

ANNEX 10-1

**HONG KONG, CHINA'S
SCHEDULE OF RESERVATIONS**

Sector:	Fishing
Sub-sector:	-
Legal source or authority of the measure:	Fisheries Protection Ordinance (Cap. 171) Section 12 of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548)
Succinct description of the measure:	<p>Under the Fisheries Protection Ordinance (Cap. 171), certificated local fishing vessels which possess a valid operating licence under the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) can be registered for engaging in fishing activities within the waters of Hong Kong, China (HKC). Fishing with the use of non-local fishing vessels within the waters of HKC is prohibited.</p> <p>Under the Merchant Shipping (Local Vessels) Ordinance (Cap. 548), fishing vessels must be certificated. To be certificated as a Local Vessel Class III “fishing vessel” plying within the waters of HKC, if the owner of the vessel is an individual, the owner shall be an individual who holds a valid HKC Identity Card and who is ordinarily resident in HKC.</p>
Purpose or motivation of the measure:	To conserve the depleted fisheries resources in HKC by controlling the size of fishing fleets operating in the waters of HKC.

Sector:	Manufacture and storage of dutiable commodities
Sub-sector:	-
Legal source or authority of the measure:	Sections 7 & 8A of the Dutiable Commodities Ordinance (Cap. 109) Regulation 22 of the Dutiable Commodities Regulations (Cap. 109A)
Succinct description of the measure:	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 HKC resident holding a valid HKC Identity Card.
Purpose or motivation of the measure:	To ensure the effective enforcement of excise control and revenue protection.

Sector:	Manufacture of optical discs and stampers
Sub-sector:	-
Legal source or authority of the measure:	Sections 5(1), 5(2)(c)(v) and 30 of the Prevention of Copyright Piracy Ordinance (Cap. 544)
Succinct description of the measure:	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 HKC resident holding a valid HKC Identity Card.
Purpose or motivation of the measure:	To ensure the effective enforcement of copyright protection.

Sector:	Mining
Sub-sector:	-
Legal source or authority of the measure:	Section 7(1) of Mining Ordinance (Cap. 285)
Succinct description of the measure:	When not resident in HKC every holder of a prospecting or mining licence and every lessee of a mining lease shall at all times have a duly authorised attorney, approved by the Director of Lands, resident in HKC, with full power to represent the holder or lessee in all matters relating to his licence or lease.
Purpose or motivation of the measure:	To ensure the effective enforcement of regulatory measures on mining.

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	-
Succinct description of the measure:	HKC reserves the right to adopt or maintain any measure with respect to the acquisition or ownership of land and properties in HKC.
Purpose or motivation of the measure:	To provide policy flexibility for measures with respect to land and property acquisition or ownership in HKC.

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	-
Succinct description of the measure:	HKC reserves the right to adopt or maintain any measure with respect to the acquisition, sale or other disposition by natural persons of the other Party of bonds, bills, notes, or other kinds of debt securities or instruments issued by the Government of HKC.
Purpose or motivation of the measure:	To provide policy flexibility for measures with respect to bonds, bills, notes, or other kinds of debt securities or instruments issued by the Government of HKC.

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	-
Succinct description of the measure:	HKC reserves the right to adopt or maintain any measure with respect to the privatisation or divestment of corporate entities or assets in government ownership.
Purpose or motivation of the measure:	To provide policy flexibility for measures with respect to the privatisation or divestment of corporate entities or assets in government ownership.

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	-
Succinct description of the measure:	HKC reserves the right to adopt or maintain any measure in respect of subsidies or grants, including government-supported loans, guarantees and insurance, that is not inconsistent with HKC's obligations under the WTO Agreement.
Purpose or motivation of the measure:	To provide policy flexibility for measures with respect to subsidies or grants, including government-supported loans, guarantees and insurance, that are not inconsistent with HKC's obligations under the WTO Agreement.

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	-
Succinct description of the measure:	HKC reserves the right to adopt or maintain any measure in respect of government procurement that is not inconsistent with HKC's obligations under the WTO Agreement.
Purpose or motivation of the measure:	To provide policy flexibility for measures with respect to government procurement that are not inconsistent with HKC's obligations under the WTO Agreement.

Sector:	All sectors
Sub-sector:	-
Legal source or authority of the measure:	-
Succinct description of the measure:	HKC reserves the right to adopt or maintain any measure in respect of taxation that is not inconsistent with HKC's obligations under the WTO Agreement.
Purpose or motivation of the measure:	To provide policy flexibility for measures with respect to taxation that are not inconsistent with HKC's obligations under the WTO Agreement.