

SCHEDULE OF HONG KONG, CHINA

Sector	Business Services Professional Services Accounting, Auditing and Book Keeping Services
Industry Classification	CPC 862 Accounting, Auditing and Book Keeping Services
Obligations concerned	Market Access (Article 4) National Treatment (Article 5) Local Presence (Article 6)
Measure	Section 29 of the Professional Accountants Ordinance (Cap. 50)
Description	<u>Cross-Border Services and Investment</u> Provision of statutory auditing services is limited to corporate practices and natural persons licensed as certified public accountants (practising), either as sole proprietors or in partnership.

Sector	Business Services Professional Services Architectural Services
Industry Classification	CPC 8671 Architectural Services
Obligations concerned	National Treatment (Article 5) Local Presence (Article 6)
Measure	Section 13 of the Architects Registration Ordinance (Cap. 408)
Description	<u>Cross-Border Services and Investment</u> To be registered as a Registered Architect, a person has to have one year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.

Sector	Business Services Professional Services Engineering Services Integrated Engineering Services
Industry Classification	CPC 8672 Engineering Services CPC 8673 Integrated Engineering Services
Obligations concerned	National Treatment (Article 5) Local Presence (Article 6)
Measure	Section 12 of the Engineers Registration Ordinance (Cap. 409)
Description	<u>Cross-Border Services and Investment</u> To be registered as a Registered Professional Engineer, a person has to have one year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.

Sector	Business Services Professional Services Urban Planning and Landscape Architectural Services
Industry Classification	CPC 8674 Urban Planning and Landscape Architectural Services
Obligations concerned	National Treatment (Article 5) Local Presence (Article 6)
Measure	Section 12 of the Planners Registration Ordinance (Cap. 418) Section 12 of the Landscape Architects Registration Ordinance (Cap. 516)
Description	<u>Cross-Border Services and Investment</u> To be registered as a Registered Professional Planner, a person has to have one year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China. To be registered as a Registered Landscape Architect, a person has to have one year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.

Sector	Business Services Other Business Services Services incidental to Fishing
Industry Classification	CPC 882 Services incidental to Fishing
Obligations concerned	Market Access (Article 4) National Treatment (Article 5)
Measure	Section 12 of the Merchant Shipping (Local Vessel) Ordinance (Cap. 548)
Description	<u>Investment</u> Fishing vessels must be certificated. To be certificated as a Local Vessel Class III “fishing vessel” plying within the waters of Hong Kong, China, if the owner of the vessel is an individual, the owner shall be an individual who holds a valid Hong Kong Identity Card and who is ordinarily resident in Hong Kong, China.

Sector	Business Services Other Business Services Services incidental to Manufacturing Transport Services Services auxiliary to all Modes of Transport Storage and Warehousing Services
Industry Classification	CPC Services incidental to Manufacturing 884+885 except for 88442 CPC 742 Storage and Warehousing Services
Obligations concerned	Market Access (Article 4) National Treatment (Article 5)
Measure	Sections 7 & 8A of the Dutiable Commodities Ordinance (Cap. 109) Regulation 22 of the Dutiable Commodities Regulations (Cap. 109A)
Description	<u>Investment</u> To apply for a licence for the manufacture or storage of dutiable commodities under the Dutiable Commodities Ordinance (Cap. 109), the applicant has to appoint a responsible person to be held responsible for the running and management of the premises concerned. The responsible person has to be a Hong Kong resident holding a valid Hong Kong Identity Card.

Sector	Business Services Other Business Services Services incidental to Manufacturing
Industry Classification	CPC 8847 Manufacture of rubber and plastics products, on a fee or contract basis CPC 885 Services incidental to the manufacture of metal products, machinery and equipment
Obligations concerned	Market Access (Article 4) National Treatment (Article 5)
Measure	Sections 5(1), 5(2)(c)(v) and 30 of the Prevention of Copyright Piracy Ordinance (Cap. 544)
Description	<u>Investment</u> To apply for a licence for the manufacture of optical discs or stampers under the Prevention of Copyright Piracy Ordinance (Cap. 544), the applicant has to be a Hong Kong resident holding a valid Hong Kong Identity Card.

Sector	Business Services Other Business Services Related Scientific and Technical Consulting Services
Industry Classification	CPC 8675 Related Scientific and Technical Consulting Services
Obligations concerned	Market Access (Article 4) National Treatment (Article 5) Local Presence (Article 6)
Measure	Section 12 of the Land Survey Ordinance (Cap. 473) Section 12 of the Surveyors Registration Ordinance (Cap. 417)
Description	<u>Cross-Border Services and Investment</u> Certain statutory land boundary survey services are required to be carried out by Authorised Land Surveyors registered under the Land Survey Ordinance (Cap. 473). To be qualified for registration as an Authorised Land Surveyor, a person has to attain one year local land boundary survey experience in Hong Kong, China. To be registered as a Registered Professional Surveyor under the Surveyors Registration Ordinance (Cap. 417), a person has to have one year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.

Sector	Construction and Related Engineering Services ¹⁵
Industry Classification	CPC 513 General Construction Work for Civil Engineering
Obligations concerned	Market Access (Article 4) National Treatment (Article 5) Local Presence (Article 6)
Measure	Section 4 of the Buildings Ordinance (Cap. 123) Regulation 3 of the Building (Administration) Regulations (Cap. 123A) Section 13 of the Architects Registration Ordinance (Cap. 408) Section 12 of the Engineers Registration Ordinance (Cap. 409) Section 12 of the Surveyors Registration Ordinance (Cap. 417)
Description	<u>Cross-Border Services and Investment</u> Non-exempted construction and building works shall be carried out by statutory building agents, including Authorised Persons (“AP”), Registered Structural Engineers (“RSE”), Registered Geotechnical Engineers (“RGE”), Registered Contractors (“RC”) and Technically Competent Persons (“TCP”). To register as an AP, RSE or RGE, a person shall be a Registered Architect (“RA”) or Registered Professional Engineer (“RPE”) in the relevant disciplines or Registered Professional Surveyor (“RPS”) and have one year’s relevant professional experience in Hong Kong, China. To register as a RA or RPE in the relevant disciplines or RPS, a person shall be ordinarily resident in Hong Kong, China.

¹⁵ For railway construction and project implementation services, please refer to II-HKC-25 of Hong Kong, China’s Schedule to Annex II.

To register as a RC, the key personnel of the applicant (which can be a corporation) shall possess adequate working experience, some of which has to be gained in Hong Kong, China.

To be qualified as a TCP, a person shall possess site experience in Hong Kong, China.

Sector	Education Services
Industry Classification	CPC 921 Primary Education Services CPC 922 Secondary Education Services CPC 923 Higher Education Services CPC 924 Adult Education Services CPC 929 Other Education Services
Obligations concerned	Market Access (Article 4) National Treatment (Article 5) Local Presence (Article 6)
Measure	Education Ordinance (Cap. 279) Administrative Requirement
Description	<p><u>Investment</u></p> <p>For the supply of the above services:</p> <ul style="list-style-type: none"> • Schools (including those providing post-secondary programmes) registered under the Education Ordinance (Cap. 279), whether private or public, are required to be managed by managers. Section 30(1)(a) of Cap. 279 provides that the Permanent Secretary for Education may refuse to register an applicant as manager of a school if it appears to him that the applicant is not resident in Hong Kong, China for at least nine months in each year. <p>For the supply of primary education and secondary education services:</p> <ul style="list-style-type: none"> • An operator of international schools which offers non-local curriculum is subject to the administrative requirements which include proving the established demand for such non-local curriculum in the community. International schools are schools which follow a non-local curriculum and whose students do not sit local examinations. It generally refers to those schools offering full non-local curricula designed primarily for non-Chinese speaking students and foreign nationals.

Sector	Education Services
Industry Classification	CPC 923 Higher Education Services CPC 924 Adult Education Services
Obligations concerned	Market Access (Article 4) National Treatment (Article 5) Local Presence (Article 6)
Measure	Education Ordinance (Cap. 279) Post Secondary Colleges Ordinance (Cap. 320) Non-local Higher and Professional Education (Regulation) Ordinance (Cap. 493)
Description	<u>Cross-Border Services and Investment</u>

- The provision of local courses and non-local courses at post-secondary level are subject to different registration requirements. Institutions providing local courses at post-secondary level shall be registered under the Post Secondary Colleges Ordinance (Cap. 320) or for provision of courses not leading to the award of a degree under the Education Ordinance (Cap. 279), while non-local courses leading to the award of a non-local higher academic or professional qualification shall be registered under the Non-local Higher and Professional Education (Regulation) Ordinance (Cap. 493).
- In respect of the provision of local courses, Section 4(j) of Cap. 320 requires that a registered post-secondary college should be free from affiliation with or control by any government other than the Government of Hong Kong, China or any organisation outside Hong Kong, China.

With respect to Modes 1 and 3:

- A person who provides non-local courses which are regulated courses is subject, *inter alia*, to the following measures under Cap. 493:
 - A regulated course conducted in collaboration with a local institution of higher education specified under Cap. 493 can be exempted from registration subject to conditions stipulated in Section 8 of the Ordinance; and

- An application for registration of a regulated course requires, *inter alia*, the undertaking of a person who states that he undertakes to perform, in relation to the course, the functions imposed on a designated person by Cap. 493. Such person shall be ordinarily resident in Hong Kong, China and the holder of an identity card.

For these purposes:

- (i) the term “local courses” means courses purporting to lead to the award of a local qualification;
- (ii) the term “non-local courses” means courses purporting to lead to the award of a non-local qualification; and
- (iii) the term “regulated course” bears the meaning given to it in Cap. 493.

Sector	Transport Services Maritime Transport Services
Industry Classification	CPC 7211 Passenger Transportation CPC 7212 Freight Transportation CPC 7213 Rental of Vessels with Crew CPC 83103 Rental/Leasing Services without Operators relating to Ships
Obligations concerned	National Treatment (Article 5)
Measure	Section 23B of the Inland Revenue Ordinance (Cap. 112)
Description	<u>Investment</u> Income derived from international operation of ships registered in the Hong Kong Shipping Register is exempted from Hong Kong, China's profit tax.