

## Annex

### Supplements and Amendments VI to the Mainland's Specific Commitments on Liberalization of Trade in Services for Hong Kong<sup>①</sup>.

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| Sectors or sub-sectors | 1. Business services   |
|                        | A. Professional services   |
|                        | a. Legal services (CPC861)   |
| Specific commitments   | <p>1. To allow Hong Kong legal practitioners<sup>②</sup> who have at least 5 years' experience in legal practice and who have passed the National Judicial Examination to undergo the intensive training offered by lawyers associations in the Mainland that lasts for at least 1 month in accordance with the "Law of the People's Republic of China on Lawyers" and the provisions of the "Rules on Management of Internship for Application for Legal Practice (Provisional)" drawn up by the All-China Lawyers Association. Upon completion of the training and passing the assessment, they can apply to practise as lawyers in the Mainland.</p> <p>2. To allow Hong Kong law firms which have set up representative offices in the Mainland to operate in association with Mainland law firms in Guangdong Province which have been established for one year or more and at least one of the persons who established the firm must have been in legal practice for five years or more.</p> |

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

② In this Annex, Hong Kong legal practitioners refer to solicitors and barristers 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.

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| Sectors or sub-sectors | 1. Business services  |
|                        | A. Professional services  |
|                        | h. Medical and dental services (CPC9312)<br>Pharmaceutical services   |
| Specific commitments   | <p>1 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 &amp; Drug Administration) to sit the Mainland's licensed pharmacists qualification examination. Those who pass the examination will be issued the Mainland's "licensed pharmacist's qualification certificate".</p> <p>2 To allow Hong Kong permanent residents who are licensed Hong Kong pharmacists, after obtaining the "licensed pharmacist's qualification certificate", to register in accordance with requirements under the Mainland's Provisional Mechanism for Licensed Pharmacists Registration Management (No. 156[2000] of the State Food and Drug Administration) and under other relevant documents.</p> <p>3 To allow Hong Kong service providers to set up medical institutions in the Mainland in the form of equity joint venture or contractual joint venture with foreign investment ratio not exceeding 70%.<sup>①</sup></p> |

① The setting up of outpatient clinics in the form of equity joint venture or contractual joint venture in Guangdong Province by Hong Kong service providers shall be processed in accordance with Supplement V to CEPA.

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| Sectors or sub-sectors | 1. Business services  |
|                        | C. Research and development services  |
|                        | a. Research and experimental development services on natural sciences and engineering (CPC8510)   |
| Specific commitments   | To allow Hong Kong service suppliers to set up wholly-owned enterprises in the Mainland to provide research and experimental development services on natural sciences and engineering. <sup>①</sup> |

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① Except the prohibited industries in the "Catalogue for the Guidance of Foreign Investment Industries" of the Mainland.

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| Sectors or sub-sectors | 1. Business services   |
|                        | D. Real estate services  |
|                        | <ul style="list-style-type: none"> <li>a. Real estate services involving own or leased property (CPC821)</li> <li>b. Real estate services on a fee or contract basis (CPC822)</li> </ul> |
| Specific commitments   | To allow Hong Kong service suppliers to provide, in the form of wholly-owned operations, real estate project services in the Mainland.   |

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| Sectors or sub-sectors | 1. Business services   |
|                        | F. Other business services   |
|                        | k. Placement and supply services of personnel (CPC872)   |
| Specific commitments   | To allow the international ship management companies set up by Hong Kong service suppliers in the form of wholly-owned enterprises, equity joint ventures or contractual joint ventures in the Mainland, in their application for the qualification to conduct dispatch of seafarers type of foreign labour service co-operation, without the need to apply for the qualification in foreign invested personnel placement agencies or talent intermediary agencies. <sup>①</sup> |

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① The international ship management companies set up by Hong Kong service suppliers in the Mainland, after obtaining the qualification for the dispatch of seafarer type of foreign labour service co-operation, can dispatch seafarers only to vessels owned by Hong Kong shipowners or vessels registered in Hong Kong.

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| Sectors or sub-sectors | 1. Business services  |
|                        | F. Other business services  |
|                        | r. Printing and publishing services   |
| Specific commitments   | To allow Hong Kong service suppliers to establish typesetting and production services company on a wholly-owned, equity joint venture or contractual joint venture basis in the Mainland to provide pre-press services such as proof-reading, design and typesetting for books. |

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| Sectors or sub-sectors | 1. Business services   |
|                        | F. Other business services   |
|                        | Convention services and exhibition services (CPC87909)   |
| Specific commitments   | <p>1. To allow Hong Kong service suppliers to organize exhibitions, in the form of cross-border supply, in the Beijing Municipality, Tianjin Municipality, Chongqing Municipality, Zhejiang Province, Jiangsu Province and Fujian Province on a pilot basis.<sup>①</sup></p> <p>2. To entrust the Guangdong Province with the authority to approve applications submitted by Hong Kong service suppliers for organizing foreign economic and technical exhibitions with an exhibition area exceeding 1 000 square metres in the Guangdong Province.<sup>②</sup></p> <p>3. To allow enterprises set up by Hong Kong service suppliers on a wholly-owned, equity joint venture or contractual joint venture basis in the provinces and autonomous regions of Guangxi, Hunan, Hainan, Fujian, Jiangxi, Yunnan, Guizhou and Sichuan to organize overseas exhibitions on a pilot basis<sup>③</sup>. Participating enterprises should be registered enterprises in that province or autonomous region.</p> |

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

② Exhibitions using the word “China/Chinese” at the beginning of their titles shall be subject to the approval of the Ministry of Commerce upon notification by the relevant authorities in charge of commerce in the Guangdong Province.

③ Subject to the approval of the China Council for the Promotion of International Trade according to relevant laws and regulations in the Mainland.

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| Sectors or sub-sectors | 1. Business services  |
|                        | F. Other business services  |
|                        | Public utility services   |
| Specific commitments   | In cities in Guangdong Province with a population below one million, to remove the shareholding restriction in enterprises on Hong Kong service suppliers for the construction and operation of city gas network. |



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| Sectors or sub-sectors | 2. Communications services  |
|                        | C. Telecommunications services  |
|                        | The distribution of fixed/mobile telephone service cards  |
| Specific commitments   | To allow Hong Kong service suppliers to distribute in Guangdong Province fixed/mobile telephone service cards which can only be used in Hong Kong (excluding mobile satellite phone service card). <sup>①</sup> |

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① Shall meet the requirements stipulated in the Memorandum of Understanding concerning the distribution of telephone cards in the Guangdong Province signed between the relevant Mainland and Hong Kong telecommunications authorities.

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| Sectors or sub-sectors | 2. Communications services   |
|                        | D. Audiovisual services  |
|                        | Videos distribution services (CPC 83202), Sound recording products distribution services<br>Cinema theatre services<br>Chinese language motion pictures and motion pictures jointly produced<br>Technical services of cable television<br>Jointly produced television dramas<br>Others   |
| Specific commitments   | Distribution Services for Audio-visual Products<br><br>To allow Hong Kong service suppliers to provide videos and sound recording (including motion picture products) distribution services in the Mainland in the form of wholly-owned operations. <sup>①</sup>   |
|                        | Chinese language motion pictures and motion pictures jointly produced<br><br>To allow post production of domestic films (including co-productions) to be processed in Hong Kong after obtaining approval of the State Administration of Radio, Film and Television on applications initiated by the principal production entity in the Mainland. |

<sup>①</sup> In undertaking distribution services in the Mainland in respect of videos and sound recording products, Hong Kong service suppliers should comply with the relevant laws, regulations and requirements of the review system in the Mainland.

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| Sectors or sub-sectors | 3. Construction and related engineering services   |
|                        | CPC511, 512, 513 <sup>①</sup> , 514, 515, 516, 517, 518 <sup>②</sup>   |
| Specific commitments   | <p>1. From the signing date of this agreement and before promulgation<sup>③</sup> 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 with Mainland will remain unchanged. The recognition of Hong Kong Project Managers will remain valid for the purpose of qualification administration of such enterprises employing them originally.</p> <p>2. After promulgation of the new “Standards for the Qualifications of Construction Enterprises”, the originally recognized Hong Kong Project Managers will be allowed to continue to act as Project Managers of projects that they contracted or have commenced construction before promulgation of the standards, until completion.</p> |

① Including dredging services relating to infrastructure construction.

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

③ Amendment in progress.

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| Sectors or sub-sectors | <p>4. Distribution services</p> <ul style="list-style-type: none"> <li>A. Commission agents' services (excluding salt and tobacco)</li> <li>B. Wholesale trade services (excluding salt and tobacco)</li> <li>C. Retailing services (excluding tobacco)</li> <li>D. Franchising</li> </ul> |
| Specific commitments   | <p>The minimum registered capital required for Hong Kong service suppliers to set up publication distribution enterprises in the Mainland follows the requirements applicable to Mainland enterprises.</p>   |

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| Sectors or sub-sectors | 7. Financial services  |
|                        | <p>B. Banking and other financial services<br/>(excluding insurance and securities)</p> <ul style="list-style-type: none"> <li>a. Acceptance of deposits and other repayable funds from the public;</li> <li>b. Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions;</li> <li>c. Financial leasing;</li> <li>d. All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts (including import and export settlement)</li> <li>e. Guarantees and commitments;</li> <li>f. Trading for own account or for account of customers: foreign exchange.</li> </ul>   |
| Specific commitments   | <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. If a wholly foreign-funded bank established in the Mainland by a Hong Kong bank has already established branches in the Guangdong province, such branches can apply to establish "cross-location" sub-branches (i.e. different from the municipality where the relevant branch is located) within the Guangdong province with reference to the</li> </ol> |

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|  | relevant rules in the Mainland for establishing sub-branches. |
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| Sectors or sub-sectors | 7. Financial services  |
|                        | B. Banking and other financial services  |
|                        | Securities<br>Futures  |
| Specific commitments   | <p>To allow Hong Kong securities companies which satisfy the qualification requirements as foreign shareholders of foreign-invested securities companies and Mainland securities companies, which satisfy the requirements for establishing subsidiaries, to set up in Guangdong Province joint venture securities investment advisory companies. 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 could, at a maximum, reach 1/3 of the total shareholding of such joint venture securities investment advisory company.</p> |

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| Sectors or sub-sectors | <p>9. Tourism and travel related services</p> <p>A. Hotel (including apartment buildings) and restaurants (CPC 641-643)</p> <p>B. Travel agency and tour operator services (CPC 7471)</p> <p>C. Tourist guides services (CPC 7472)</p> <p>Others</p>   |
| Specific commitments   | <p>1. To allow Hong Kong permanent residents with Chinese citizenship to obtain Mainland outbound tour escort credential. They can be employed by Mainland international travel agents authorised to operate outbound group tours for Mainland residents as well as Hong Kong and Macau travel agents authorised to operate group tours to Hong Kong and Macau for Mainland residents.</p> <p>2. 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.</p> |



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| Sectors or sub-sectors | 10. Recreational, cultural and sporting services   |
|                        | A. Cultural services (excluding audiovisual services)  |
| Specific commitments   | <p>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.</p> |

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| Sectors or sub-sectors | 11. Transport services   |
|                        | A. Maritime transport services<br>H. Auxiliary services  |
|                        | International transport (freight and passengers) (CPC7211, 7212, excluding cabotage transport services)<br>Container station and depot services<br>Others  |
| Specific commitments   | To allow Hong Kong service suppliers to set up wholly-owned shipping companies in the Mainland to provide regular business services such as shipping undertaking, issuance of bills of lading, settlement of freight rates, signing of service contracts, etc. for the shipping transport between Hong Kong and the Class B ports in Guangdong operated by the Hong Kong service suppliers using chartered Mainland vessels. |

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| Sectors or sub-sectors | 11. Transport services   |
|                        | C. Air transport services  |
|                        | <p>Airport operation services (excluding cargo handling) (CPC 74610)</p> <p>Other supporting services for air transport (CPC 74690)</p> <p>Computer reservation system (CRS) services</p> <p>Sales and marketing services for air transport</p>  |
| Specific commitments   | <p>To allow Hong Kong service suppliers to 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 agencies (in the form of wholly-owned enterprises, equity joint ventures or contractual joint ventures) in the Mainland. Guarantee can also be provided by Hong Kong banks<sup>①</sup>, supplemented by the economic guarantee provided by 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.</p> |

<sup>①</sup> Should comply with requirements agreed between the Mainland and Hong Kong regulatory authorities in regard to economic guarantees relating to the setting up of air transport sales agencies.

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| Sectors or sub-sectors | 11. Transport services  |
|                        | E. Rail transport services  |
|                        | Urban and suburban passenger transportation (CPC 71112)   |
| Specific commitments   | To allow Hong Kong service suppliers to construct, operate and manage the Shenzhen Metro Line 4 project in Shenzhen in the form of wholly-owned operations. |

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| Sectors or sub-sectors | Service sectors (sectors not set out in GNS/W/120)  |
|                        | Individually owned stores   |
| Specific commitments   | <p>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 and municipalities directly under the Central Government in the Mainland without being subject to the approval procedures applicable to foreign investments, to provide the following services (excluding franchising operation): solo clinic; economic and trade consulting services and company management consulting services and wholesale services (only limited to wholesale of textiles products, clothing, daily commodities, stationery, sporting items and other cultural related commodities). No more than 8 persons should be engaged in the operation of the individually owned stores.</p> |