

DECISION OF THE JOINT EFTA-HONG KONG, CHINA COMMITTEE
(HEREINAFTER REFERRED TO AS “THE JOINT COMMITTEE”)

No. 1 of 2017

(Adopted on 31 October 2017)

ESTABLISHING THE RULES OF PROCEDURE OF THE JOINT COMMITTEE

THE JOINT COMMITTEE,

HAVING regard to the Free Trade Agreement between the EFTA States on the one part, and the Hong Kong Special Administrative Region of the People’s Republic of China (hereinafter referred to as “Hong Kong, China”), on the other, signed in Schaan on 21 June 2011, hereinafter referred to as “the Agreement”,

NOTING that paragraph 5 of Article 9.1 of the Agreement provides that the Joint Committee shall establish its rules of procedure,

DECIDES:

1. The Rules of Procedure of the Joint Committee as set out in the Annex to this Decision are established.
2. This Decision shall enter into force on the date of its adoption.
3. The Secretary-General of the European Free Trade Association shall deposit the text of this Decision with the Depositary.

RULES OF PROCEDURE OF THE JOINT EFTA-HONG KONG, CHINA
COMMITTEE

Article 1

Composition

1. The Joint Committee shall be composed of representatives of the Parties, as provided for in paragraph 1 of Article 9.1 of the Agreement.
2. The Joint Committee shall be co-chaired by a representative of the EFTA States and a representative of Hong Kong, China.

Article 2

Secretariat of the Joint Committee

1. A representative of the EFTA Secretariat and a representative of Hong Kong, China, who have been so designated by the EFTA States and Hong Kong, China respectively, shall act jointly as the Secretariat of the Joint Committee (hereinafter referred to as “the Joint Secretariat”).
2. All communication to the Joint Committee in accordance with the provisions of the Agreement shall be carried out through the Joint Secretariat.

Article 3

Meetings

1. The Joint Committee shall meet whenever considered necessary by the Parties but normally every two years.
2. Special meetings shall be held upon written request of a Party in accordance with paragraph 6 of Article 9.1 of the Agreement.
3. Each Joint Committee meeting shall be held in a place and on a date mutually agreed by the Parties. The location of the regular meetings of the Joint Committee shall, unless the Parties agree otherwise, alternate between the EFTA Headquarters in Geneva and Hong Kong, China. The Parties may agree to hold the Joint Committee meetings by electronic means such as video- or teleconference.
4. Representatives of the EFTA Secretariat may attend the Joint Committee meetings.

5. The Joint Secretariat shall submit to the Parties the names and titles of the representatives attending the meeting at least 14 days before each Joint Committee meeting.
6. Unless the Joint Committee decides otherwise, its meetings shall not be open to the public.

Article 4

Agenda

A provisional agenda for each Joint Committee meeting shall be drawn up by the Joint Secretariat after consultation with the Parties. It shall be circulated to the Parties no later than 14 days before the meeting. The agenda shall be adopted by the Joint Committee at the beginning of each meeting. Additional items may be included in the agenda if the Parties so agree.

Article 5

Joint Reports

1. The Joint Secretariat shall prepare a Joint Report for each Joint Committee meeting. The Joint Report shall, as a general rule, include the following:
 - (a) a summary of the statements made by the Parties, in particular those inclusion in the Joint Report that has been requested by any of the Parties;
 - (b) the decisions and recommendations adopted, as well as any conclusions reached on specific issues, by the Joint Committee;
 - (c) all documentation formally presented by a Party to be included as annexes to the Joint Report, unless the Party presenting the documents does not agree; and
 - (d) a list of participants.
2. The Joint Report shall be drawn up by the Joint Secretariat and circulated to the Parties within 21 days after the meeting for written approval. It should be approved within two months after the date of the meeting.

Article 6

Decisions and recommendations

1. The Joint Committee shall adopt decisions and recommendations by consensus, as provided for in Article 9.1 of the Agreement. Such decisions and recommendations shall bear a number, the date of adoption and a title referring to their subject matter.
2. Each Party may publish the decisions and recommendations adopted by the Joint Committee.
3. Where a matter is urgent and a meeting cannot be held, or under other special circumstances, the Joint Committee may adopt its decisions or make its recommendations by written communication, if so agreed by the Parties. In such cases, the Joint Secretariat shall prepare and circulate the proposed draft decisions or recommendations for written approval and adoption by the Parties.

Article 7

Expenses

Expenses in connection with the organisation of a Joint Committee meeting shall be borne by the Party that hosts the meeting. Each Party shall bear its own costs in relation to its representatives' attendance at the Joint Committee meeting.

Article 8

Official language

The working language of the Joint Committee shall be English.
