

**CHINA-HONG KONG, CHINA (Services)**  
**Summary Fact Sheet**

**Table 1: Background Information**

Parties	People's Republic of China; Hong Kong, China.	
Type of Agreement	Economic Integration Agreement	
Date of signature	Main text: 29 June 2003 Annexes: 29 September 2003	
Date of entry into force	In respect of CEPA <sup>1</sup> : While CEPA came into effect on 29 June 2003, the liberalization measures for trade in services were implemented on 1 January 2004 (except for commitments on value-added telecommunication services which were implemented from 1 October 2003). In respect of the Supplements to CEPA: as stated in each of the Supplements.	
Review envisaged	The provisions of the Agreement or its Annexes may be amended in writing when the need arises. Any amendment shall come into effect after it has been signed by the duly authorised representatives of the Parties. The Parties have notified five Supplements on trade in services to the Agreement.	
Website or contact addresses	China: Ministry of Commerce of the People's Republic of China: <a href="http://english.mofcom.gov.cn/">http://english.mofcom.gov.cn/</a> Hong Kong, China: Trade and Industry Department of the Government of the Hong Kong Special Administrative Region: <a href="http://www.tid.gov.hk">http://www.tid.gov.hk</a>	
List of related WTO documents	WT/REG162/N/1 WT/REG162/1 WT/REG162/1/Add.1-2-3 WT/REG162/N/1/Add.1-2 S/C/M/72 WT/REG162/4 WT/REG162/5-6 WT/REG162/M/1-2-3	Notification Agreement Supplements Notification of Supplements Terms of Reference Standard Format Questions and Replies Minutes

**Table 2: Scope and general aspects**

Scope	Sectors	The liberalization measures for trade in services are set out in Annex 4 to the CEPA.
	Modes of supply	There is no a priori exclusion of any mode of supply under the CEPA.
	Definitions	According to Article 12 of CEPA, the definition and related provisions on "service suppliers" are set out in Annex 5 to CEPA. In particular: a "natural person" is in the case of Mainland China, a citizen of the People's Republic of China. In the case of Hong Kong, China, it refers to its permanent resident. A "juridical person" is any legal entity duly constituted or otherwise organized under the applicable laws of the Mainland or Hong Kong, China whether for profit or otherwise, and whether privately-or government-owned, including any corporation, trust, partnership, joint venture, sole proprietorship or association (business association).
	Positive/negative list	Positive list approach.
	Sector-specific rules	Financial cooperation (Art. 13 of the CEPA), Tourism (Art. 14 of the CEPA).
	Sectoral exclusions	No sectoral exclusions in the CEPA.

**Table 3: Provisions of the Agreement**

Provision	Article	Additional information
MFN/National treatment	None	
Market Access	Art. 11 Annex 4	Either Party will progressively reduce or eliminate existing restrictive measures against services and services suppliers of the other Party in accordance with the content and timetable set out in Annex 4. Any new measures to liberalize trade in services with regard to market access will be added to Annex 4.
Elimination of	Art. 1.2; 11;	Both Parties will progressively liberalize trade in services through

<sup>1</sup> In this Fact Sheet, unless the context otherwise requires, a reference to "CEPA" or to an "Annex" includes any amendments to CEPA or to the relevant Annex made in the various Supplements to CEPA.

discriminatory measures	Annex 4	reduction or elimination of substantially all discriminatory measures. The liberalization will be based on Article 11 and in accordance with the content and timetable of Annex 4. The relevant specific commitments are in Tables 1 and 2 of the Annex.
Treatment of third party suppliers	Art. 12.2; Annex 5	Service suppliers of other WTO Members that are juridical persons established under the laws of one Party and engage in substantive business operations (the duration of which depends on the services sector), as stipulated in Annex 5, are entitled to the same treatments granted by the other Party under the CEPA.
Denial of benefits	None	
Standards/mutual recognition	Art. 15	The Parties encourage mutual recognition of professional qualifications and will consider and design specific methodologies for the mutual recognition of professional qualifications.
Safeguard mechanisms (intra-trade)	None	
Domestic regulations	None	
Subsidies and state aid	None	
IPR	Amendment of Art. 17.1 and Annex 6 in Supplements III and V to the CEPA	Provisions on IPRs were introduced by Supplement III to the CEPA, which came into effect 2006, in the Chapter on Trade and Investment Facilitation and in Annex 6, to strengthen cooperation in IPR protection. Additional provisions on IPR protection were added to Annex 6 by Supplement V to CEPA.
Government Procurement	None	
Competition	None	
Investment	Art 16, 17; Annex 6	The Parties will promote trade and investment facilitation through greater transparency, standards conformity and enhanced information exchange etc. Any new scope or content of trade and investment facilitation will be added to Annex 6.
General reservations	Art. 18	The Parties retain the right to maintain or adopt exceptional measures consistent with the rules of the WTO.
Level of Government	None	
Accessions	None	
Dispute resolution	Art. 19	A Joint Steering Committee (JSC) has been set up to, among others, supervise the implementation of the CEPA, interpret its provisions and resolve disputes that may arise during the implementation. The JSC will make its decisions by consensus.
Relations with other trade agreements	Art. 2.2 Art. 20.1	The conclusion, implementation and amendment of the CEPA will be consistent with the rules of the WTO. Any action taken under the CEPA will not affect or nullify the rights and obligations of either Party under other existing agreements to which it is a contracting party, except as otherwise provided in the CEPA.
Institutional provisions	Art. 19	A Joint Steering Committee (JSC), which comprises senior representatives or officials designated by the Parties has been set up. It meet at least once a year and may convene special meetings within 30 days upon request by either Party.
Others	Arts 13; 14; 17; Annex 6; Supplements III and V to CEPA	The Parties will adopt measures, to strengthen cooperation in banking, securities and insurance, as well as tourism promotion They will also promote trade and investment facilitation in: trade and investment promotion; customs clearance facilitation; commodity inspection and quarantine, food safety and quality and standardization; electronic business; transparency in laws and regulations; small and medium enterprises; Chinese traditional medicine and medical products (Art. 17); protection of intellectual property; and branding. Details are set out in Annex 6 and various Supplements to the Agreement.

**No data on trade in services between the Parties are available.**