC7211, 7212, excluding cabotage transport services)</li> <li>Container station and depot services</li> <li>Others</li> <li>H. Auxiliary services</li> </ul>
	<ul><li>b. Storage and warehouse services (CPC742)</li><li>c. Freight forwarding agency services (CPC748, 749, excluding freight inspection)</li></ul>
Specific commitments	<ol> <li>To allow Hong Kong registered maritime enterprises and ships to operate maritime transportation between Hong Kong and Mainland's ports that are open to foreign vessels.</li> </ol>
	2. To allow contractual service providers employed by Hong Kong service suppliers <sup>1</sup> , in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.
	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.

<sup>1</sup> In this sector, the Hong Kong service suppliers must be enterprise juridical persons.

Sectors or Sub-sectors	11. Transport services
Sub-sectors	C. Air transport services
	- Airport operation services (excl. cargo handling) (CPC74610)
	- Other supporting services for air transport (CPC74690)
	- Computer reservation system (CRS) services
	<ul> <li>Sales and marketing services for air transport</li> </ul>
Specific commitments	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.
	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.
	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.
	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.
	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.

Sectors or Sub-sectors	11. Transport services
	F. Road transport services
	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	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.
	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. 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.

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

Others	Professional and technical personnel qualification
	examinations <sup>1</sup>
Specific commitments	<ol> <li>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, certified urban-rural 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, tax agent, certified public valuer, prosthetist and orthotist, mining rights assessor, registered consulting engineer (investment), international business, real estate registration agent, gemstone quality examiner; quality, translation, computing technology and software, auditing, health, economic, statistics, accountant professional, communications professional qualification. Certificates of the relevant professional qualifications will be issued to those who pass the examination.</li> <li>To allow eligible Hong Kong permanent residents to</li> </ol>
	take the qualification examination for land surveyors
	in the Mainland, and a qualification certificate will be

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.

issued to those who pass the examination.

- 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.
- 4. To allow eligible Hong Kong residents to take the qualification examination for teachers in the Mainland. Those who pass the examination can apply for recognition of the corresponding qualification certificate.

Others	Individually Owned Stores <sup>1</sup>
Specific commitments	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 convenience

food;

of

manufacture

dairy products

[excluding

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 Industry Classification for the National Economy (GB/T 4754-2011).

<sup>&</sup>lt;sup>2</sup> 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.

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 kilogram/hour]; equipment below 200 manufacture of canned food; manufacture of gourmet powder; manufacture of sauces, vinegar and similar of other flavourings products: manufacture 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 with production capacity below beverages 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 musical of instruments: manufacture of arts and crafts (excluding carving and wildlife. key protected processing of nationally production of bodiless lacquerware, production of enamelware and production of inksticks); manufacture of sporting goods; manufacture of toys; manufacture of amusement equipment and entertainment manufacture of daily chemical products; manufacture of plastic products; manufacture of daily glass products, manufacture of daily ceramic products; manufacture of 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 electronic audio-video products and 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 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 signs and bronze plagues, 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

activities. and other personal personal business services: research and experimental development (excluding research in humanities and social sciences): professional technical services; inspection quality quarantine technical services (excluding animal services, plant guarantine 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 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); disposal (excluding environmental 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 pollution source investigation services); environmental management (excluding environmental quality monitoring and pollution source investigation services); washing, cleaning and dyeing services; hair dressing and beauty treatment services; services: marriage services under residents services (excluding matchmaking services); other residents services; repair of motor vehicles<sup>1</sup>; repair of computers and auxiliary equipment; repair services of household electrical appliances; repair services of other daily goods: building-cleaning services; other 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

Repair and maintenance of vehicles and motorcycles.

guesthouses; other accommodation services; real estate intermediary services; operation of activities with individually owned real estates.

- 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. 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.