

Trade and Industry Department
The Government of the Hong Kong Special Administrative Region
香港特別行政區政府 工業貿易署

Trade and Industry Department Tower, 700 Nathan Road, Kowloon, Hong Kong
香港九龍彌敦道 700 號工業貿易署大樓
Tel 電話 : 2398 5301 Fax 圖文傳真 : 2789 2491 Website 網址 : www.tid.gov.hk

Director-General of Trade and Industry 工業貿易署署長

Our Ref. : TID/MA3 7/4

29 June 2012

Dear Chairman/President,

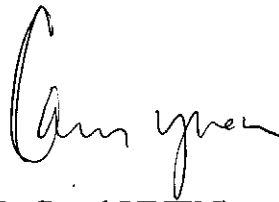
The Mainland and Hong Kong
Closer Economic Partnership Arrangement (CEPA)

I am pleased to inform you that the Supplement IX to CEPA was signed today (29 June 2012). Attached for your reference is an information note (in English and Chinese) which sets out further trade and investment liberalisation and facilitation measures provided for in the Supplement. Further information on CEPA can be found at the website of the Trade and Industry Department (English: www.tid.gov.hk/english/cepa/; Chinese: www.tid.gov.hk/tc_chi/cepa/).

As the coordinating department for CEPA, the Trade and Industry Department is happy to provide additional information and general briefing to your members to facilitate the understanding of CEPA and explore business opportunities brought about by the new Supplement. You may contact my Assistant Director-General Miss Winsome AU (telephone number: 2398 5307; email: winsomeau@tid.gov.hk) for this purpose.

We look forward to working closely with you and your members in helping Hong Kong enterprises make use of CEPA to tap the business potentials of the Mainland market.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Carol Yuen', with a stylized, cursive script.

(Ms Carol YUEN)

Acting Director-General of Trade and Industry

Encl.

**THE MAINLAND AND HONG KONG
CLOSER ECONOMIC PARTNERSHIP ARRANGEMENT
FURTHER LIBERALIZATION MEASURES IN 2012**

INTRODUCTION

This note sets out the latest state of the enhancement of economic and trade cooperation and exchanges between the Hong Kong Special Administrative Region Government (HKSARG) and the Central People's Government (CPG) under the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA).

BACKGROUND

2. The Mainland and Hong Kong signed the main text of CEPA on 29 June 2003 and its six annexes on 29 September 2003. Pursuant to Article 3 of CEPA, which provides that the two sides will broaden and enrich the content of the Arrangement through continuous and further reciprocal liberalization, the two sides signed eight Supplements to CEPA on 27 October 2004, 18 October 2005, 27 June 2006, 29 June 2007, 29 July 2008, 9 May 2009, 27 May 2010 and 13 December 2011 respectively.

3. In order to promote the economic integration and sustainable development of the Mainland and Hong Kong, we started consultations with the CPG on further liberalization under CEPA earlier on and signed Supplement IX to CEPA on 29 June 2012 in Hong Kong. The Supplement is available for reference at the Trade and Industry Department's (TID) CEPA website at [http://www.tid.gov.hk/english/cepa/legaltext/cepa_legaltext.html]. Key measures of Supplement IX are summarized in paragraphs 4 to 9 below.

DETAILS

Supplement IX to CEPA

4. Supplement IX to CEPA provides for a total of 43 services liberalization and trade and investment facilitation measures, which includes 37 liberalization measures in 22 service sectors, strengthens cooperation in areas of finance and trade and investment facilitation, and further promotes the mutual recognition of professional qualifications of the two places. The respective measures are summarized below.

Trade in services

5. Under Supplement IX to CEPA, the market access conditions will be further relaxed in 21 existing sectors, namely, legal; accounting; construction; medical services; computer and related services; technical testing and analysis services; placement and supply services of personnel; printing; convention and exhibition; other business services; telecommunications; audiovisual; distribution; environment; banking; securities; social services; tourism; cultural; rail transport; and individually owned stores. Liberalization measures will also be introduced in a new sector, namely, education services. Inclusive of measures in Supplement IX to CEPA, the two sides have so far announced 338 liberalization measures in 48 service sectors. Supplement IX to CEPA consists of the following key measures:

- A. **Legal** – Hong Kong law firms that have set up representative offices in the Mainland are allowed to operate in association with one to three Mainland law firms.
- B. **Accounting** – Hong Kong professionals who have obtained the Chinese Certified Public Accountants qualification are allowed to become partners of partnership firms in Qianhai on a pilot basis; and the documentation requirements will be suitably simplified for applications for conducting business on a temporary basis in the Mainland by Hong Kong accounting firms.

- C. Construction** – Hong Kong professionals, who have obtained the qualifications of Mainland’s supervision engineer, registered architect, structural engineer, registered civil engineer (harbour and waterway), registered public facility engineer, registered chemical engineer, registered electrical engineer are recognized as registered practitioners for the purpose of declaration of engineering enterprise qualifications within Guangdong Province in accordance with the relevant Mainland regulations, regardless of whether they are registered practitioners in Hong Kong.
- D. Medical services** – Hong Kong service suppliers are allowed to set up in the Mainland, wholly-owned medical institutions or medical institutions in the form of equity joint venture or contractual joint venture with Mainland medical institutions, companies, enterprises and other economic organizations. Medical institutions in the form of equity joint venture or contractual joint venture, or wholly-owned medical institutions (other than wholly-owned hospitals and wholly-owned convalescent hospitals) set up in the Mainland by Hong Kong service suppliers, shall be subject to the standards and requirements applicable to medical institutions established by Mainland entities and individuals and the setting up of the aforementioned medical institutions shall be approved by the health administrative department at the provincial level. The health administrative department at the provincial level of Guangdong Province shall be responsible for the project establishment and approval procedures for the setting up of wholly-owned hospitals by Hong Kong service suppliers in Guangdong Province.
- E. Banking** – Eligible Hong Kong banks are allowed to offer custodian services regarding settlement funds of customers of securities companies and margin deposits on futures transactions.
- F. Securities** – 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, are allowed to set up equity joint venture securities investment advisory companies in the Mainland. The equity 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 shareholding of the Hong Kong securities company could, at a maximum, reach 49% of the total shareholding of such a joint venture securities investment advisory company.

- G. Tourism** – Hong Kong travel agents established on a wholly-owned or joint venture basis in the Mainland are allowed to apply for the operation of group tours to Hong Kong and Macao for residents registered with permanent residence of the original provinces, autonomous regions, municipalities; and one qualified Mainland-Hong Kong joint venture travel agent is allowed to operate outbound group tours for Mainland residents on a pilot basis to destinations beyond Hong Kong and Macao (excluding Taiwan).
- H. Computer and related services** – Hong Kong service suppliers are allowed to provide cross-boundary database services in Qianhai and Hengqin on a pilot basis; and to set up joint venture enterprises in the Mainland to provide database services. The proportion of Hong Kong service suppliers' shareholding should not exceed 50%.
- I. Placement and supply services of personnel** – The minimum registered capital required for Hong Kong service suppliers to set up wholly-owned job referral agencies and job intermediaries in Beijing Municipality, Tianjin Municipality, Shanghai Municipality, Chongqing Municipality, Jiangsu Province and Fujian Province follows the requirements

applicable to Mainland enterprises in those provinces and municipalities.

- J. Printing** – Hong Kong service suppliers are allowed to set up equity joint venture enterprises in Qianhai and Hengqin on a pilot basis to engage in the printing of publications and other printed matters. The proportion of Hong Kong service suppliers' shareholding should not exceed 70%.
- K. Convention and exhibition** – Contractual joint venture enterprises set up by Hong Kong service suppliers in the Mainland are allowed to conduct overseas exhibition businesses on a pilot basis, and the participating enterprises should be enterprises registered in that province, autonomous region or municipality.
- L. Rail transport** – Hong Kong service suppliers are allowed to, holding a controlling interest, invest, construct and operate interurban railway transport projects in Guangdong Province.
- M. Telecommunications** – Hong Kong service suppliers are allowed to set up wholly-owned enterprises or equity joint ventures in Dongguan and Zhuhai Cities of the Guangdong Province on a pilot basis to provide offshore call centre services. There is no restriction on the proportion of Hong Kong capital in shareholding.
- N. Audiovisual** – Hong Kong companies engaging in the operation of cable television networks are allowed to provide professional technical services for cable television networks in the Mainland after obtaining the approval of the relevant Mainland authorities.
- O. Education services** – Hong Kong service suppliers are allowed to set up international schools on a wholly-owned basis in Qianhai and Hengqin. Their target students may be expanded to cover children of Chinese nationals residing

abroad and of returned talents after studying abroad who are working in Qianhai and Hengqin. Besides, Hong Kong service suppliers are also allowed to set up business-based training bodies in the Mainland on a wholly-owned, equity joint venture or contractual joint venture basis.

- P. Environment** – Agreement has been made for Guangdong Province to approve Hong Kong service suppliers for undertaking entrusted environmental monitoring activities in Guangdong.
- Q. Distribution** – For the same Hong Kong service supplier which opens more than 50 stores accumulatively in Guangdong, if the commodities for sale include mulching films, chemical fertilizers, vegetable oil and edible sugar, and the above commodities are of different brands and come from different suppliers, the Hong Kong service supplier is allowed to operate on a wholly-owned basis.
- R. Individually Owned Stores** – The new Supplement expands the scope of services of individually owned stores set up by Hong Kong permanent residents with Chinese citizenship in the Mainland; lifts the restrictions on the number of persons engaged in the operation and the business area of individually owned stores set up by Hong Kong permanent residents with Chinese citizenship in the Mainland; and lifts the identity authentication requirements on Hong Kong permanent residents with Chinese citizenship to set up individually owned stores in Guangdong Province.
- S. Social Services** – Hong Kong service suppliers are allowed to operate elderly service agencies and disability services agencies in the form of wholly-owned profit-making enterprises in the Mainland.

6. Under CEPA Supplement IX, all measures relating to the liberalization of trade in services will take effect from 1 January 2013.

7. In accordance with Article 5 of Annex 4 of CEPA, Hong Kong will not impose any new discriminatory measures on the Mainland's services and service suppliers in the service sectors covered by CEPA. This commitment will also apply to sectors covered by the liberalization of trade in services measures under Supplement IX to CEPA.

Financial Cooperation

8. On financial cooperation, the Mainland shall amend and improve the relevant requirements for overseas listing so as to support Mainland enterprises that satisfy Hong Kong's listing requirements in listing in Hong Kong, and create favourable conditions for Mainland enterprises, especially small and medium enterprises, to raise capital through direct listing in overseas markets. Besides, Supplement IX to CEPA will actively explore ways and means to deepen co-operation between the commodity futures markets in the Mainland and in Hong Kong, and to promote the establishment of a futures market system in which both sides can complement each other's advantages, work in co-operation and develop mutually; and will actively explore the lowering of the eligibility requirements for Hong Kong's financial institutions to apply for Qualified Foreign Institutional Investor (QFII) status in order to facilitate Hong Kong's long-term capital investing in the Mainland's capital markets. It also supports qualified Hong Kong financial institutions in setting up joint venture securities companies, fund management companies and futures companies in the Mainland.

Mutual Recognition of Professional Qualifications

9. The two sides shall continue with the mutual recognition of professional qualifications between real estate appraisers in the Mainland and general practice surveyors in Hong Kong, and between cost engineers in the Mainland and quantity surveyors in Hong Kong.

Conclusion

10. During the visit to Hong Kong in August last year, Vice-Premier of the State Council, LI Keqiang, clearly indicated that the

Mainland market will be further opened up for Hong Kong services trade, with a view to basically achieve, through CEPA, liberalization of trade in services between the Mainland and Hong Kong before the end of the 12th Five-Year Plan period. The Supplement IX to CEPA just signed marks a substantial step by the two sides towards this goal. The various measures in the new Supplement facilitate Hong Kong services industries to develop the Mainland market, and are conducive to the continued economic development of the two places.

ENQUIRIES

11. For enquiries on issues related to CEPA, please contact the relevant sections in the Trade and Industry Department with details listed below:

Subject	Contacts
General	Tel. : 2398 5667 Fax. : 3525 0988 E-mail : cepa@tid.gov.hk
Rules of Origin, Certificate of Origin and Factory Registration (FR)	Tel. : 3403 6432 Fax. : 2787 6048 E-mail : cepaco@tid.gov.hk
General Enquiries on Trade in Goods under CEPA	Tel. : 2398 5676 Fax. : 2398 9973 E-mail: ma_registry@tid.gov.hk
Certificate of Hong Kong Service Supplier	Tel. : 3403 6428 Fax. : 3525 0988 E-mail : hkss@tid.gov.hk

Trade and Industry Department
HKSAR Government
29 June 2012

《內地與香港關於建立更緊密經貿關係的安排》 二零一二年度進一步開放措施

引言

特區政府與中央人民政府在《內地與香港關於建立更緊密經貿關係的安排》(《安排》)下，進一步加強兩地經貿合作和交流的最新情況，詳情見下文。

背景

2. 內地與香港在二零零三年六月二十九日簽訂《安排》的主體部分，並於二零零三年九月二十九日簽署六份附件。其後雙方根據《安排》第三條，通過不斷擴大相互之間的市場開放措施，增加和充實《安排》的內容，先後於二零零四年十月二十七日、二零零五年十月十八日、二零零六年六月二十七日、二零零七年六月二十九日，二零零八年七月二十九日、二零零九年五月九日、二零一零年五月二十七日及二零一一年十二月十三日簽訂《安排》的八份補充協議。

3. 爲了促進內地與香港經濟融合和持續發展，我們與中央人民政府就《安排》的進一步開放於早前展開磋商，並於二零一二年六月二十九日在香港簽署《〈安排〉補充協議九》。協議文本可參閱工業貿易署有關《安排》的網頁 [http://www.tid.gov.hk/tc_chi/cepa/legaltext/cepa_legaltext.html]。下文第 4 至 9 段撮述《〈安排〉補充協議九》的主要措施。

詳情

《〈安排〉補充協議九》

4. 《〈安排〉補充協議九》共有 43 項服務貿易開放和便利

貿易投資的措施，當中包括 22 個服務領域的 37 項開放措施；以及加強兩地在金融和貿易投資便利化領域的合作，並進一步推動兩地專業人員資格互認。各項措施撮述如下。

服務貿易

5. 在《〈安排〉補充協議九》下，法律、會計、建築、醫療、計算機及其相關服務、技術檢驗和分析、人員提供與安排、印刷、會展、其他商業服務、電信、視聽、分銷、環境、銀行、證券、社會服務、旅遊、文娛、鐵路運輸、個體工商戶等 21 個原有領域會作進一步開放，並在教育服務新領域加入開放措施。計至《〈安排〉補充協議九》，雙方已在 48 個服務貿易領域公佈 338 項開放措施。《〈安排〉補充協議九》的主要措施包括：

- A. **法律** — 允許已在內地設立代表機構的香港律師事務所，與 1 至 3 家內地律師事務所實行聯營。
- B. **會計** — 允許取得中國註冊會計師資格的香港專業人士在前海試點擔任合夥制事務所的合夥人；以及適當簡化對香港會計師事務所來內地臨時執業的申報材料要求。
- C. **建築** — 允許取得內地監理工程師、註冊建築師、註冊結構工程師、註冊土木工程師（港口與航道）、註冊公用設備工程師、註冊化工工程師、註冊電氣工程師資格的香港專業人士，可以在廣東省註冊執業，不受在香港註冊執業與否的限制，按照內地規定作為廣東省內有關企業申報企業資質時所要求的註冊執業人員予以認定。
- D. **醫療** — 允許香港服務提供者在內地以獨資形式、或與內地的醫療機構、公司、企業和其他經濟組織以合資或合作形式設置醫療機構。香港服務提供者在內地設置合資、合作醫療機構及其他獨資醫療機構（獨資醫院、獨資療養院除外），其設置的標準和要求按照內地單位或個人設置醫療機構辦理，並由省級衛生行政部門審批。此外，香港服務提供者在廣東省設立獨資醫院的立項審批工作交由廣東省省級衛生行政部門負責。

- E. 銀行** — 允許符合條件的港資銀行從事證券公司客戶交易結算資金和期貨保證金存管業務。
- F. 證券** — 允許符合外資參股證券公司境外股東資質條件的香港證券公司與內地具備設立子公司條件的證券公司，在內地設立合資證券投資諮詢公司。合資證券投資諮詢公司作為內地證券公司的子公司，專門從事證券投資諮詢業務，香港證券公司持股比例最高可達到 49%。
- G. 旅遊** — 允許在內地設立的香港獨資或合資旅行社，申請經營具有本省、自治區、直轄市正式戶籍的居民前往香港、澳門的團隊旅遊業務；並允許符合條件的 1 家內地與香港合資旅行社試點經營內地居民前往香港及澳門以外目的地（不含台灣）的團隊出境遊業務。
- H. 計算機及其相關服務** — 允許香港服務提供者在前海、橫琴試點提供跨境數據庫服務；並允許香港服務提供者在內地設立合資企業，提供數據庫服務。香港服務提供者擁有的股權比例不超過 50%。
- I. 人員提供與安排** — 對香港服務提供者在北京市、天津市、上海市、重慶市、江蘇省、福建省設立獨資職業介紹所、獨資人才中介機構的最低註冊資本要求，比照所在省、市的內地企業實行。
- J. 印刷** — 允許香港服務提供者在前海、橫琴試點設立合資企業，從事出版物和其他印刷品的印刷業務。香港服務提供者擁有的股權比例不超過 70%。
- K. 會展** — 允許香港服務提供者在內地設立的合作企業，試點經營出國展覽業務，參展企業應為在該省、自治區、直轄市註冊的企業。
- L. 鐵路運輸** — 允許香港服務提供者在廣東省以控股形式投資、建設、運營城際軌道交通項目。
- M. 電信** — 允許香港服務提供者在廣東省東莞市、珠海市

試點設立獨資或合資企業，經營離岸呼叫中心業務，港資股權比例不設限制。

- N. 視聽** — 允許香港經營有線電視網絡的公司經內地主管部門批准後，在內地提供有線電視網絡的專業技術服務。
- O. 教育** — 允許香港服務提供者在前海、橫琴設立獨資國際學校，其招生範圍可擴大至在前海、橫琴工作的海外華僑和歸國留學人才的子女；允許香港服務提供者以獨資、合資或合作形式在內地設立經營性培訓機構。
- P. 環境** — 同意廣東省審批香港服務提供者在廣東承擔委託環境監測活動。
- Q. 分銷** — 對於同一香港服務提供者在廣東累計開設店鋪超過 50 家的，如經營商品包括農膜、化肥、植物油、食糖等商品，且上述商品屬於不同品牌，來自不同供應商的，允許香港服務提供者以獨資形式經營。
- R. 個體工商戶** — 擴大香港永久性居民中的中國公民到內地設立個體工商戶的營業範圍；並取消香港永久性居民中的中國公民在內地設立個體工商戶的從業人員及經營面積限制；以及取消香港永久性居民中的中國公民在廣東省設立個體工商戶時的身份核證要求。
- S. 社會服務** — 允許香港服務提供者在內地以獨資形式舉辦營利性養老及殘疾人服務機構。

6. 《〈安排〉補充協議九》下各項服務貿易開放措施會由二零一三年一月一日起生效。

7. 根據《安排》附件 4 第五條，凡屬《安排》涵蓋的服務領域，香港對有關的內地服務及內地服務提供者不增加任何限制性措施。這項承諾也適用於《〈安排〉補充協議九》涉及的開放服務貿易措施的領域。

金融合作

8. 金融合作方面，內地將修訂完善境外上市的相關規定，支持符合香港上市條件的內地企業赴香港上市，為內地企業特別是中小企業到境外市場直接上市融資創造便利條件。此外，《〈安排〉補充協議九》會積極研究深化內地與香港商品期貨市場合作的路徑和方式，推動兩地建立優勢互補、分工合作、共同發展的期貨市場體系；並積極研究降低香港金融機構申請合格境外機構投資者資格的有關資質要求，為香港有關長期資金投資內地資本市場提供便利；以及支持符合條件的香港金融機構在內地設立合資證券公司、基金管理公司、期貨公司。

專業人員資格互認

9. 雙方繼續內地房地產估價師、造價工程師與香港產業測量師、工料測量師的資格互認工作。

總結

10. 國務院李克強副總理於去年 8 月訪港時明確表示內地會進一步對香港擴大服務貿易開放，並在「十二五」期末，通過《安排》，基本實現內地和香港服務貿易自由化。剛簽署的《〈安排〉補充協議九》，讓雙方朝這個目標踏出了實質的一步。新補充協議的各項措施有助推動香港服務業拓展內地市場，促進兩地經貿的持續發展。

查詢

11. 如就有關《安排》方面的查詢，可透過以下聯絡方法向工業貿易署的有關組別查詢：

事 項	聯 絡 方 法
一 般 查 詢	電 話 2398 5667 傳 真 3525 0988 電 郵 cepa@tid.gov.hk
查 詢 原 產 地 規 則、原 產 地 證 書 及 工 廠 登 記	電 話 3403 6432 傳 真 2787 6048 電 郵 cepaco@tid.gov.hk
《 安 排 》 貨 物 貿 易 的 一 般 查 詢	電 話 2398 5676 傳 真 2398 9973 電 郵 ma_registry@tid.gov.hk
查 詢 《 香 港 服 務 提 供 者 證 明 書 》	電 話 3403 6428 傳 真 3525 0988 電 郵 hkss@tid.gov.hk

香港特別行政區政府
工業貿易署
二零一二年六月二十九日