

## **Trade in Services Agreement (TISA)**

### **Hong Kong, China – Final Offer**

Hong Kong, China's final offer is attached and the main revisions as compared with the May 2016 revised offer are as follows:

- (a) New or improved MA commitments (in respect of research and development services; services incidental to mining; education services; and pipeline transport);
- (b) New or improved NT commitments in terms of removal or reduction of policy space reservations (in respect of research and development services; education services; pipeline transport and energy services);
- (c) Inscription of localisation requirements with reference to the latest text of the localisation provisions; and
- (d) Technical refinements by aligning the Section A reservation on financial services with the revised standard scheduling language in the Annex on Financial Services.

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## **TRADE IN SERVICES AGREEMENT**

### **HONG KONG, CHINA - SCHEDULE OF SPECIFIC COMMITMENTS**

#### **Final Offer**

**(October 2016)**

#### **Headnotes**

The core text and new/enhanced disciplines are the prerequisites for the preparation of Schedule. So this draft Schedule is prepared based on the latest version of the core text and the reasonable expectation arising from the new/ enhanced disciplines proposed as at 14 October 2016.

Hong Kong, China reserves the right to modify or withdraw this Schedule, in whole or in part, at any time prior to the conclusion of the negotiations.

Hong Kong, China further reserves the right to make technical changes to this Schedule and to correct any errors, omissions, or inaccuracies.

## Schedule

Where appropriate, Hong Kong, China's commitments are referenced to the Provisional Central Product Classification ("CPC") as set out in Statistical Office of the United Nations Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991 and on the basis of the Services Sectoral Classification List WTO document MTN.GNS/W/120. Reference is also made to [provisions on localisation], and Annexes [X] on Financial Services, Maritime Transport Services, and Air Transport Services of the Agreement respectively.

Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

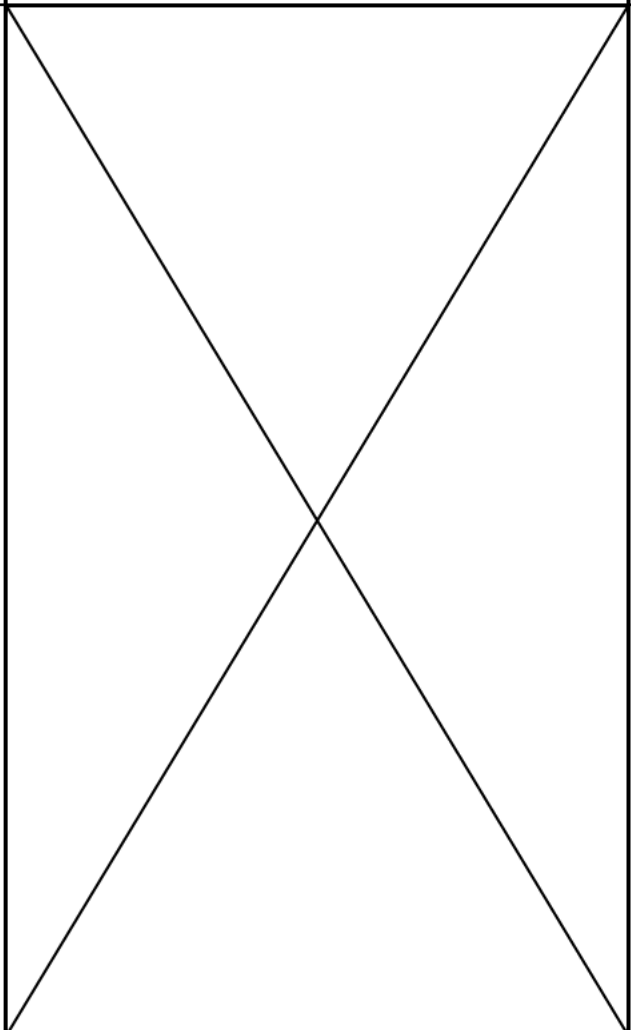
Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
<b>I. HORIZONTAL COMMITMENTS</b> Hong Kong, China undertakes its specific commitments in accordance with Part II of the Agreement.			
<u><b>Section A</b></u> RESERVATIONS pursuant to Articles II-2:4		Pursuant to Article II-2:4, Hong Kong, China reserves the right to adopt or maintain any measure as indicated in <u>Appendix I</u> .	
<u><b>Section B</b></u> RESERVATIONS pursuant to Article II-2:2.			

<sup>1</sup> Localisation requirements refer to requirements on local presence, local management and boards of directors, local content, and performance requirements as set out in the [localisation provisions].

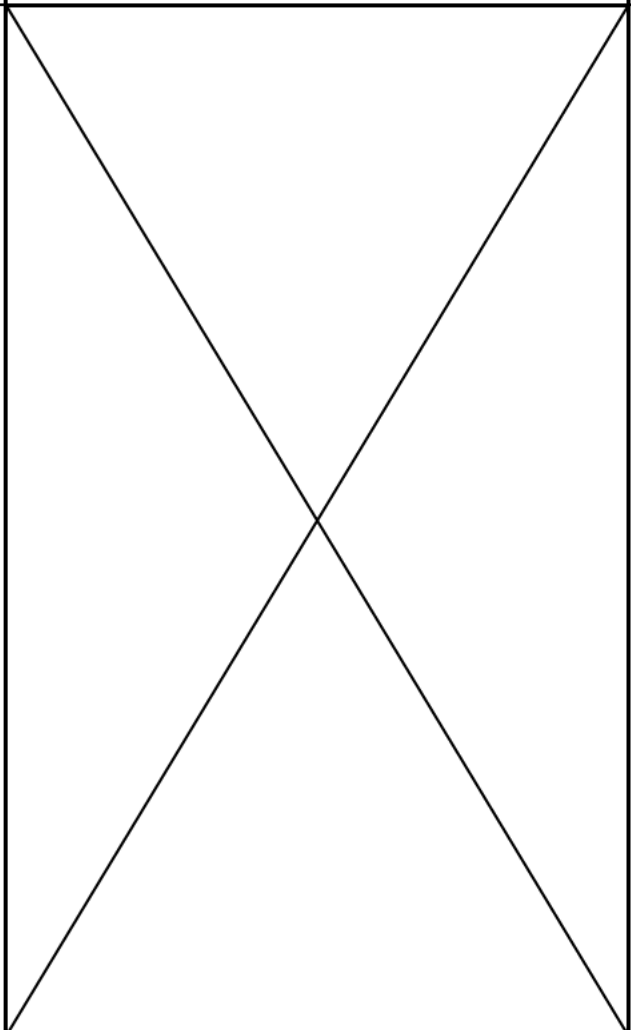
Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
ALL SECTORS INCLUDED IN PART II OF THIS SCHEDULE	<p>Hong Kong, China reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>- the provision of public law enforcement, ambulance services, correctional services and firefighting services; and</li> <li>- the following, to the extent that they are social services established for a public purpose: <ul style="list-style-type: none"> <li>- health;</li> <li>- education;</li> <li>- housing;</li> <li>- training;</li> <li>- transport;</li> <li>- public utilities;</li> <li>- social security; and</li> <li>- social welfare.</li> </ul> </li> </ul>		
	4) Unbound except for business visitors, intra-corporate transferees, and installers or servicers subject to the following		With respect to entry visas/permits for categories of personnel for which market

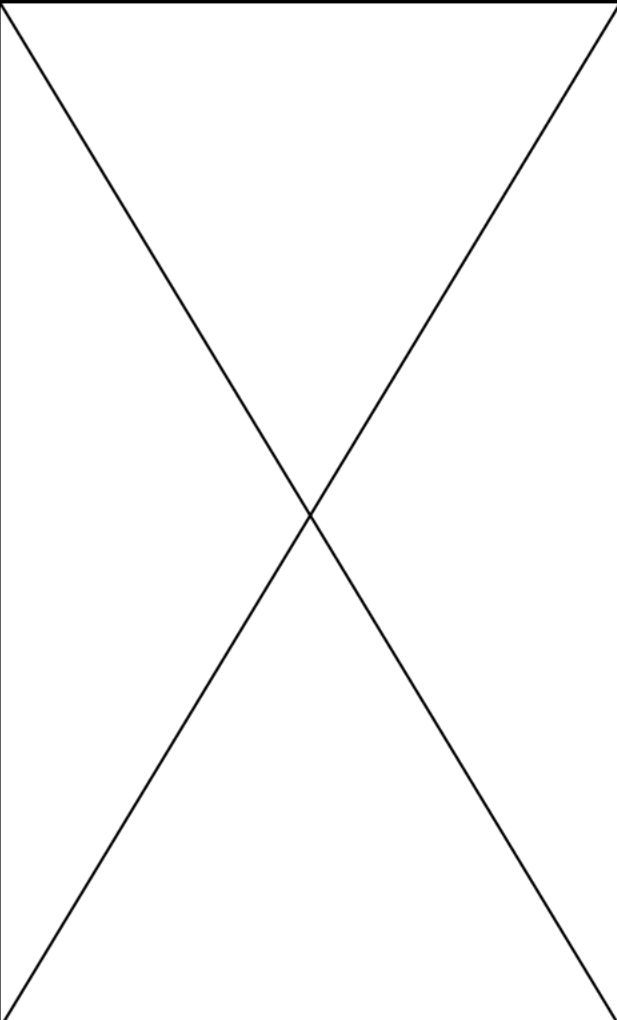
Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	<p>conditions:</p> <p>(a) <u>Business Visitors</u></p> <p>I. <u>Definition</u></p> <p>A business visitor means a natural person of a Party:</p> <p>i) who is seeking temporary entry to Hong Kong, China for the purpose of:</p> <p>(1) attending meetings or conferences, or engaging in consultations with business colleagues;</p> <p>(2) taking orders or negotiating contracts for a juridical person located in Hong Kong, China but not selling goods or providing services to the general public; or</p> <p>(3) undertaking business consultations concerning the establishment, expansion or winding up of a juridical person or investment in Hong Kong, China;</p>		<p>access/national treatment commitments are made, the following information is available on the website of the visa/permit issuing authority:</p> <p>(a) relevant ordinances and regulations;</p> <p>(b) application procedures; and</p> <p>(c) pledge on processing time required on average where applicable.</p>

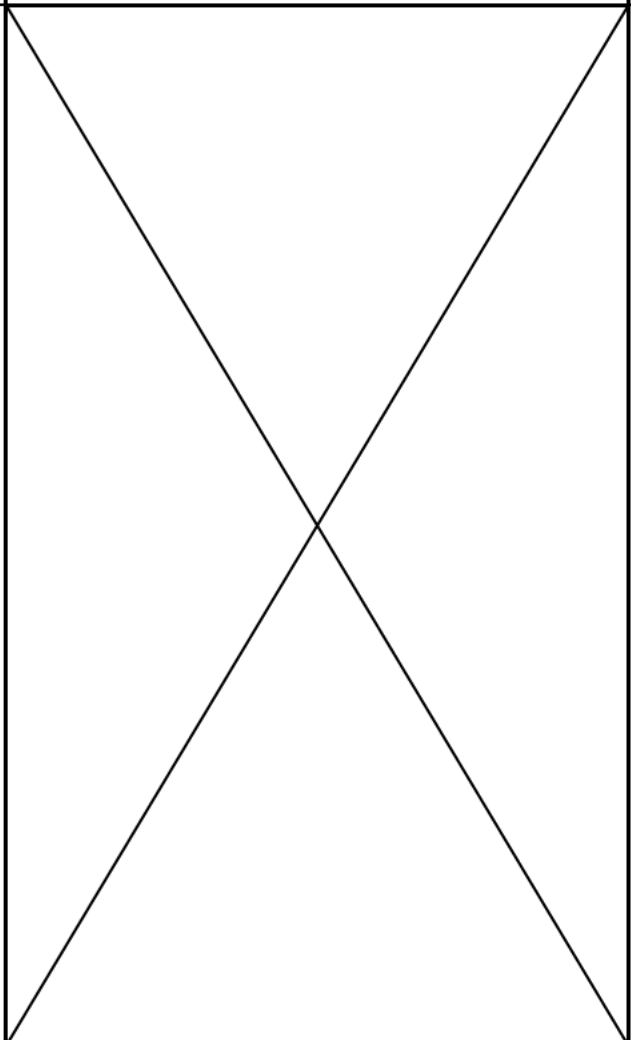
Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	<p>ii) who is not seeking to enter the labour market of Hong Kong, China; and</p> <p>iii) whose principal place of business, actual place of remuneration and predominant place of accrual of profits remain outside Hong Kong, China.</p> <p>II. <u>Conditions (including duration of stay)</u></p> <p>The commitments:</p> <p>i) shall apply to all sectors in the WTO Services Sectoral Classification List (MTN.GNS/W/120); and</p> <p>ii) are limited to entry and temporary stay for a period not exceeding 90 days, provided that normal immigration requirements are met.</p> <p>(b) <u>Intra-corporate transferees</u></p> <p>I. <u>Definition</u></p> <p>An intra-corporate transferee means a <b>senior manager</b> or a <b>specialist</b> who is an employee of a service supplier of a Party with a commercial presence in Hong Kong,</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

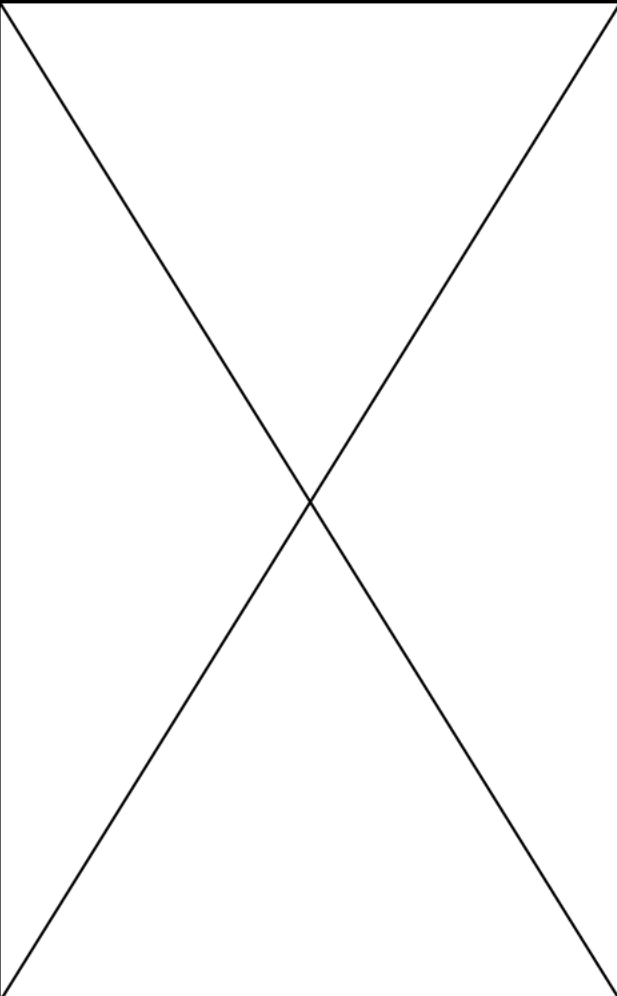
Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	<p>China.</p> <p>A <b>senior manager</b> means a natural person of a Party within an organisation of a Party who:</p> <ul style="list-style-type: none"> <li>i) is a senior employee of that organisation with responsibility for the entire organisation's operations, or a substantial part of it, in Hong Kong, China;</li> <li>ii) has proprietary information of the organisation and receives only general supervision or direction from higher level executives or the board of directors or stockholders of the organisation; and</li> <li>iii) supervises and controls the work of other supervisory, professional or managerial employees in Hong Kong, China. This does not include a first-line supervisor, unless the employees supervised are professional, nor does this include an employee who primarily performs tasks necessary for the provision of the service.</li> </ul>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

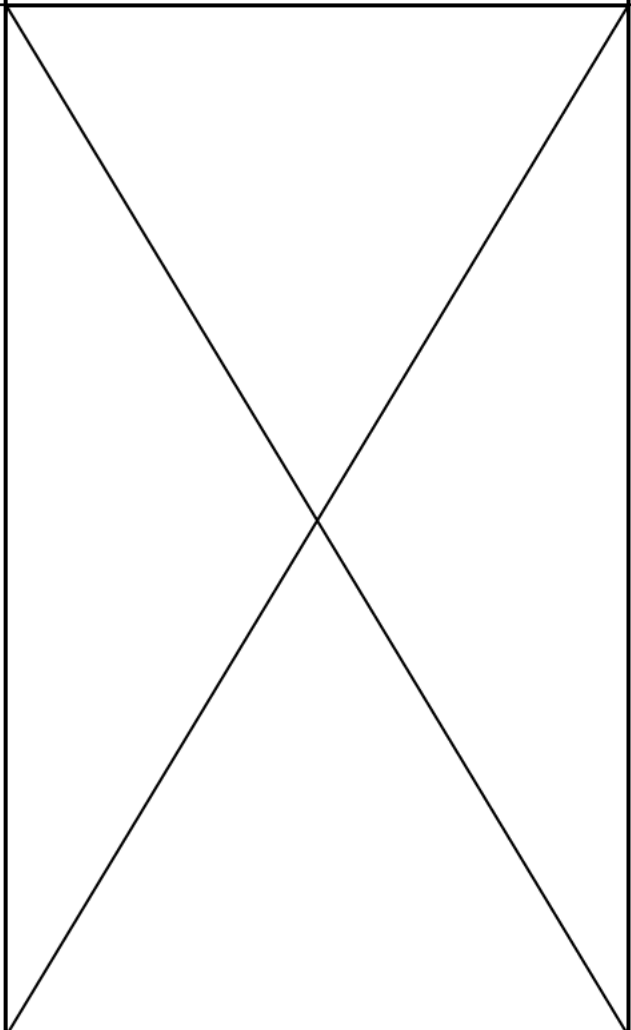
Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	<p>A <b>specialist</b> means a natural person of a Party within an organisation of a Party who possesses knowledge at an advance level of technical expertise, possesses proprietary knowledge of the organisation's service, research equipment, techniques, or management; and who is essential to the operation of the concerned service supplier's establishment in Hong Kong, China.</p> <p>II. <u>Conditions (including duration of stay)</u></p> <p>Natural persons of a Party seeking entry into Hong Kong, China as senior manager or specialist under Hong Kong, China's commitments on intra-corporate transferees shall –</p> <ul style="list-style-type: none"> <li>i) be employees who have been in the prior employ of the concerned service supplier which sponsors their entry into Hong Kong, China for a period of not less than one year immediately preceding the date of application for admission; and</li> <li>ii) during their stay in Hong Kong, China,</li> </ul>		



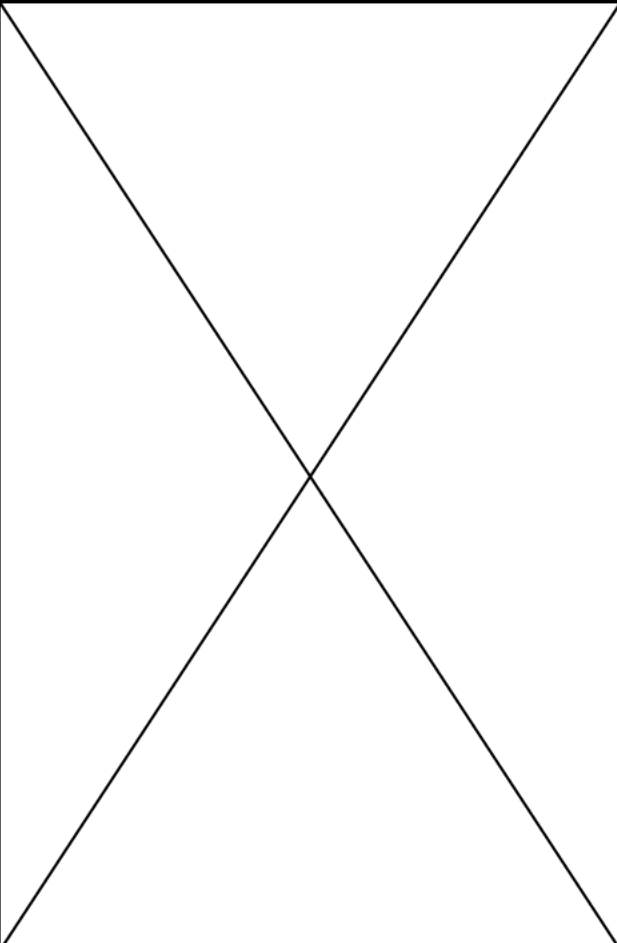
Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	<p>except with the prior approval of the Government of Hong Kong, China, not change employment or employers.</p> <p>The commitments:</p> <ul style="list-style-type: none"> <li>i) shall only apply to the sectors and sub-sectors as set out in <u>Appendix II</u>;</li> <li>ii) shall only apply to natural persons of a Party of service suppliers of a Party which have a bona fide business establishment operating in Hong Kong, China. The number of natural persons who may seek entry under these commitments shall be reasonable having regard to the size and the nature of the business operation of the relevant establishment in Hong Kong, China; and</li> <li>iii) are limited to entry and temporary stay. Temporary stay implies that the appropriate prior authority will have been applied for and obtained before departure for Hong Kong, China. Temporary stay shall be limited to one year in the first instance, which may be</li> </ul>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	<p>extended up to a total of five years.</p> <p>(c) <u>Installers or Servicers</u></p> <p>I. <u>Definition</u></p> <p>An installer or servicer means a natural person of a Party who is an installer or servicer of machinery, equipment or both machinery and equipment, where such installation and/or servicing by the supplying company is a condition of purchase of the said machinery or equipment. An installer or servicer cannot perform services which are not related to the service activity which is the subject of the contract.</p> <p>II. <u>Conditions (including duration of stay)</u></p> <p>The commitments:</p> <p>i) shall only apply to the sectors and sub-sectors as set out in <u>Appendix III</u>; and</p> <p>ii) are limited to entry and temporary stay for a period not exceeding three months</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	<p>in any 12-month period and subject to economic needs tests<sup>2</sup>.</p> <p>(d) Temporary entry granted to a natural person of a Party pursuant to Hong Kong, China's commitments on Business Visitors, Intra-corporate Transferees, and Installers and Servicers does not exempt that person from the requirements needed to carry out a profession or activity according to the domestic law, and any applicable mandatory codes of practice made pursuant to the domestic law, in force in the Area of Hong Kong, China.</p> <p>(e) Hong Kong, China shall grant temporary entry or extension of stay to the extent provided for in the commitments set out in this Schedule to natural persons of a Party, provided that those natural persons:</p> <p>i) follow prescribed application procedures</p>		

<sup>2</sup> Including economic benefits test and labour market test.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	<p>for the immigration formality<sup>3</sup> sought; and</p> <p>ii) meet all relevant eligibility requirements for entry into Hong Kong, China.</p>		
<b>II. SECTOR-SPECIFIC COMMITMENTS</b>			
1. BUSINESS SERVICES			
A. Professional Services			
b. Accounting, auditing and bookkeeping services (CPC 862)	<p>1) None other than that the provision of statutory auditing services is limited to corporate practices and natural persons licensed as certified public accountants (practising), either as sole proprietors or in partnership.</p> <p>2) None</p> <p>3) None other than that the provision of</p>	<p><u>National Treatment</u></p> <p><u>Local Presence</u></p> <p>The provision of statutory auditing services is limited to corporate practices and natural persons licensed as certified public accountants (practising), either as sole proprietors or in partnership.</p>	

<sup>3</sup> “Immigration formality” means a visa, permit, pass or other document or electronic authority granting a natural person permission to enter, stay, work or establish commercial presence in the Area of Hong Kong, China.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	<p>statutory auditing services is limited to corporate practices and natural persons licensed as certified public accountants (practising), either as sole proprietors or in partnership.</p> <p>4) Unbound except as indicated in horizontal section</p>		
c. Taxation services (CPC 863)	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in horizontal section</p>		
d. Architectural services (CPC 8671)	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in horizontal section</p>	<p><u>National Treatment</u></p> <p><u>Local Presence</u></p> <p>To be registered as a Registered Architect, a person has to have one year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.</p>	
e. Engineering services (CPC 8672)	<p>1) None</p> <p>2) None</p>	<p><u>National Treatment</u></p> <p><u>Local Presence</u></p>	
f. Integrated engineering services (CPC 8673)	<p>3) None</p> <p>4) Unbound except as indicated in horizontal</p>	<p>To be registered as a Registered Professional Engineer, a person has to have one year's relevant</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	section	experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.	
g. Urban planning and landscape architectural services (CPC 8674)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u> <u>Local Presence</u> To be registered as a Registered Professional Planner, a person has to have one year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.  <u>National Treatment</u> <u>Local Presence</u> To be registered as a Registered Landscape Architect, a person has to have one year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.	
h. Medical and dental services (CPC 9312)	1) Unbound 2) None 3) Unbound 4) Unbound except as indicated in horizontal		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	section		
i. Veterinary services (CPC 932)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
j. Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC 93191)	1) Unbound 2) None 3) Unbound 4) Unbound except as indicated in horizontal section		
B. Computer and Related Services (CPC84)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
C. Research and Development Services (CPC851-853)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
D. Real Estate Services b. On a fee or contract basis: these are limited to the provision, on a fee or contract basis, of management services for residential or commercial buildings which in turn consist of cleaning, maintenance and guarding of such buildings (CPC 822**)	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		
E. Rental/Leasing Services without Operators			
a. Relating to ships (CPC 83103)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u> Income derived from international operation of ships registered in the Hong Kong Shipping Register is exempted from Hong Kong's profits tax.	
c. Relating to other transport equipment (excluding services relating to air transport) (CPC 83101-83102)	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
d. Relating to other machinery and equipment (excluding transport equipment) (CPC 83106 – 83109)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
F. Other Business Services			
a. Advertising services (CPC 871)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
b. Market research and public opinion polling services (CPC 864)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
c. Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
d. Services relating to management consulting (CPC 866)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
e. Technical testing and analysis services (CPC 8676)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
f. Services incidental to agriculture, hunting and forestry (CPC 881)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
g. Services incidental to fishing (CPC 882)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u> <u>Local Presence</u> Fishing vessels must be certificated. To be certificated as a Local Vessel Class III “fishing vessel” plying within the waters of Hong Kong, China, if the owner of the vessel is an individual, the owner shall be an individual who holds a valid Hong Kong Identity Card and who is ordinarily	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
		resident in Hong Kong, China.	
h. Services incidental to mining (CPC 883, 5115)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
i. Services incidental to manufacturing (CPC 884 and 885, except for 88442)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<p><u>National Treatment</u></p> <p><u>Local Presence</u></p> <p><u>[Local Management and Boards of Directors]</u></p> <p>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 Hong Kong resident holding a valid Hong Kong Identity Card.</p> <p><u>National Treatment</u></p> <p>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 Hong Kong resident holding a valid Hong Kong Identity Card.</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
k. Placement and supply services of personnel (CPC 872)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
l. Investigation and security services - Investigation services (CPC 87301)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Security services (CPC 87302 – 87305)	1) None 2) None 3) None other than that service supplier may only provide the service in the form of a company incorporated in Hong Kong, China under the Companies Ordinance. 4) Unbound except as indicated in horizontal section		
m. Related scientific and technical consulting services (CPC 8675)	1) None 2) None	<u>National Treatment</u> Certain statutory land boundary survey services are	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	3) None 4) Unbound except as indicated in horizontal section	<p>required to be carried out by Authorised Land Surveyors registered under the Land Survey Ordinance (Cap. 473). To be qualified for registration as an Authorised Land Surveyor, a person has to attain one year's local land boundary survey experience in Hong Kong, China.</p> <p><u>National Treatment</u></p> <p><u>Local Presence</u></p> <p>To be registered as a Registered Professional Surveyor under the Surveyors Registration Ordinance (Cap. 417), a person has to have one year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.</p>	
n. Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633 and 8861-8866)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
o. Building cleaning services (CPC 874)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
p. Photographic services (CPC 875)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
q. Packaging services (CPC 876)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
r. Printing, publishing services (CPC 88442)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
s. Convention services including exhibition	1) None 2) None		

Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
management services which are limited to activities relating to planning, organising, managing and marketing services for exhibitions, conventions and similar events (CPC 87909*)	3) None 4) Unbound except as indicated in horizontal section		
t. Other			
- Credit reporting services (CPC 87901)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Collection agency services (CPC 87902)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Telephone answering services (CPC 87903)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
- Duplicating services (CPC 87904)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Translation and interpretation services (CPC 87905)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Mailing list compilation and mailing services (CPC 87906)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Specialty design services (CPC 87907)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
- Other business services not elsewhere classified (CPC 87909)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
2. COMMUNICATION SERVICES			
B. Courier Services: these are limited to the provision of services on a fee or contract basis for the delivery of documents and parcels, but excluding services reserved to the Post Office under the Post Office Ordinance (Cap. 98) (CPC 7512**)	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		
C. Telecommunication Services	The commitments made by Hong Kong, China shall not prevent it from adopting or maintaining non-discriminatory measures which restrict or require specific types of legal entity through which a service supplier may supply a service.		
a. Voice telephone services (CPC 7521) b. Packet-switched data transmission services (CPC 7523**) c. Circuit-switched data	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
<p>transmission services (CPC 7523**)</p> <p>d. Telex services (CPC 7523**)</p> <p>e. Telegraph services (CPC 7522)</p> <p>f. Facsimile services (CPC 7521**+7529**)</p> <p>g. Private leased circuit services (CPC 7522**+7523**)</p> <p>h. Electronic mail (CPC 7523**)</p> <p>i. Voice mail (CPC 7523**)</p> <p>j. On-line information and data base retrieval (CPC 7523**)</p> <p>k. Electronic data interchange (EDI) (CPC 7523**)</p> <p>l. Enhanced/value-added facsimile services, including store and forward, store and retrieve (CPC 7523**)</p> <p>m. Code and protocol conversion</p> <p>n. On-line information and/or data processing (including</p>			

Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
transaction processing) (CPC 843**) o. Other			
D. Audiovisual Services			
a. Motion picture and video tape production and distribution services (CPC 9611)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
b. Motion picture projection services (CPC 9612)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
e. Sound recording	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
E. Other	1) None 2) None		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	3) None 4) Unbound except as indicated in horizontal section		
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES <sup>4</sup>			
B. General Construction Work for Civil Engineering (CPC 513)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<p><u>National Treatment</u></p> <p><u>Local Presence</u></p> <p>(i) Non-exempted construction and building works shall be carried out by statutory building agents, including Authorised Persons (AP), Registered Structural Engineers (RSE), Registered Geotechnical Engineers (RGE), Registered Contractors (RC) and Technically Competent Persons (TCP); and that:</p> <p>- to register as an AP, RSE or RGE, a person shall be a Registered Architect (RA), Registered Professional Engineer (RPE) in the relevant disciplines or Registered Professional Surveyor (RPS) and have one year's relevant professional experience in Hong Kong, China. To register as a RA or RPE in the relevant</p>	

<sup>4</sup> Excluding railway construction and project implementation.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
		<p>disciplines or RPS, a person shall be ordinarily resident in Hong Kong, China;</p> <ul style="list-style-type: none"> <li>- to register as a RC, which can be a corporation and include Registered General Building Contractors (RGBCs), Registered Specialist Contractors and Registered Minor Works Contractors (RMWCs), the key personnel of the applicant shall possess adequate working experience, some of which has to be gained in Hong Kong, China; and</li> <li>- to be qualified as a TCP, a person shall possess site experience in Hong Kong, China; and</li> </ul> <p>(ii) Prescribed inspection of buildings shall be carried out by Registered Inspectors (RIs), while prescribed repair to buildings shall be carried out by RGBCs or RMWCs registered for carrying out minor works items that are relevant to the repair works; and that:</p> <ul style="list-style-type: none"> <li>- to register as an RI, a person shall be an AP, RSE, RA, RPE in the relevant disciplines or RPS in the relevant divisions and shall possess adequate relevant working experience, some of</li> </ul>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
		<p>which has to be gained in Hong Kong, China; and</p> <p>(iii) Prescribed inspection of windows shall be carried out by Qualified Persons (QPs), while prescribed repair to windows shall be carried out by RGBCs or RMWCs registered for carrying out minor works items that are relevant to windows.</p> <ul style="list-style-type: none"> <li>- to be qualified as a QP, a person shall be an AP, RSE, RI, RGBC or RMWC registered for carrying out minor works items that are relevant to windows.</li> </ul>	
<p>D. Building Completion and Finishing Work</p> <p>Interior design services: these are limited to specialised consulting services related to the post-construction design and fitting out of interior living and working spaces (CPC 517**)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in horizontal section</p>		
<p>E. Other</p> <p>Project management services: these are limited to the supervision and coordination</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
of construction projects but do not cover engineering or architectural services	4) Unbound except as indicated in horizontal section		
4. DISTRIBUTION SERVICES			
A. Commission Agents' Services (CPC 621)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
B. Wholesale Trade Services (CPC 622)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
C. Retailing Services (CPC 631, 632, 6111, 6113 and 6121)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
D. Franchising (CPC 8929)	1) None 2) None		

Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	3) None 4) Unbound except as indicated in horizontal section		
E. Other	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
5. EDUCATIONAL SERVICES			
<p>A. Primary Education Services (CPC 921)</p> <p>B. Secondary Education Services (CPC 922)</p>	<p>1) None</p> <p>2) None</p> <p>3) None, except that an operator of international schools which offers non-local curriculum is subject to the administrative requirements which include proving the established demand for such non-local curriculum in the community<sup>5</sup>.</p> <p>4) Unbound except as indicated in horizontal section</p>	<p><u>National Treatment</u></p> <p>Schools registered under the Education Ordinance (Cap. 279), whether private or public, are required to be managed by managers. Section 30(1)(a) of Cap. 279 provides that the Permanent Secretary for Education may refuse to register an applicant as manager of a school if it appears to him that the applicant is not resident in Hong Kong, China for at least nine months in each year.</p>	
<p>C. Higher education services (CPC 923)</p> <p>D. Adult education(CPC 924)</p>	<p>1) None</p> <p>2) None</p> <p>3) Unbound</p> <p>4) Unbound except as indicated in Horizontal Commitments</p>	<p><u>National Treatment</u></p> <p><u>Local Presence</u></p> <p>A person who provides non-local courses which are regulated courses is subject, <i>inter alia</i>, to the following measures under the Non-local Higher and Professional Education (Regulation) Ordinance (Cap. 493): an application for registration of a regulated course requires, <i>inter alia</i>, the undertaking of a person who states that he</p>	

<sup>5</sup> International schools are schools which follow a non-local curriculum and whose students do not sit local examinations. It generally refers to those schools offering full non-local curricula designed primarily for non-Chinese speaking students and foreign nationals.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
		undertakes to perform, in relation to the course, the functions imposed on a designated person by Cap. 493. Such person shall be ordinarily resident in Hong Kong, China and the holder of a Hong Kong Identity Card <sup>6</sup> .	
E. Other Education Services (CPC 929)	1) None 2) None 3) Unbound 4) Unbound except as indicated in horizontal section		
6. ENVIRONMENTAL SERVICES			
A. Sewage Services (CPC 9401)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
B. Refuse Disposal Services (CPC 9402)			
C. Sanitation and Similar Services (CPC 9403)			
D. Other - Cleaning services of exhaust			

<sup>6</sup> For these purposes:

- (i) the term “non-local courses” means courses purporting to lead to the award of a non-local qualification; and
- (ii) the term “regulated course” bears the meaning given to it in Cap. 493.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
gas (CPC 9404) - Noise abatement services (CPC 9405) - Nature and landscape protection services (CPC 9406) - Other environmental protection services not elsewhere classified (CPC 9409)			
7. FINANCIAL SERVICES	<p>The commitments made with respect to Mode 1 (cross-border supply) and Mode 2 (consumption abroad) supply of financial services inscribed in this section of the Schedule do not signify a commitment to allow a service supplier from the area of other Parties to solicit business or to conduct marketing in Hong Kong, China.</p> <p>With respect to items 7B(vi), (viii), (x), (xi), (xiii) and (xvi) inscribed in this section of the Schedule, commitments made by Hong Kong, China shall not prevent it from adopting or maintaining non-discriminatory measures which restrict or require specific types of legal entity through which a service supplier may supply a service.</p> <p>There is a statutory monopoly on the operation of a stock market in Hong Kong, China.</p>		
A. Insurance and Insurance-related Services			
i. Direct insurance (including co-insurance): (A) life (B) non-life	1) None other than that statutory insurances must be purchased from an insurer authorised in Hong Kong, China.  2) None other than that statutory insurances must be purchased from an insurer	<u>National Treatment</u> <u>Local Presence</u> <u>[Local Management and Boards of Directors]</u> The chief executive appointed by the authorised insurer shall normally reside in Hong Kong, China.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	<p>authorised in Hong Kong, China.</p> <p>3) None other than that only an incorporated company authorised by the Insurance Authority (IA) or an association of underwriters approved by the IA is permitted to carry on insurance business. In the case of the former, commercial presence must take the form of a subsidiary or branch. Insurance business shall not be carried out through a representative office<sup>7</sup>.</p> <p>4) Unbound except as indicated in horizontal section</p>		
ii. Reinsurance and retrocession	<p>1) None, provided that the insurance company is a company incorporated outside Hong Kong, China and has no agent nor place of business in Hong Kong, China.</p> <p>2) None</p> <p>3) None other than that only an incorporated company authorised by the Insurance</p>	<p><u>National Treatment</u></p> <p><u>Local Presence</u></p> <p><u>[Local Management and Boards of Directors]</u></p> <p>The chief executive appointed by the authorised insurer shall normally reside in Hong Kong, China.</p>	

<sup>7</sup> A representative office is considered a promotion (for non-business purpose only) and liaison office and can only serve some auxiliary functions such as conduct market research, collect business statistics and establish contacts with prospective customers and partners. It cannot conduct any profit generating business activities.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	<p>Authority (IA) or an association of underwriters approved by the IA is permitted to carry on insurance business. In the case of the former, commercial presence must take the form of a subsidiary or branch. Insurance business shall not be carried out through a representative office<sup>8</sup>.</p> <p>4) Unbound except as indicated in horizontal section</p>		
<p>iii. Insurance intermediation, such as brokerage and agency</p> <p>iv. Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services</p>	<p>1) None other than claims settlement services, except for settlement of claims under contracts of goods in transit insurance entered into wholly outside Hong Kong, China in respect of goods consigned to Hong Kong, China</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in horizontal section</p>		

<sup>8</sup> A representative office is considered a promotion (for non-business purpose only) and liaison office and can only serve some auxiliary functions such as conduct market research, collect business statistics and establish contacts with prospective customers and partners. It cannot conduct any profit generating business activities.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
B. Banking and Other Financial Services (excluding insurance)			
v. Acceptance of deposits and other repayable funds from the public	1) Unbound 2) None 3) None other than that : (a) all authorised institutions (i.e. licensed banks, restricted licence banks and deposit-taking companies) shall maintain a physical presence in Hong Kong, China ; (b) in the case of an overseas bank seeking to establish a locally incorporated full licensed bank, the bank must : (i) have maintained a locally incorporated restricted licence bank or deposit taking company (or any combination thereof) in Hong Kong, China for at least three continuous years before they can apply for approval from the Hong Kong Monetary Authority (HKMA) for upgrading to a full licensed banks; or	<u>National Treatment</u> <u>Local Presence</u> <u>[Local Management and Boards of Directors]</u>  All authorised institutions (local or overseas) must appoint a chief executive and not less than one alternative chief executive, each of whom shall be an individual and ordinarily resident in Hong Kong, China.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	<p>(ii) have maintained a branch in Hong Kong, China for not less than three continuous years before they can apply for approval from HKMA to subsidarise the operation of the branch by transferring the branch operation to a locally incorporated company; and</p> <p>(c) in the case of an overseas bank seeking to establish a representative office in Hong Kong, China, such offices are prohibited from taking deposits and undertaking banking business in general.</p> <p>4) Unbound except as indicated in horizontal section</p>		
vi. Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in horizontal section</p>		
vii. Financial leasing	<p>1) None</p> <p>2) None</p> <p>3) None</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	4) Unbound except as indicated in horizontal section		
viii. All payment and money transmission services	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u> <u>Local Presence</u> <u>[Local Management and Boards of Directors]</u> All licensees to operate stored value facilities must appoint a chief executive and not less than one alternative chief executive each of whom shall be an individual who is ordinarily resident in Hong Kong, China.	
ix. Guarantees and commitments	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
x. Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following: (A) money market instruments (including cheques, bills, certificates of deposits)	1) Unbound 2) None 3) None. 4) Unbound except as indicated in horizontal section		



Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
(B) foreign exchange (C) derivative products including, but not limited to, futures and options (D) exchange rate and interest rate instruments, including products such as swaps, forward rate agreements (E) transferable securities			
xi. Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		
xii. Money broking	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
xiii. Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		
xv. Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
xvi. Advisory and other auxiliary financial services on all the activities listed in subparagraphs (a)(v) to (xv) of [Article X.2 of Annex [X] on Financial Services of the Agreement], including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy	1) None other than commodity trading and investment advisory services 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
All financial services not specified above	1) Unbound 2) Unbound 3) Unbound 4) Unbound		
8. HEALTH RELATED AND SOCIAL SERVICES			
A. Hospital Services (CPC 93110)	1) Unbound 2) None		
B. Other Human Health Services not elsewhere classified (CPC 93199)	3) Unbound 4) Unbound except as indicated in horizontal section		
9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotels and Restaurants (including catering) - Hotel services (CPC 6411)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Other lodging services (CPC 64191, 64192, 64194 and 64195)	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
	section		
- Restaurant and catering services (CPC 642 and 643)	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		
B. Travel Agencies and Tour Operator Services  Travel agencies and tour operator services: these are limited to the business of obtaining for clients carriage and/or accommodation outside Hong Kong, China and the provision of related services such as the furnishing of travel information, advice and planning (CPC 7471**)	1) None 2) None 3) None other than that only a company may operate tours and open branch offices <sup>9</sup> 4) Unbound except as indicated in horizontal section		

<sup>9</sup> “Company” means broadly a company incorporated in Hong Kong, China under the Companies Ordinance (Cap. 32), or a company incorporated outside Hong Kong, China which establishes a place of business and registered as such in Hong Kong, China under the Companies Ordinance (Cap. 32).

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)			
A. Entertainment Services (CPC 9619 except 96192, 96194, 96199)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
C. Libraries, Archives, Museums and Other Cultural Services  Library and archives services (CPC 9631)	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		
D. Sporting and Other Recreational Services (excluding gambling and betting services) (CPC 964**)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
11. TRANSPORT SERVICES			
A. Maritime Transport Services			
International transport (excluding cabotage <sup>10</sup> transport) (CPC 7211 and 7212)	1) None 2) None 3) None <sup>11</sup> 4) Unbound except as indicated in horizontal section	<u>National Treatment</u> Income derived from international operation of ships registered in the Hong Kong Shipping Register is exempted from Hong Kong's profits tax.	Where the following services are not otherwise covered by the obligation enshrined in <b>[Article I-2(c)(ii)]</b> , they will be made available to international transport service suppliers on reasonable and

<sup>10</sup> "Cabotage" is assumed to cover transportation of passengers or goods between a point in Hong Kong, China and another point in Hong Kong, China, as well as traffic originating and terminating in the same point in Hong Kong, China, provided that this traffic remains within the waters of Hong Kong, China.

<sup>11</sup> "Commercial presence for the supply of international maritime transport services" means the ability for international maritime transport service supplier of the other Party to undertake locally all activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element.

These activities include, but are not limited to:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service supplier with which the service seller has established standing business arrangements;
- (b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;
- (c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;
- (d) the provision of business information by any means, including computerised information systems and electronic data interchange (subject to the provisions of GATS Annex on Telecommunications);
- (e) the setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally with any locally established shipping agency; and
- (f) acting on behalf of the companies, organising the call of the ship or taking over cargoes when required.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
			non-discriminatory terms and conditions: pilotage; anchorage, berth and berthing services; towing and tug assistance; provisioning, fuelling and watering; garbage collecting and ballast waste disposal; port captain's services; navigation aids; shore-based operational services essential to ship operation, including communications, water and electrical supplies; and emergency repair facilities.
<u>Maritime Auxiliary Services</u>			
Rental of vessels with crew (CPC 7213)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u> Income derived from international operation of ships registered in the Hong Kong Shipping Register is exempted from Hong Kong's profits tax.	
Maintenance and repair of vessels: these are limited to businesses related to	1) None 2) None		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
maintenance and repair of ocean going vessels at anchor or alongside and maintenance and repair of local vessels (CPC 8868**)	3) None 4) Unbound except as indicated in horizontal section		
Maritime freight forwarding services (as defined in Annex [X] on Maritime Transport Services)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
Preshipment inspection services: these are limited to services performed on a fee or contract basis involved in the verification of quality, quantity, price (including currency, exchange rate and financial terms), and/or the customs classification of goods to be exported. Customs or quarantine inspection is not included	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
C. Air Transport Services			
Selling and marketing of air transport services (as defined in Annex [X] of Air Transport Services)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
Computer reservation system services (as defined in Annex [X] of Air Transport Services)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
F. Road Transport Services			
b. Freight transportation (CPC 7123)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
G. Pipeline Transport			
a. Transportation of fuels (CPC 7131)	1) None 2) None		
b. Transportation of other goods (CPC 7139)	3) None 4) Unbound except as indicated in horizontal section		
H. Services Auxiliary to All Modes of Transport			
a. Cargo-handling services (except those of rail and air) (CPC 741**) including maritime cargo handling services as defined in Annex [X] on Maritime Transport Services	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
b. Storage and warehousing services (except those of rail and air) (CPC 742**) including distribution centre services and materials handling and equipment services such as container station and depot services as defined in Annex [X] on Maritime Transport Services	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u> <u>Local Presence</u> <u>[Local Management and Boards of Directors]</u> 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 person to be held responsible for the running and management of the premises concerned; and the responsible person	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	Localisation requirements <sup>1</sup> and limitations on national treatment	Additional commitments
		has to be a Hong Kong resident holding a valid Hong Kong Identity Card.	
c. Freight transport agency services (CPC 748) including customs clearance services and maritime agency services as defined in Annex [X] on Maritime Transport Services	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
d. Other auxiliary services (CPC 749) including through-chain logistics services, reverse logistics, container leasing and rental services	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		

The (\*) indicates that the service specified is a component of a more aggregated CPC item specified elsewhere in MTN.GNS/W/120.

The (\*\*) indicates that the service specified constitutes only a part of the total range of activities covered by the CPC concordance.

## **Appendix I**

### **I-HKC-1**

<b>Sector</b>	All Sectors
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	<p>Hong Kong, China reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"><li>● the provision of public law enforcement, ambulance services, correctional services and firefighting services</li><li>● the following, to the extent that they are social services established for a public purpose:<ul style="list-style-type: none"><li>- health;</li><li>- education;</li><li>- housing;</li><li>- training;</li><li>- transport;</li><li>- public utilities;</li><li>- social security; and</li><li>- social welfare.</li></ul></li></ul>

**I-HKC-2**

**Sector** All Sectors

**Industry Classification**

**Obligations Concerned** National Treatment  
Local Presence  
Local Management and Boards of Directors  
Local Content and Other Performance Requirements

**Description** With respect to subsidies, including government-supported loans, guarantees and insurance, or to any conditions attached to the receipt or continued receipt of such subsidies, whether or not such subsidies are offered exclusively to domestic services, service consumers or service suppliers, Hong Kong, China reserves the right to adopt or maintain any measure that is not inconsistent with Hong Kong, China's obligations under GATS.

**L-HKC-3**

**Sector** All Sectors

**Industry Classification**

**Obligations Concerned** National Treatment  
Local Presence  
Local Management and Boards of Directors  
Local Content and Other Performance Requirements

**Description** Hong Kong, China reserves the right to adopt or maintain any measure with respect to the entry and temporary stay of natural persons, except as specified in the market access column.

## **L-HKC-4**

<b>Sector</b>	Business Services Professional Services
<b>Industry Classification</b>	CPC 861      Legal  CPC 9312      Medical and Dental Services  CPC 93191      Services provided by Midwives, Nurses, Physiotherapists and Para-medical Personnel  Other Professional Services*
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to the services as set out above, except for:  (a) Mode 2 in respect of medical and dental services (CPC 9312); and  (b) Mode 2 in respect of services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC 93191).

- \* This refers to the services covered by item k. of sub-sector “A. Professional Services” under the Sector “Business Services” of MTN.GNS/W/120, including intellectual property agency services that involve acting for or representing clients in procedures or proceedings in relation to patents, trade marks or registered designs before the Registrar of Patents, Registrar of Trade Marks and Registrar of Designs respectively.

**I-HKC-5**

<b>Sector</b>	Business Services Real Estate Services
<b>Industry Classification</b>	CPC 821-822 Real Estate Services
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to real estate services, except Mode 3 of real estate services which are limited to the provision, on a fee or contract basis, of management services for residential or commercial buildings which in turn consist of cleaning, maintenance and guarding of such buildings.



**I-HKC-6**

<b>Sector</b>	Business Services Rental/Leasing Services without Operators (except relating to ships)	
<b>Industry Classification</b>	CPC 83104	Rental/Leasing Services without Operators relating to Aircraft
	CPC 83101, 83102 & 83105	Rental/Leasing Services without Operators relating to other Transport Equipment
	CPC 832	Other Rental/Leasing Services without Operator
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements	
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to:  <ol style="list-style-type: none"><li>1. rental/leasing services without operators relating to aircraft (CPC 83104) and other land transport equipment (CPC 83105);</li><li>2. rental/leasing services without operators concerning private cars (CPC 83101) and goods transport vehicles (CPC 83102) (except for Mode 3);</li><li>3. other rental/leasing services without operators (CPC 832); and</li><li>4. rental/leasing services without operators relating to air transport.</li></ol>	

**I-HKC-7**

<b>Sector</b>	Energy Services Incidental to Energy Distribution Manufacturing Distribution Services Storage and Warehouse Services
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to electricity market.

**L-HKC-8**

<b>Sector</b>	Communication Services Postal Services
<b>Industry Classification</b>	CPC 7511      Postal Services
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to postal services.

**I-HKC-9**

<b>Sector</b>	Communication Services Courier Services
<b>Industry Classification</b>	CPC 7512      Courier Services
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to courier services, except for Mode 3 (limited to the provision of services on a fee or contract basis for the delivery of documents and parcels, but excluding services reserved to the Post Office under the Post Office Ordinance (Cap. 98)).

**I-HKC-10**

<b>Sector</b>	Communication Services Audiovisual Services
<b>Industry Classification</b>	CPC 9613      Radio and Television Services CPC 7524      Radio and Television Transmission Services Other Audiovisual Services*
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to the services set out above.

\* This refers to the services covered by item f. of sub-sector “D. Audiovisual services” under the sector “Communication Services” of MTN.GNS/W/120.

## **I-HKC-11**

<b>Sector</b>	Construction and Related Engineering Services <sup>12</sup>
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	<p>Hong Kong, China reserves the right to adopt or maintain any measure with respect to construction and related engineering services, except for:</p> <ul style="list-style-type: none"><li>(a) general construction work for civil engineering (CPC 513);</li><li>(b) building completion and finishing work – interior design services: limited to specialised consulting services related to the post-construction design and fitting out of interior living and working spaces (CPC 517**) (other than Mode 1); and</li><li>(c) other – project management services: limited to the supervision and coordination of construction projects but do not cover engineering or architectural services (other than Mode 1).</li></ul>

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<sup>12</sup> For railway construction and project implementation services, please refer to I-HKC-[20].

**I-HKC-12**

<b>Sector</b>	Educational Services	
<b>Industry Classification</b>	CPC 923	Higher Education Services
	CPC 924	Adult Education Services
	CPC 929	Other Education Services
<b>Obligations Concerned</b>	National Treatment	
	Local Presence	
	Local Management and Boards of Directors	
	Local Content and Other Performance Requirements	
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to Mode 3 supply of the services set out above.	

## **I-HKC-13**

<b>Sector</b>	Financial Services
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	<p>For all Financial Services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement], Hong Kong, China reserves the right to adopt or maintain</p> <p>a. 1) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (b)(i) to (iv) of Article X.3 of Annex [X] on Financial Services of the Agreement;</p> <p>b. 2) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (c)(i) and subparagraphs (a)(v) to (ix) and (xii) of Article X.2 as referred to in subparagraph 1 (c)(ii) of Article X.3 of Annex [X] on Financial Services of the Agreement;</p> <p>c. 1) 2) Any measure with respect to statutory insurance services under subparagraph (a)(i) of Article X.2 of Annex [X] on Financial Services of the Agreement;</p> <p>d. 1) 2) Any measure with respect to solicitation of business or conducting of marketing in Hong Kong, China with respect to financial services referred to in subparagraphs (a)(i) to (iv) of Article X.2 of Annex [X] on Financial Services of the Agreement;</p> <p>e. 3) Any measure with respect to all financial services except for the financial services referred to in subparagraphs (a)(i) to (a)(x)(A)-(E), (a)(xi) to (a)(xiii), (a)(xv), and (a)(xvi) (excluding intermediation services) of Article X.2 of Annex [X] on Financial Services of the Agreement.</p> <p>For the Financial Services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement [short list] , Hong Kong, China reserves the right to adopt</p> <p>1), 2) Any amendment to a measure that does not increase the inconsistency of that measure with the treatment provided for in Article I-4 (National Treatment) as it existed on the date of entry into force of this Agreement.</p>



**I-HKC-14**

**Sector** Health Related and Social Services

**Industry Classification**

**Obligations Concerned** National Treatment  
Local Presence  
Local Management and Boards of Directors  
Local Content and Other Performance Requirements

**Description** Hong Kong, China reserves the right to adopt or maintain any measure with respect to health related and social services, except for:

- (a) Mode 2 in respect of hospital services (CPC 93110); and
- (b) Mode 2 in respect of other human health services not elsewhere classified (CPC 93199).

## **I-HKC-15**

<b>Sector</b>	Tourism and Travel Related Services
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	<p>Hong Kong, China reserves the right to adopt or maintain any measure with respect to tourism and travel related services, except for:</p> <ul style="list-style-type: none"><li>(a) hotel services (CPC 6411);</li><li>(b) other lodging services (limited to CPC 64191, CPC 64192, CPC 64194 and CPC 64195 only) (other than Modes 1 and 2);</li><li>(c) restaurant and catering services (CPC 642 and CPC 643) (other than Modes 1 and 2); and</li><li>(d) travel agencies and tour operator services (limited to the business of obtaining for clients carriage and/or accommodation outside Hong Kong, China and the provision of related services such as the furnishing of travel information, advice and planning (CPC 7471**)).</li></ul>

## **I-HKC-16**

**Sector** Recreational, Cultural and Sporting Services (other than audiovisual services)

### **Industry Classification**

**Obligations Concerned** National Treatment  
Local Presence  
Local Management and Boards of Directors  
Local Content and Other Performance Requirements

**Description** Hong Kong, China reserves the right to adopt or maintain any measure with respect to recreational, cultural and sporting services, except for:

- (a) entertainment services (CPC 9619) (other than services provided by authors, composers, sculptors, entertainers and other individual artists (CPC 96192), circus, amusement park and similar attraction services (CPC 96194) and other entertainment services n.e.c. (CPC 96199)); and
- (b) library and archives services (CPC 9631) (other than Modes 1 and 2).

## **I-HKC-17**

<b>Sector</b>	Transport Services Maritime Transport Services
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	<p>Hong Kong, China reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"><li>(a) cabotage<sup>13</sup> transport; and</li><li>(b) provision of certain port services (pilotage; anchorage, berth and berthing services; towing and tug assistance; provisioning, fuelling and watering; garbage collecting and ballast waste disposal; port captain's services; navigation aids; shore-based operational services essential to ship operation, including communications, water and electrical supplies; and emergency repair facilities). However, no measures shall be applied which deny international maritime transport service suppliers reasonable and non-discriminatory access to the above port services.</li></ul>

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<sup>13</sup> "Cabotage" covers transportation of passengers or goods between a point in Hong Kong, China and another point in Hong Kong, China, as well as traffic originating and terminating in the same point in Hong Kong, China provided that this traffic remains within the waters of Hong Kong, China.

## **I-HKC-18**

<b>Sector</b>	Transport Services - Internal Waterways Transport - Space Transport - Other Transport Services*
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to the services as set out above.

\* This refers to the services covered by sub-sector “I. Other Transport Services” under the sector “Transport Services” of MTN.GNS/W/120.

**L-HKC-19**

<b>Sector</b>	Transport Services Air Transport Services or Related Services in Support of Air Services
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	<p>Hong Kong, China reserves the right to adopt or maintain any measure with respect to air transport services or related services in support of air services, except for:</p> <p>(a) selling and marketing of air transport services; and</p> <p>(b) computer reservation system services.</p>

**L-HKC-20**

<b>Sector</b>	Transport Services - Rail Transport Services - Railway Construction and Project Implementation
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to services as set out above.

**I-HKC-21**

<b>Sector</b>	Transport Services Road Transport Services
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to road transport services, except for road freight transportation (CPC 7123).



**I-HKC-22**

<b>Sector</b>	Transport Services Services Auxiliary to All Modes of Transport	
<b>Industry Classification</b>	CPC 741	Cargo-handling Services
	CPC 742	Storage and Warehousing Services, including distribution centre services and materials handling and equipment services such as container station and depot services
<b>Obligations Concerned</b>	National Treatment Local Presence Local Management and Boards of Directors Local Content and Other Performance Requirements	
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to:  (a) cargo-handling services in respect of air and rail; and  (b) storage and warehousing services, including distribution centre services and materials handling and equipment services such as container station and depot services, in respect of air and rail.	

**I-HKC-23**

<b>Sector</b>	Other Services not Included Elsewhere	
<b>Industry Classification</b>	CPC 95	Services of Membership Organisations
	CPC 97	Other Services
	CPC 98	Private Households with Employed Persons
	CPC 99	Services Provided by Extraterritorial Organisations and Bodies
<b>Obligations Concerned</b>	National Treatment	
	Local Presence	
	Local Management and Boards of Directors	
	Local Content and Other Performance Requirements	
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to the services as set out above.	

## Appendix II

In respect of intra-corporate transferees, the commitments apply only to the following sectors and sub-sectors<sup>14</sup>:

	<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
1	<u>BUSINESS SERVICES</u>	<u>Section B</u>
A.	<u>Professional Services</u>	
b.	Accounting, auditing and bookkeeping services	862
c.	Taxation services	863
d.	Architectural services	8671
e.	Engineering services	8672
f.	Integrated engineering services	8673
g.	Urban planning and landscape architectural services	8674
i.	Veterinary services	932
B.	<u>Computer and Related Services</u>	
a.	Consultancy services related to the installation of computer hardware	841
b.	Software implementation services	842
c.	Data processing services	843
d.	Data base services	844
e.	Other	845+849
C.	<u>Research and Development Services</u>	
a.	R&D services on natural sciences	851
b.	R&D services on social sciences and humanities	852
c.	Interdisciplinary R&D services	853
D.	<u>Real Estate Services</u>	
b.	On a fee or contract basis (limited to the provision, on a fee or contract basis, of management services for residential or commercial buildings which in turn consist of cleaning, maintenance and guarding of such buildings)	822**

<sup>14</sup> The sectors and sub-sectors in this Appendix are listed on the basis of the WTO Services Sectoral Classification List (MTN.GNS/W/120) and with reference to Annexes [X] on Financial Services, Maritime Transport Services and Air Transport Services of the Agreement as appropriate.

<u>SECTORS AND SUB-SECTORS</u>		<u>CORRESPONDING</u> <u>CPC</u>
E.	<u>Rental/Leasing Services without Operators</u>	
a.	Relating to ships	83103
c.	Relating to other transport equipment (excluding services relating to air transport)	83101-83102
d.	Relating to other machinery and equipment (excluding transport equipment)	83106-83109
F.	<u>Other Business Services</u>	
a.	Advertising services	871
b.	Market research and public opinion polling services	864
c.	Management consulting services	865
d.	Services related to management consulting	866
e.	Technical testing and analysis services	8676
f.	Services incidental to agriculture, hunting and forestry	881
g.	Services incidental to fishing	882
h.	Services incidental to mining	883+5115
i.	Services incidental to manufacturing	884+885 (except for 88442)
k.	Placement and supply services of personnel	872
l.	Investigation and security	87301-87305
m.	Related scientific and technical consulting services	8675
n.	Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment)	633+8861-8866
o.	Building-cleaning services	874
p.	Photographic services	875
q.	Packaging services	876
r.	Printing, publishing services	88442
s.	Convention services including exhibition management services which are limited to activities relating to planning, organising, managing and marketing services for exhibitions, conventions and similar events	87909*
t.	Other	8790

## 2 COMMUNICATION SERVICES

B.	<u>Courier Services</u> (limited to the provision of services on a fee or contract basis for the delivery of documents and parcels, but excluding services reserved to the Post Office under the Post Office Ordinance (Cap. 98))	7512**
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	<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
C.	<u>Telecommunication Services</u>	
a.	Voice telephone services	7521
b.	Packet-switched data transmission services	7523**
c.	Circuit-switched data transmission services	7523**
d.	Telex services	7523**
e.	Telegraph services	7522
f.	Facsimile services	7521**+7529**
g.	Private leased circuit services	7522**+7523**
h.	Electronic mail	7523**
i.	Voice mail	7523**
j.	On-line information and data base retrieval	7523**
k.	Electronic data interchange (EDI)	7523**
l.	Enhanced/value-added facsimile services, including store and forward, store and retrieve	7523**
m.	Code and protocol conversion	n.a.
n.	On-line information and/or data processing (including transaction processing)	843**
o.	Other	
D.	<u>Audiovisual Services</u>	
a.	Motion picture and video tape production and distribution services	9611
b.	Motion picture projection service	9612
e.	Sound recording	n.a.
E.	Other	
3	<u>CONSTRUCTION AND RELATED ENGINEERING SERVICES</u>	
B.	<u>General Construction Work for Civil Engineering</u>	513
D.	<u>Building Completion and Finishing Work</u>	517**
	- Interior design services (limited to specialised consulting services related to the post-construction design and fitting out of interior living and working spaces)	
E.	<u>Other</u>	
	- Project management services (limited to the supervision and coordination of construction projects but do not cover engineering or architectural services)	

	<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
4	<u>DISTRIBUTION SERVICES</u>	
A.	<u>Commission Agents' Services</u>	621
B.	<u>Wholesale Trade Services</u>	622
C.	<u>Retailing Services</u>	631+632; 6111+6113+6121
D.	<u>Franchising</u>	8929
E.	<u>Other</u>	
5	<u>EDUCATIONAL SERVICES</u>	
A.	<u>Primary Education Services</u>	921
B.	<u>Secondary Education Services</u>	922
6	<u>ENVIRONMENTAL SERVICES</u>	
A.	<u>Sewage Services</u>	9401
B.	<u>Refuse Disposal Services</u>	9402
C.	<u>Sanitation and Similar Services</u>	9403
D.	<u>Other</u>	
	- Cleaning services of exhaust gases	9404
	- Noise abatement services	9405
	- Nature and landscape protection services	9406
	- Other environmental protection services not elsewhere classified	9409
7	<u>FINANCIAL SERVICES</u>	
A.	<u>Insurance and Insurance-related Services</u>	
i.	Direct insurance (including co-insurance): (A) life and (B) non-life	
ii.	Reinsurance and retrocession	
iii.	Insurance intermediation, such as brokerage and agency	
iv.	Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services	
B.	<u>Banking and other Financial Services (excluding Insurance)</u>	
v.	Acceptance of deposits and other repayable funds from the public	
vi.	Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction	

## SECTORS AND SUB-SECTORS

## CORRESPONDING CPC

- vii. Financial leasing
- viii. All payment and money transmission services
- ix. Guarantees and commitments
- x. Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:
  - (A) money market instruments (including cheques, bills, certificates of deposits)
  - (B) foreign exchange
  - (C) derivative products including, but not limited to, futures and options
  - (D) exchange rate and interest rate instruments, including products such as swaps, forward rate agreements
  - (E) transferable securities
- xi. Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of service related to such issues
- xii. Money broking
- xiii. Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services
- xv. Provision and transfer of financial information, and financial data processing and related software by providers of other financial services
- xvi. Advisory and other auxiliary financial services on all the activities listed in subparagraph (a)(v) to (xv) of [Article X.2 of Annex [X] on Financial Services of the Agreement], including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy

9

## TOURISM AND TRAVEL RELATED SERVICES

- A. Hotels and Restaurants (including Catering)
  - Hotel services
  - Other lodging services
  - Restaurant and Catering Services

6411  
64191, 64192,  
64194 & 64195  
642 & 643

	<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
	B. <u>Travel Agencies and Tour Operators Services</u> (limited to the business of obtaining for clients carriage and/or accommodation outside Hong Kong, China and the provision of related services such as the furnishing of travel information, advice and planning)	7471**
10	<u>RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)</u>	
	A. <u>Entertainment Services</u>	
	- Theatrical producer, singer group, band and orchestra entertainment services	96191
	- Ancillary theatrical services not elsewhere classified	96193
	- Ballroom, discotheque and dance instructor services Ancillary theatrical services not elsewhere classified	96195
	C. <u>Libraries, Archives, Museums and Other Cultural Services</u>	
	- Library and archive services	9631
	D. <u>Sporting and Other Recreational Services</u>	
	- Sporting and other recreational services except gambling and betting services	964**
11	<u>TRANSPORT SERVICES</u>	
	A. <u>Maritime Transport Services (excluding Cabotage)<sup>15</sup></u>	
	a. Passenger transportation	7211
	b. Freight transportation	7212

<sup>15</sup> Cabotage is assumed to cover transportation of passengers or goods between a point in Hong Kong, China and another point in Hong Kong, China, as well as traffic originating and terminating in the same point in Hong Kong, China, provided that this traffic remains within the waters of Hong Kong, China.



<u>SECTORS AND SUB-SECTORS</u>		<u>CORRESPONDING</u> <u>CPC</u>
	<u>Maritime Auxiliary Services</u>	
	- Rental of vessels with crew	7213
	- Maintenance and repair of vessels: these are limited to businesses related to maintenance and repair of ocean going vessels at anchor or alongside and maintenance and repair of local vessels	8868**
	- Maritime freight forwarding services as defined in Annex [X] on Maritime Transport Services	
	- Preshipment inspection services: these are limited to services performed on a fee or contract basis involved in the verification of quality, quantity, price (including currency, exchange rate and financial terms), and/or the customs classification of goods to be exported. Customs or quarantine inspection is not included.	
C.	<u>Air Transport Services</u>	As defined in Annex [X] on Air Transport Services
	Selling and marketing of air transport services	
	Computer reservation system services	
F.	<u>Road Transport Services</u>	
b.	Freight transportation	7123
G.	<u>Pipeline Transport</u>	
a.	Transportation of fuels	7131
b.	Transportation of other goods	7139
H.	<u>Services Auxiliary to All Modes of Transport</u>	
a.	Cargo-handling services (except those of rail and air) including maritime cargo handling services as defined in Annex [X] on Maritime Transport Services	741**
b.	Storage and warehouse services (except those of rail and air) including distribution centre services and materials handling and equipment services such as container station and depot services as defined in Annex [X] on Maritime Transport Services	742**

<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
c. Freight transport agency services including customs clearance services and maritime agency services as defined in Annex [X] on Maritime Transport Services	748
d. Other auxiliary services including through-chain logistics services, reverse logistics, container leasing and rental services	749

The (\*) indicates that the service specified is a component of a more aggregated CPC item specified elsewhere in MTN.GNS/W/120.

The (\*\*) indicates that the service specified constitutes only a part of the total range of activities covered by the CPC concordance.

### **Appendix III**

In respect of installers or servicers, the commitments apply only to the following sectors and sub-sectors<sup>16&17</sup>:

	<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
1	<u>BUSINESS SERVICES</u>	<u>Section B</u>
	B. <u>Computer and Related Services</u>	
	a. Consultancy services related to the installation of computer hardware	841
	b. Software implementation services	842
	c. Data processing services	843
	d. Data base services	844
6	<u>ENVIRONMENTAL SERVICES</u>	
	A. <u>Sewage Services</u>	9401
	B. <u>Refuse Disposal Services</u>	9402
	C. <u>Sanitation and Similar Services</u>	9403
	D. <u>Other</u>	
	- Cleaning services of exhaust gases	9404
	- Noise abatement services	9405
	- Nature and landscape protection services	9406
	- Other environmental protection services not elsewhere classified	9409

<sup>16</sup> The sectors and sub-sectors in this Appendix are listed on the basis of the WTO Services Sectoral Classification List (MTN.GNS/W/120).

<sup>17</sup> In implementing this commitment, the sectors and sub-sectors listed under this Appendix shall be construed by reference to the field of activity of the supplying company.

## TRADE IN SERVICES AGREEMENT

### HONG KONG, CHINA - SCHEDULE OF SPECIFIC COMMITMENTS

~~Revised-Final~~ Offer

~~(6-MayOctober~~ 2016)

#### Headnotes

The core text and new/enhanced disciplines are the prerequisites for the preparation of Schedule. So this draft Schedule is prepared based on the latest version of the core text and the reasonable expectation arising from the new/ enhanced disciplines proposed as at 14 October 2016.

Hong Kong, China reserves the right to modify or withdraw this Schedule, in whole or in part, at any time prior to the conclusion of the negotiations.

Hong Kong, China further reserves the right to make technical changes to this Schedule and to correct any errors, omissions, or inaccuracies.

### Schedule

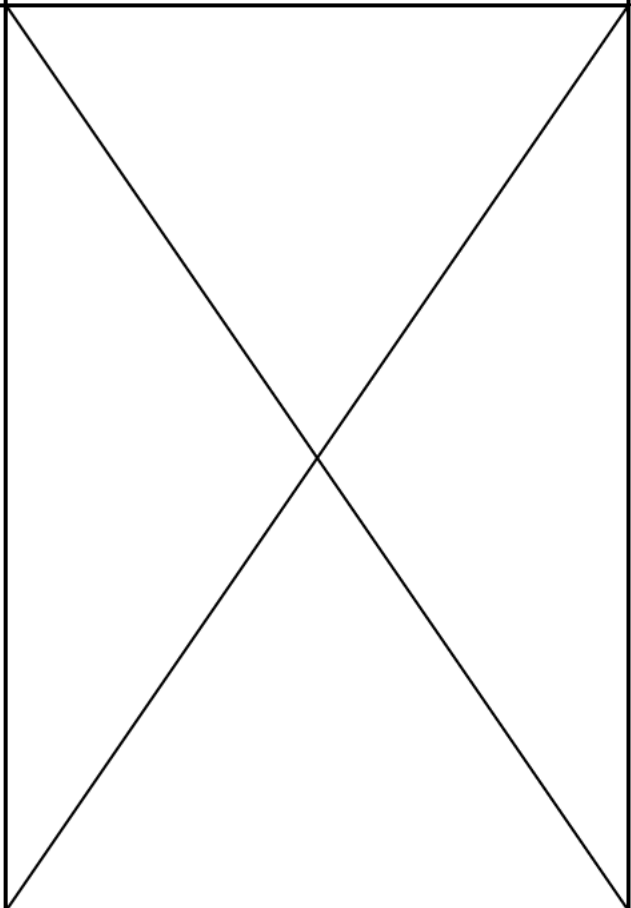
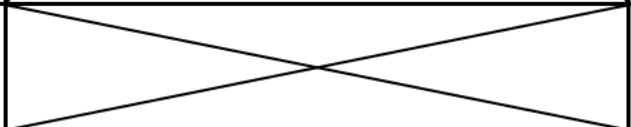
Where appropriate, Hong Kong, China's commitments are referenced to the Provisional Central Product Classification ("CPC") as set out in Statistical Office of the United Nations Statistical Papers, Series M, No. 77, Provisional Central Product Classification, 1991 and on the basis of the Services Sectoral Classification List WTO document MTN.GNS/W/120. Reference is also made to [provisions on localisation], and Annexes [X] on Financial Services, Maritime Transport Services, and Air Transport Services of the Agreement respectively.

Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

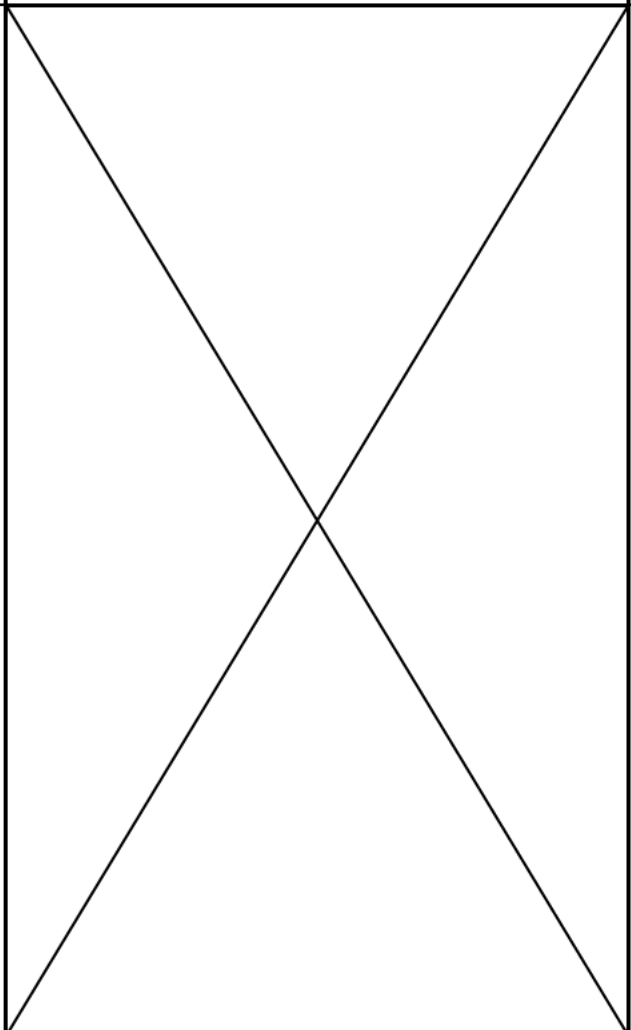
Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup></u> and <del>L</del> imitations on national treatment	Additional commitments
<b>I. HORIZONTAL COMMITMENTS</b> Hong Kong, China undertakes its specific commitments in accordance with Part II of the Agreement.			
<u><b>Section A</b></u> RESERVATIONS pursuant to Articles II-2:4		Pursuant to Article II-2:4, Hong Kong, China reserves the right to adopt or maintain any measure as indicated in <u>Appendix I</u> .	
<u><b>Section B</b></u> RESERVATIONS pursuant to Article II-2:2.			

<sup>1</sup> Localisation requirements refer to requirements on local presence, local management and boards of directors, local content, and performance requirements as set out in the [localisation provisions].

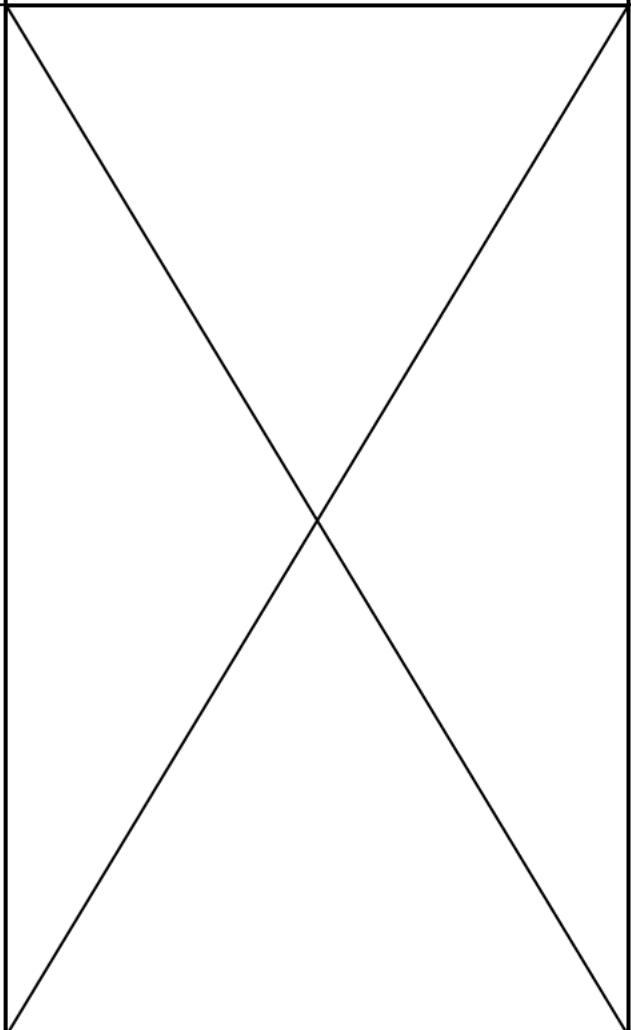
Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and <del>L</del>imitations on national treatment</u>	Additional commitments
ALL SECTORS INCLUDED IN PART II OF THIS SCHEDULE	<p>Hong Kong, China reserves the right to adopt or maintain any measure with respect to:</p> <ul style="list-style-type: none"> <li>- the provision of public law enforcement, ambulance services, correctional services and firefighting services; and</li> <li>- the following, to the extent that they are social services established for a public purpose: <ul style="list-style-type: none"> <li>- health;</li> <li>- education;</li> <li>- housing;</li> <li>- training;</li> <li>- transport;</li> <li>- public utilities;</li> <li>- social security; and</li> <li>- social welfare.</li> </ul> </li> </ul>		
	4) Unbound except for business visitors, intra-corporate transferees, and installers or servicers subject to the following		With respect to entry visas/permits for categories of personnel for which market

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

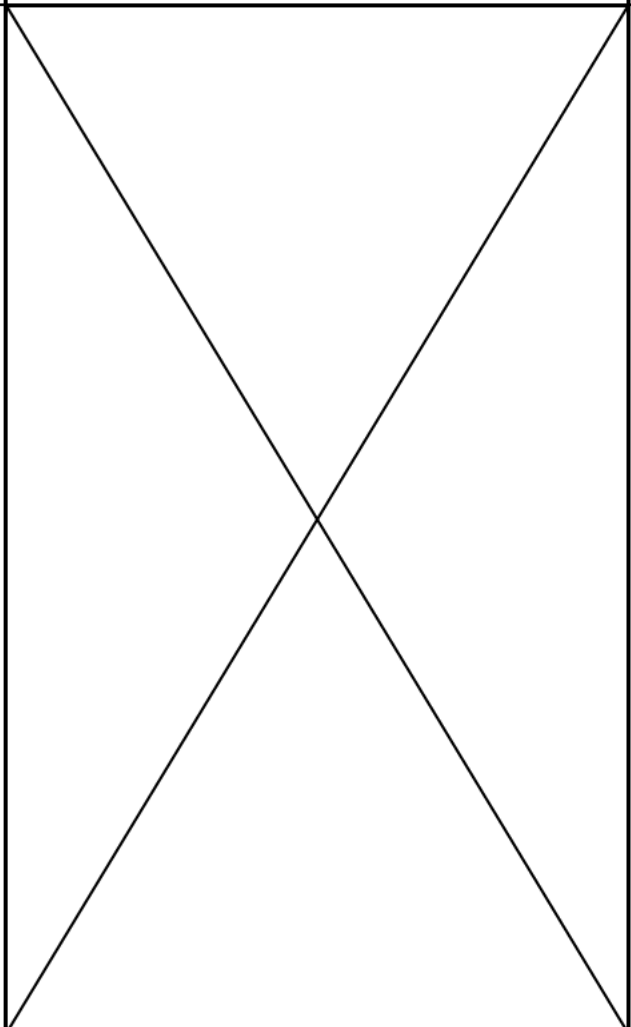
Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and <del>L</del>imitations on national treatment</u>	Additional commitments
	<p>conditions:</p> <p>(a) <u>Business Visitors</u></p> <p>I. <u>Definition</u></p> <p>A business visitor means a natural person of a Party:</p> <p>i) who is seeking temporary entry to Hong Kong, China for the purpose of:</p> <p>(1) attending meetings or conferences, or engaging in consultations with business colleagues;</p> <p>(2) taking orders or negotiating contracts for a juridical person located in Hong Kong, China but not selling goods or providing services to the general public; or</p> <p>(3) undertaking business consultations concerning the establishment, expansion or winding up of a juridical person or investment in Hong Kong, China;</p>		<p>access/national treatment commitments are made, the following information is available on the website of the visa/permit issuing authority:</p> <p>(a) relevant ordinances and regulations;</p> <p>(b) application procedures; and</p> <p>(c) pledge on processing time required on average where applicable.</p>

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

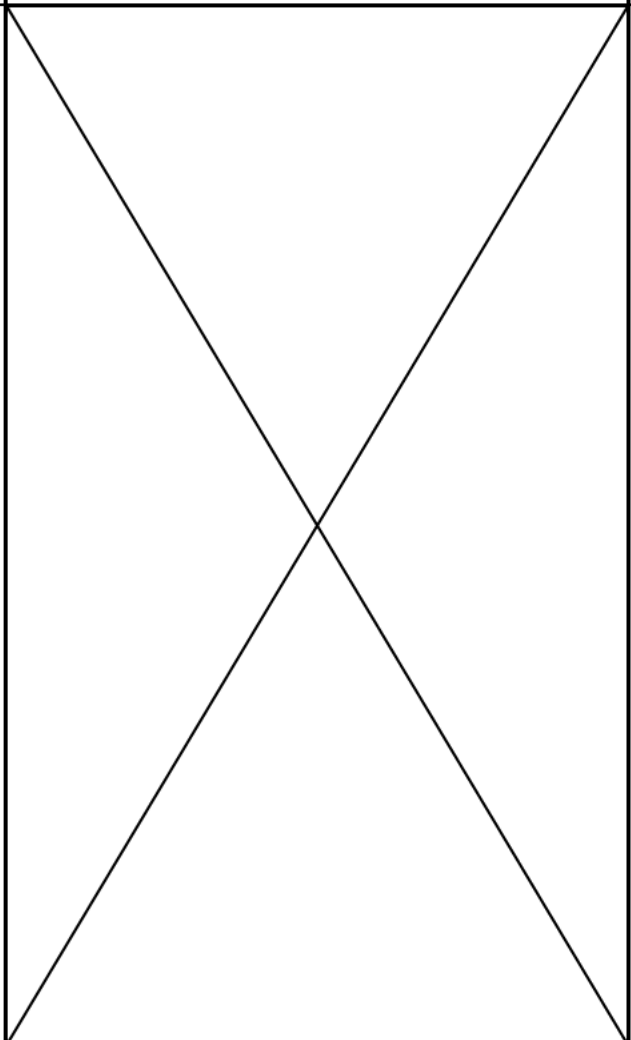
Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and <del>L</del>imitations on national treatment</u>	Additional commitments
	<p>ii) who is not seeking to enter the labour market of Hong Kong, China; and</p> <p>iii) whose principal place of business, actual place of remuneration and predominant place of accrual of profits remain outside Hong Kong, China.</p> <p>II. <u>Conditions (including duration of stay)</u></p> <p>The commitments:</p> <p>i) shall apply to all sectors in the WTO Services Sectoral Classification List (MTN.GNS/W/120); and</p> <p>ii) are limited to entry and temporary stay for a period not exceeding 90 days, provided that normal immigration requirements are met.</p> <p>(b) <u>Intra-corporate transferees</u></p> <p>I. <u>Definition</u></p> <p>An intra-corporate transferee means a <b>senior manager</b> or a <b>specialist</b> who is an employee of a service supplier of a Party with a commercial presence in Hong Kong,</p>		



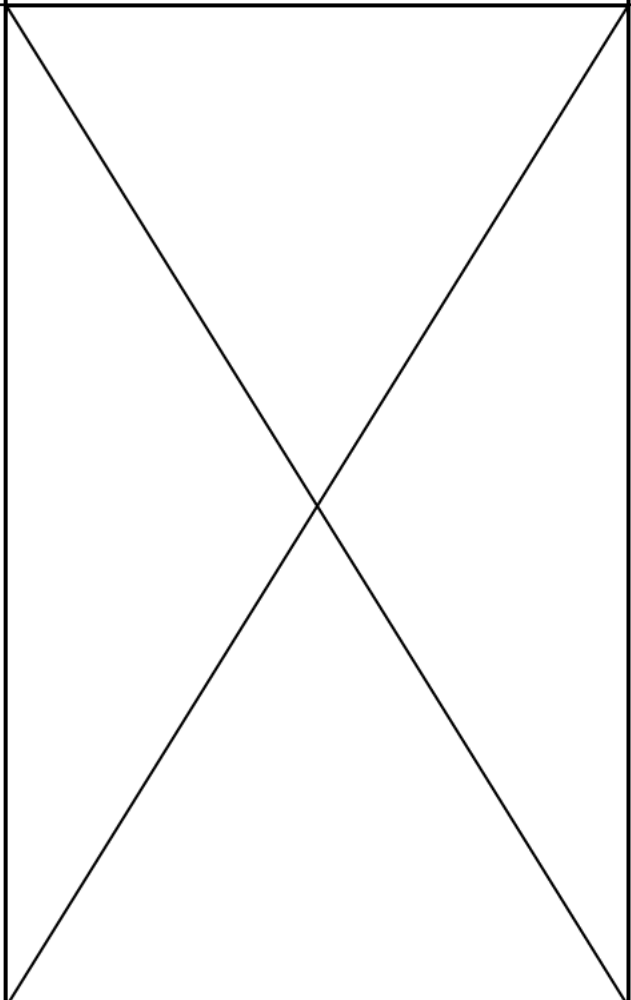
Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and <del>L</del>imitations on national treatment</u>	Additional commitments
	<p>China.</p> <p>A <b>senior manager</b> means a natural person of a Party within an organisation of a Party who:</p> <ul style="list-style-type: none"> <li>i) is a senior employee of that organisation with responsibility for the entire organisation's operations, or a substantial part of it, in Hong Kong, China;</li> <li>ii) has proprietary information of the organisation and receives only general supervision or direction from higher level executives or the board of directors or stockholders of the organisation; and</li> <li>iii) supervises and controls the work of other supervisory, professional or managerial employees in Hong Kong, China. This does not include a first-line supervisor, unless the employees supervised are professional, nor does this include an employee who primarily performs tasks necessary for the provision of the service.</li> </ul>		

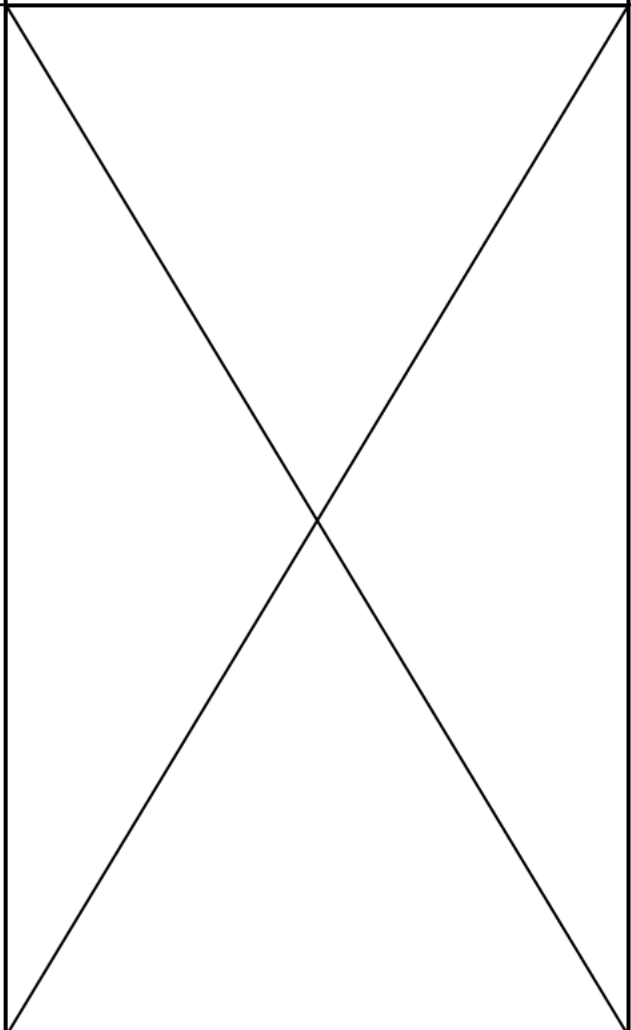
Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and <del>L</del>imitations on national treatment</u>	Additional commitments
	<p>A <b>specialist</b> means a natural person of a Party within an organisation of a Party who possesses knowledge at an advance level of technical expertise, possesses proprietary knowledge of the organisation's service, research equipment, techniques, or management; and who is essential to the operation of the concerned service supplier's establishment in Hong Kong, China.</p> <p>II. <u>Conditions (including duration of stay)</u></p> <p>Natural persons of a Party seeking entry into Hong Kong, China as senior manager or specialist under Hong Kong, China's commitments on intra-corporate transferees shall –</p> <p>i) be employees who have been in the prior employ of the concerned service supplier which sponsors their entry into Hong Kong, China for a period of not less than one year immediately preceding the date of application for admission; and</p> <p>ii) during their stay in Hong Kong, China,</p>		

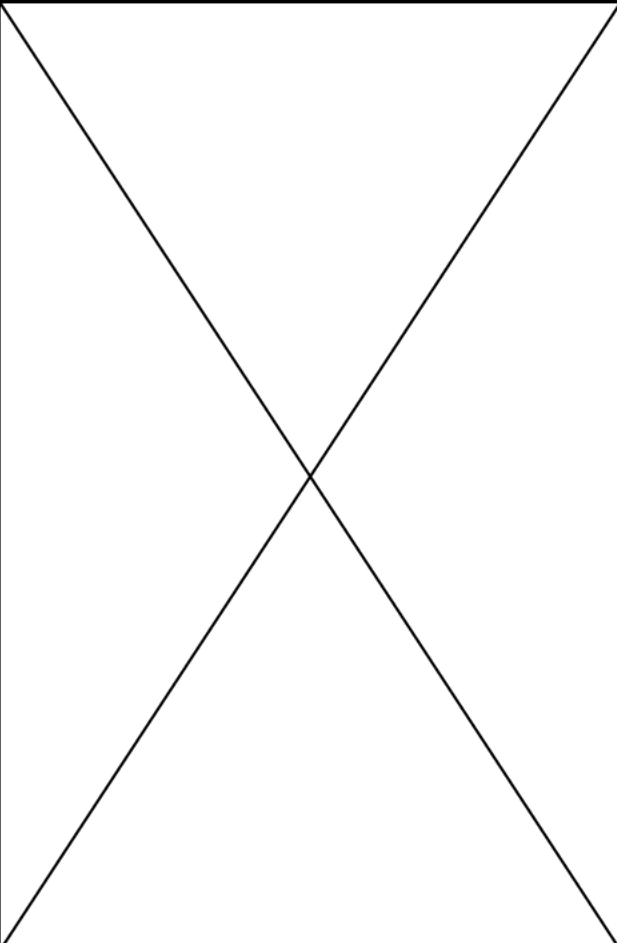
Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and <del>L</del>imitations on national treatment</u>	Additional commitments
	<p>except with the prior approval of the Government of Hong Kong, China, not change employment or employers.</p> <p>The commitments:</p> <ul style="list-style-type: none"> <li>i) shall only apply to the sectors and sub-sectors as set out in <u>Appendix II</u>;</li> <li>ii) shall only apply to natural persons of a Party of service suppliers of a Party which have a bona fide business establishment operating in Hong Kong, China. The number of natural persons who may seek entry under these commitments shall be reasonable having regard to the size and the nature of the business operation of the relevant establishment in Hong Kong, China; and</li> <li>iii) are limited to entry and temporary stay. Temporary stay implies that the appropriate prior authority will have been applied for and obtained before departure for Hong Kong, China. Temporary stay shall be limited to one year in the first instance, which may be</li> </ul>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and <del>L</del>imitations on national treatment</u>	Additional commitments
	<p>extended up to a total of five years.</p> <p>(c) <u>Installers or Servicers</u></p> <p>I. <u>Definition</u></p> <p>An installer or servicer means a natural person of a Party who is an installer or servicer of machinery, equipment or both machinery and equipment, where such installation and/or servicing by the supplying company is a condition of purchase of the said machinery or equipment. An installer or servicer cannot perform services which are not related to the service activity which is the subject of the contract.</p> <p>II. <u>Conditions (including duration of stay)</u></p> <p>The commitments:</p> <p>i) shall only apply to the sectors and sub-sectors as set out in <u>Appendix III</u>; and</p> <p>ii) are limited to entry and temporary stay for a period not exceeding three months</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and <del>L</del>imitations on national treatment</u>	Additional commitments
	<p>in any 12-month period and subject to economic needs tests<sup>2</sup>.</p> <p>(d) Temporary entry granted to a natural person of a Party pursuant to Hong Kong, China's commitments on Business Visitors, Intra-corporate Transferees, and Installers and Servicers does not exempt that person from the requirements needed to carry out a profession or activity according to the domestic law, and any applicable mandatory codes of practice made pursuant to the domestic law, in force in the Area of Hong Kong, China.</p> <p>(e) Hong Kong, China shall grant temporary entry or extension of stay to the extent provided for in the commitments set out in this Schedule to natural persons of a Party, provided that those natural persons:</p> <p>i) follow prescribed application procedures</p>		

<sup>2</sup> Including economic benefits test and labour market test.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and limitations on national treatment</u>	Additional commitments
	for the immigration formality <sup>3</sup> sought; and  ii) meet all relevant eligibility requirements for entry into Hong Kong, China.		
<b>II. SECTOR-SPECIFIC COMMITMENTS</b>			
1. BUSINESS SERVICES			
A. Professional Services			
b. Accounting, auditing and bookkeeping services (CPC 862)	1) None other than that the provision of statutory auditing services is limited to corporate practices and natural persons licensed as certified public accountants (practising), either as sole proprietors or in partnership.  2) None  3) None other than that the provision of	<u>National Treatment</u> <u>Local Presence</u>  - The provision of statutory auditing services is limited to corporate practices and natural persons licensed as certified public accountants (practising), either as sole proprietors or in partnership.	

<sup>3</sup> "Immigration formality" means a visa, permit, pass or other document or electronic authority granting a natural person permission to enter, stay, work or establish commercial presence in the Area of Hong Kong, China.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
	<p>statutory auditing services is limited to corporate practices and natural persons licensed as certified public accountants (practising), either as sole proprietors or in partnership.</p> <p>4) Unbound except as indicated in horizontal section</p>		
c. Taxation services (CPC 863)	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in horizontal section</p>		
d. Architectural services (CPC 8671)	<p>1) None</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in horizontal section</p>	<p><u>National Treatment</u></p> <p><u>Local Presence</u></p> <p>- To be registered as a Registered Architect, a person has to have one year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.</p>	
e. Engineering services (CPC 8672)	<p>1) None</p> <p>2) None</p>	<p><u>National Treatment</u></p> <p><u>Local Presence</u></p>	
f. Integrated engineering services (CPC 8673)	<p>3) None</p> <p>4) Unbound except as indicated in horizontal</p>	<p>- To be registered as a Registered Professional Engineer, a person has to have one</p>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
	section	year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.	
g. Urban planning and landscape architectural services (CPC 8674)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u> <u>Local Presence</u> To be registered as a Registered Professional Planner, a person has to have one year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.  <u>National Treatment</u> <u>Local Presence</u> - To be registered as a Registered Landscape Architect, a person has to have one year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.	
h. Medical and dental services (CPC 9312)	1) Unbound 2) None 3) Unbound 4) Unbound except as indicated in horizontal		



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and limitations on national treatment</u>	Additional commitments
	section		
i. Veterinary services (CPC 932)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
j. Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC 93191)	1) Unbound 2) None 3) Unbound 4) Unbound except as indicated in horizontal section		
B. Computer and Related Services (CPC84)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
<u>C. Research and Development Services (CPC851-853)</u>	<u>1) None</u> <u>2) None</u> <u>3) None</u> <u>4) Unbound except as indicated in horizontal section</u>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
D. Real Estate Services b. On a fee or contract basis: these are limited to the provision, on a fee or contract basis, of management services for residential or commercial buildings which in turn consist of cleaning, maintenance and guarding of such buildings (CPC 822**)	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		
E. Rental/Leasing Services without Operators			
a. Relating to ships (CPC 83103)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u>  - Income derived from international operation of ships registered in the Hong Kong Shipping Register is exempted from Hong Kong's profits tax.	
c. Relating to other transport equipment (excluding services relating to air transport) (CPC 83101-83102)	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
d. Relating to other machinery and equipment (excluding transport equipment) (CPC 83106 – 83109)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
F. Other Business Services			
a. Advertising services (CPC 871)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
b. Market research and public opinion polling services (CPC 864)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
c. Management consulting services (CPC 865)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
d. Services relating to management consulting (CPC 866)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
e. Technical testing and analysis services (CPC 8676)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
f. Services incidental to agriculture, hunting and forestry (CPC 881)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
g. Services incidental to fishing (CPC 882)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u> <u>Local Presence</u> - Fishing vessels must be certificated. To be certificated as a Local Vessel Class III “fishing vessel” plying within the waters of Hong Kong, China, if the owner of the vessel is an individual, the owner shall be an individual who holds a valid Hong Kong Identity Card and who is ordinarily	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
		resident in Hong Kong, China.	
h. Services incidental to mining (CPC 883, 5115)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<del>A holder of a mining title not resident in Hong Kong, China must appoint an attorney resident in Hong Kong, China.</del>	
i. Services incidental to manufacturing (CPC 884 and 885, except for 88442)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u> <u>Local Presence</u> <u>[Local Management and Boards of Directors]</u> - 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 Hong Kong resident holding a valid Hong Kong Identity Card.  <u>National Treatment</u> 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 Hong Kong resident holding a valid Hong Kong Identity Card.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
k. Placement and supply services of personnel (CPC 872)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
l. Investigation and <del>s</del> Security <del>s</del> Services - Investigation services (CPC 87301)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Security services (CPC 87302 – 87305)	1) None 2) None 3) None other than that service supplier may only provide the service in the form of a company <sup>4</sup> <u>incorporated in Hong Kong, China under the Companies Ordinance.</u> 4) Unbound except as indicated in horizontal section		

<sup>4</sup> ~~“Company” means broadly a company incorporated in Hong Kong, China under the Companies Ordinance (Cap. 32), or a company incorporated outside Hong Kong, China which establishes a place of business and registered as such in Hong Kong, China under the Companies Ordinance (Cap. 32).~~

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
m. Related scientific and technical consulting services (CPC 8675)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<p><u>National Treatment</u></p> <p>Certain statutory land boundary survey services are required to be carried out by Authorised Land Surveyors registered under the Land Survey Ordinance (Cap. 473). To be qualified for registration as an Authorised Land Surveyor, a person has to attain one year's local land boundary survey experience in Hong Kong, China.</p> <p><u>National Treatment</u></p> <p><u>Local Presence</u></p> <p>- To be registered as a Registered Professional Surveyor under the Surveyors Registration Ordinance (Cap. 417), a person has to have one year's relevant experience in Hong Kong, China before the date of his application for registration; and to be ordinarily resident in Hong Kong, China.</p>	
n. Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633 and 8861-8866)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
o. Building cleaning services (CPC 874)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
p. Photographic services (CPC 875)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
q. Packaging services (CPC 876)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
r. Printing, publishing services (CPC 88442)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
s. Convention services including exhibition	1) None 2) None		



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
management services which are limited to activities relating to planning, organising, managing and marketing services for exhibitions, conventions and similar events (CPC 87909*)	3) None 4) Unbound except as indicated in horizontal section		
t. Other			
- Credit reporting services (CPC 87901)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Collection agency services (CPC 87902)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Telephone answering services (CPC 87903)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
- Duplicating services (CPC 87904)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Translation and interpretation services (CPC 87905)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Mailing list compilation and mailing services (CPC 87906)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Specialty design services (CPC 87907)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
- Other business services not elsewhere classified (CPC 87909)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
2. COMMUNICATION SERVICES			
B. Courier Services: these are limited to the provision of services on a fee or contract basis for the delivery of documents and parcels, but excluding services reserved to the Post Office under the Post Office Ordinance (Cap. 98) (CPC 7512**)	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		
C. Telecommunication Services	The commitments made by Hong Kong, China shall not prevent it from adopting or maintaining non-discriminatory measures which restrict or require specific types of legal entity through which a service supplier may supply a service, <del>to achieve a legitimate policy objective.</del>		
a. Voice telephone services (CPC 7521) b. Packet-switched data transmission services (CPC 7523**)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
c. Circuit-switched data transmission services (CPC 7523**) d. Telex services (CPC 7523**) e. Telegraph services (CPC 7522) f. Facsimile services (CPC 7521**+7529**) g. Private leased circuit services (CPC 7522**+7523**) h. Electronic mail (CPC 7523**) i. Voice mail (CPC 7523**) j. On-line information and data base retrieval (CPC 7523**) k. Electronic data interchange (EDI) (CPC 7523**) l. Enhanced/value-added facsimile services, including store and forward, store and retrieve (CPC 7523**) m. Code and protocol conversion n. On-line information and/or	section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
data processing (including transaction processing) (CPC 843**) o. Other			
D. Audiovisual Services			
a. Motion picture and video tape production and distribution services (CPC 9611)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
b. Motion picture projection services (CPC 9612)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
e. Sound recording	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
E. Other	1) None 2) None		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
	3) None 4) Unbound except as indicated in horizontal section		
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES <sup>5</sup>			
B. General Construction Work for Civil Engineering (CPC 513)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u> <u>Local Presence</u> (i) Non-exempted construction and building works shall be carried out by statutory building agents, including Authorised Persons (AP), Registered Structural Engineers (RSE), Registered Geotechnical Engineers (RGE), Registered Contractors (RC) and Technically Competent Persons (TCP); and that:  - to register as an AP, RSE or RGE, a person shall be a Registered Architect (RA), Registered Professional Engineer (RPE) in the relevant disciplines or Registered Professional Surveyor (RPS) and have one year's relevant professional experience in Hong Kong, China. To register as a RA or RPE in the relevant	

<sup>5</sup> Excluding railway construction and project implementation.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
		<p>disciplines or RPS, a person shall be ordinarily resident in Hong Kong, China;</p> <ul style="list-style-type: none"> <li>- to register as a RC, which can be a corporation and include Registered General Building Contractors (RGBCs), Registered Specialist Contractors and Registered Minor Works Contractors (RMWCs), the key personnel of the applicant shall possess adequate working experience, some of which has to be gained in Hong Kong, China; and</li> <li>- to be qualified as a TCP, a person shall possess site experience in Hong Kong, China; and</li> </ul> <p>(ii) Prescribed inspection of buildings shall be carried out by Registered Inspectors (RIs), while prescribed repair to buildings shall be carried out by RGBCs or RMWCs registered for carrying out minor works items that are relevant to the repair works; and that:</p> <ul style="list-style-type: none"> <li>- to register as an RI, a person shall be an AP, RSE, RA, RPE in the relevant disciplines or RPS in the relevant divisions and shall possess adequate relevant working experience, some of</li> </ul>	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
		<p>which has to be gained in Hong Kong, China; and</p> <p>(iii) Prescribed inspection of windows shall be carried out by Qualified Persons (QPs), while prescribed repair to windows shall be carried out by RGBCs or RMWCs registered for carrying out minor works items that are relevant to windows.</p> <ul style="list-style-type: none"> <li>- to be qualified as a QP, a person shall be an AP, RSE, RI, RGBC or RMWC registered for carrying out minor works items that are relevant to windows.</li> </ul>	
<p>D. Building Completion and Finishing Work</p> <p>Interior design services: these are limited to specialised consulting services related to the post-construction design and fitting out of interior living and working spaces (CPC 517**)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in horizontal section</p>		
<p>E. Other</p> <p>Project management services: these are limited to the supervision and coordination</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p>		



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
of construction projects but do not cover engineering or architectural services	4) Unbound except as indicated in horizontal section		
4. DISTRIBUTION SERVICES			
A. Commission Agents' Services (CPC 621)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
B. Wholesale Trade Services (CPC 622)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
C. Retailing Services (CPC 631, 632, 6111, 6113 and 6121)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
D. Franchising (CPC 8929)	1) None 2) None		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and limitations on national treatment</u>	Additional commitments
	3) None 4) Unbound except as indicated in horizontal section		
E. Other	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
5. EDUCATIONAL SERVICES			

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
<p>A. Primary Education Services (CPC 921)</p> <p>B. Secondary Education Services (CPC 922)</p>	<p>1) None</p> <p>2) None</p> <p>3) None, except that an operator of international schools which offers non-local curriculum is subject to the administrative requirements which include proving the established demand for such non-local curriculum in the community<sup>6</sup>.</p> <p>4) Unbound except as indicated in horizontal section</p>	<p><u>National Treatment</u></p> <p>—Schools registered under the Education Ordinance (Cap. 279), whether private or public, are required to be managed by managers. Section 30(1)(a) of Cap. 279 provides that the Permanent Secretary for Education may refuse to register an applicant as manager of a school if it appears to him that the applicant is not resident in Hong Kong, China for at least nine months in each year.</p>	
<p><u>C. Higher education services (CPC 923)</u></p> <p><u>D. Adult education(CPC 924)</u></p>	<p><u>1) None</u></p> <p><u>2) None</u></p> <p><u>3) Unbound</u></p> <p><u>4) Unbound except as indicated in Horizontal Commitments</u></p>	<p><u>National Treatment</u></p> <p><u>Local Presence</u></p> <p><u>A person who provides non-local courses which are regulated courses is subject, <i>inter alia</i>, to the following measures under the Non-local Higher and Professional Education (Regulation) Ordinance (Cap. 493): an application for registration of a regulated course requires, <i>inter alia</i>, the undertaking of a person who states that he undertakes to perform, in relation to the course, the functions imposed on a designated person by Cap.</u></p>	

<sup>6</sup> International schools are schools which follow a non-local curriculum and whose students do not sit local examinations. It generally refers to those schools offering full non-local curricula designed primarily for non-Chinese speaking students and foreign nationals.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
		<u>493. Such person shall be ordinarily resident in Hong Kong, China and the holder of a Hong Kong Identity Card<sup>7</sup>.</u>	
<u>E. Other Education Services (CPC 929)</u>	<u>1) None</u> <u>2) None</u> <u>3) Unbound</u> <u>4) Unbound except as indicated in horizontal section</u>		
6. ENVIRONMENTAL SERVICES			
A. Sewage Services (CPC 9401)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
B. Refuse Disposal Services (CPC 9402)			
C. Sanitation and Similar Services (CPC 9403)			
D. Other - Cleaning services of exhaust gas (CPC 9404) - Noise abatement services			

<sup>7</sup> For these purposes:

- (i) the term “non-local courses” means courses purporting to lead to the award of a non-local qualification; and
- (ii) the term “regulated course” bears the meaning given to it in Cap. 493.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
(CPC 9405) - Nature and landscape protection services (CPC 9406) - Other environmental protection services not elsewhere classified (CPC 9409)			
7. FINANCIAL SERVICES	<p>The commitments made with respect to Mode 1 (cross-border supply) and Mode 2 (consumption abroad) supply of financial services inscribed in this section of the Schedule do not signify a commitment to allow a service supplier from the area of other Parties to solicit business or to conduct marketing in Hong Kong, China.</p> <p>With respect to items 7B(vi), (viii), (x), (xi), (xiii) and (xvi) inscribed in this section of the Schedule, commitments made by Hong Kong, China shall not prevent it from adopting or maintaining non-discriminatory measures which restrict or require specific types of legal entity through which a service supplier may supply a service, <del>to achieve a legitimate policy objective.</del></p> <p>There is a statutory monopoly on the operation of a stock market in Hong Kong, China.</p>		
A. Insurance and Insurance-related Services			
i. Direct insurance (including co-insurance): (A) life (B) non-life	1) None other than that statutory insurances must be purchased from an insurer authorised in Hong Kong, China. <del>2</del>  2) None other than that statutory insurances must be purchased from an insurer authorised in Hong Kong, China. <del>2</del>	<u>National Treatment</u> <u>Local Presence</u> <u>[Local Management and Boards of Directors]</u> - The chief executive appointed by the authorised insurer shall normally reside in Hong Kong, China.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
	<p>3) None other than that only an incorporated company authorised by the Insurance Authority (IA) or an association of underwriters approved by the IA is permitted to carry on insurance business. In the case of the former, commercial presence must take the form of a subsidiary or branch. Insurance business shall not be carried out through a representative office<sup>8</sup>.</p> <p>4) Unbound except as indicated in horizontal section</p>		
ii. Reinsurance and retrocession	<p>1) None, provided that the insurance company is a company incorporated outside Hong Kong, China and has no agent nor place of business in Hong Kong, China.</p> <p>2) None</p> <p>3) None other than that only an incorporated company authorised by the Insurance Authority (IA) or an association of</p>	<p><u>National Treatment</u></p> <p><u>Local Presence</u></p> <p><u>[Local Management and Boards of Directors]</u></p> <p>- The chief executive appointed by the authorised insurer shall normally reside in Hong Kong, China.</p>	

<sup>8</sup> A representative office is considered a promotion (for non-business purpose only) and liaison office and can only serve some auxiliary functions such as conduct market research, collect business statistics and establish contacts with prospective customers and partners. It cannot conduct any profit generating business activities.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
	<p>underwriters approved by the IA is permitted to carry on insurance business. In the case of the former, commercial presence must take the form of a subsidiary or branch. Insurance business shall not be carried out through a representative office<sup>9</sup>.</p> <p>4) Unbound except as indicated in horizontal section</p>		
<p>iii. Insurance intermediation, such as brokerage and agency</p> <p>iv. Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services</p>	<p>1) None other than claims settlement services, except for settlement of claims under contracts of goods in transit insurance entered into wholly outside Hong Kong, China in respect of goods consigned to Hong Kong, China</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in horizontal section</p>		

<sup>9</sup> A representative office is considered a promotion (for non-business purpose only) and liaison office and can only serve some auxiliary functions such as conduct market research, collect business statistics and establish contacts with prospective customers and partners. It cannot conduct any profit generating business activities.

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
B. Banking and Other Financial Services (excluding insurance)			
v. Acceptance of deposits and other repayable funds from the public	1) Unbound 2) None 3) None other than that : (a) all authorised institutions (i.e. licensed banks, restricted licence banks and deposit-taking companies) shall maintain a physical presence in Hong Kong, China ; (b) in the case of an overseas bank seeking to establish a locally incorporated full licensed bank, the bank must : (i) have maintained a locally incorporated restricted licence bank or deposit taking company (or any combination thereof) in Hong Kong, China for at least three continuous years before they can apply for approval from the Hong Kong Monetary Authority (HKMA) for upgrading to a full licensed banks; or	<u>National Treatment</u> <u>Local Presence</u> <u>[Local Management and Boards of Directors]</u> <hr/> All authorised institutions (local or overseas) must appoint a chief executive and not less than one alternative chief executive, each of whom shall be an individual and ordinarily resident in Hong Kong, China.	



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
	<p>(ii) have maintained a branch in Hong Kong, China for not less than three continuous years before they can apply for approval from HKMA to subsidarise the operation of the branch by transferring the branch operation to a locally incorporated company; and</p> <p>(c) in the case of an overseas bank seeking to establish a representative office in Hong Kong, China, such offices are prohibited from taking deposits and undertaking banking business in general.</p> <p>4) Unbound except as indicated in horizontal section</p>		
vi. Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction	<p>1) Unbound</p> <p>2) None</p> <p>3) None</p> <p>4) Unbound except as indicated in horizontal section</p>		
vii. Financial leasing	<p>1) None</p> <p>2) None</p> <p>3) None</p>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
	4) Unbound except as indicated in horizontal section		
viii. All payment and money transmission services	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u> <u>Local Presence</u> <u>[Local Management and Boards of Directors]</u> — All licensees to operate stored value facilities must appoint a chief executive and not less than one alternative chief executive each of whom shall be an individual who is ordinarily resident in Hong Kong, China.	
ix. Guarantees and commitments	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
x. Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following: (A) money market instruments (including cheques, bills, certificates of deposits)	1) Unbound 2) None 3) None. 4) Unbound except as indicated in horizontal section		

Modes of supply:      1) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and <del>L</del>imitations on national treatment</u>	Additional commitments
(B) foreign exchange (C) derivative products including, but not limited to, futures and options (D) exchange rate and interest rate instruments, including products such as swaps, forward rate agreements (E) transferable securities			
xi. Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		
xii. <u>Money broking</u>	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
xiii. Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		
xv. Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
xvi. Advisory and other auxiliary financial services on all the activities listed in subparagraphs (a)(v) to (xv) of [Article X.2 of Annex [X] on Financial Services of the Agreement], including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy	1) None other than commodity trading and investment advisory services 2) None 3) None 4) Unbound except as indicated in horizontal section		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
All financial services not specified above	1) Unbound 2) Unbound 3) Unbound 4) Unbound		
8. HEALTH RELATED AND SOCIAL SERVICES			
A. Hospital Services (CPC 93110)	1) Unbound 2) None		
B. Other Human Health Services not elsewhere classified (CPC 93199)	3) Unbound 4) Unbound except as indicated in horizontal section		
9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotels and Restaurants (including catering) - Hotel services (CPC 6411)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
- Other lodging services (CPC 64191, 64192, 64194 and 64195)	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
	section		
- Restaurant and catering services (CPC 642 and 643)	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		
B. Travel Agencies and Tour Operator Services  Travel agencies and tour operator services: these are limited to the business of obtaining for clients carriage and/or accommodation outside Hong Kong, China and the provision of related services such as the furnishing of travel information, advice and planning (CPC 7471**)	1) None 2) None 3) None other than that only a company may operate tours and open branch offices <sup>10</sup> 4) Unbound except as indicated in horizontal section		
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual			

<sup>10</sup> “Company” means broadly a company incorporated in Hong Kong, China under the Companies Ordinance (Cap. 32), or a company incorporated outside Hong Kong, China which establishes a place of business and registered as such in Hong Kong, China under the Companies Ordinance (Cap. 32).

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
services)			
A. Entertainment Services (CPC 9619 except 96192, 96194, 96199)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
C. Libraries, Archives, Museums and Other Cultural Services  Library and archives services (CPC 9631)	1) Unbound 2) None 3) None 4) Unbound except as indicated in horizontal section		
D. Sporting and Other Recreational Services (excluding gambling and betting services) (CPC 964**)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
11. TRANSPORT SERVICES			
A. Maritime Transport Services			

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
International transport (excluding cabotage <sup>11</sup> transport) (CPC 7211 and 7212)	1) None 2) None 3) None <sup>12</sup> 4) Unbound except as indicated in horizontal section	<u>National Treatment</u>  Income derived from international operation of ships registered in the Hong Kong Shipping Register is exempted from Hong Kong's profits tax.	Where the following services are not otherwise covered by the obligation enshrined in [Article I-2(c)(ii)], they will be made available to international transport service suppliers on reasonable and non-discriminatory terms and conditions: pilotage; anchorage, berth and berthing

<sup>11</sup> "Cabotage" is assumed to cover transportation of passengers or goods between a point in Hong Kong, China and another point in Hong Kong, China, as well as traffic originating and terminating in the same point in Hong Kong, China, provided that this traffic remains within the waters of Hong Kong, China.

<sup>12</sup> "Commercial presence for the supply of international maritime transport services" means the ability for international maritime transport service supplier of the other Party to undertake locally all activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which the maritime transport constitutes a substantial element.

These activities include, but are not limited to:

- (a) marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service supplier with which the service seller has established standing business arrangements;
- (b) the acquisition, on their own account or on behalf of their customers (and the resale to their customers) of any transport and related services, including inward transport services by any mode, particularly inland waterways, road and rail, necessary for the supply of the integrated service;
- (c) the preparation of documentation concerning transport documents, customs documents, or other documents related to the origin and character of the goods transported;
- (d) the provision of business information by any means, including computerised information systems and electronic data interchange (subject to the provisions of GATS Annex on Telecommunications);
- (e) the setting up of any business arrangements (including participation in the stock of a company) and the appointment of personnel recruited locally with any locally established shipping agency; and
- (f) acting on behalf of the companies, organising the call of the ship or taking over cargoes when required.



Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
			services; towing and tug assistance; provisioning, fuelling and watering; garbage collecting and ballast waste disposal; port captain's services; navigation aids; shore-based operational services essential to ship operation, including communications, water and electrical supplies; and emergency repair facilities.
<u>Maritime Auxiliary Services</u>			
Rental of vessels with crew (CPC 7213)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u>  Income derived from international operation of ships registered in the Hong Kong Shipping Register is exempted from Hong Kong's profits tax.	
Maintenance and repair of vessels: these are limited to businesses related to maintenance and repair of ocean going vessels at anchor or alongside and maintenance	1) None 2) None 3) None 4) Unbound except as indicated in horizontal		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and limitations on national treatment</u>	Additional commitments
and repair of local vessels (CPC 8868**)	section		
Maritime freight forwarding services (as defined in Annex [X] on Maritime Transport Services)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
Preshipment inspection services: these are limited to services performed on a fee or contract basis involved in the verification of quality, quantity, price (including currency, exchange rate and financial terms), and/or the customs classification of goods to be exported. Customs or quarantine inspection is not included	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
C. Air Transport Services			
Selling and marketing of air transport services (as defined in Annex [X] of Air Transport Services)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and limitations on national treatment</u>	Additional commitments
	section		
Computer reservation system services (as defined in Annex [X] of Air Transport Services)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
F. Road Transport Services			
b. Freight transportation (CPC 7123)	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
<u>G. Pipeline Transport</u>			
<u>a. Transportation of fuels (CPC 7131)</u>	<u>1) None</u> <u>2) None</u>		
<u>b. Transportation of other goods (CPC 7139)</u>	<u>3) None</u> <u>4) Unbound except as indicated in horizontal section</u>		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
H. Services Auxiliary to All Modes of Transport			
a. Cargo-handling services (except those of rail and air) (CPC 741**) including maritime cargo handling services as defined in Annex [X] on Maritime Transport Services	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		
b. Storage and warehousing services (except those of rail and air) (CPC 742**) including distribution centre services and materials handling and equipment services such as container station and depot services as defined in Annex [X] on Maritime Transport Services	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section	<u>National Treatment</u> <u>Local Presence</u> <u>[Local Management and Boards of Directors]</u> 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 person to be held responsible for the running and management of the premises concerned; and the responsible person has to be a Hong Kong resident holding a valid Hong Kong Identity Card.	
c. Freight transport agency services (CPC 748) including customs clearance services and maritime agency services as defined in Annex [X] on	1) None 2) None 3) None		

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or subsector	Limitations on market access	<u>Localisation requirements<sup>1</sup> and Limitations on national treatment</u>	Additional commitments
Maritime Transport Services	4) Unbound except as indicated in horizontal section		
d. Other auxiliary services (CPC 749) including through-chain logistics services, reverse logistics, container leasing and rental services	1) None 2) None 3) None 4) Unbound except as indicated in horizontal section		

The (\*) indicates that the service specified is a component of a more aggregated CPC item specified elsewhere in MTN.GNS/W/120.

The (\*\*) indicates that the service specified constitutes only a part of the total range of activities covered by the CPC concordance.

## Appendix I

### I-HKC-1

**Sector**

All Sectors

**Industry Classification**

**Obligations Concerned**

National Treatment

Local Presence

Local Management and Boards of Directors

Local Content and Other Performance Requirements

**Description**

Hong Kong, China reserves the right to adopt or maintain any measure with respect to:

- the provision of public law enforcement, ambulance services, correctional services and firefighting services
- the following, to the extent that they are social services established for a public purpose:
  - health;
  - education;
  - housing;
  - training;
  - transport;
  - public utilities;
  - social security; and
  - social welfare.

## **I-HKC-2**

**Sector** All Sectors

### **Industry Classification**

#### **Obligations Concerned**

National Treatment

Local Presence

Local Management and Boards of Directors

Local Content and Other Performance Requirements

#### **Description**

With respect to subsidies, including government-supported loans, guarantees and insurance, or to any conditions attached to the receipt or continued receipt of such subsidies, whether or not such subsidies are offered exclusively to domestic services, service consumers or service suppliers, Hong Kong, China reserves the right to adopt or maintain any measure that is not inconsistent with Hong Kong, China's obligations under GATS.

### **L-HKC-3**

**Sector** All Sectors

#### **Industry Classification**

#### **Obligations Concerned**

National Treatment

Local Presence

Local Management and Boards of Directors

Local Content and Other Performance Requirements

#### **Description**

Hong Kong, China reserves the right to adopt or maintain any measure with respect to the presence-entry and temporary stay of natural persons, except as specified in the market access column.



## **I-HKC-4**

<b>Sector</b>	Business Services Professional Services
<b>Industry Classification</b>	CPC 861      Legal  CPC 9312      Medical and Dental Services  CPC 93191      Services provided by Midwives, Nurses, Physiotherapists and Para-medical Personnel  Other Professional Services*

<b><u>Obligations Concerned</u></b>	<u>National Treatment</u> <u>Local Presence</u> <u>Local Management and Boards of Directors</u> <u>Local Content and Other Performance Requirements</u>
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<b>Description</b>	<p>Hong Kong, China reserves the right to adopt or maintain any measure with respect to the services as set out above, except for:</p> <p>(a) Mode 2 in respect of medical and dental services (CPC 9312); and</p> <p>(b) Mode 2 in respect of services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC 93191).</p>
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- \* This refers to the services covered by item k. of sub-sector “A. Professional Services” under the Sector “Business Services” of MTN.GNS/W/120, including intellectual property agency services that involve acting for or representing clients in procedures or proceedings in relation to patents, trade marks or registered designs before the Registrar of Patents, Registrar of Trade Marks and Registrar of Designs respectively.

## **I HKC 5**

<b>Sector</b>	<del>Business Services</del>
	<del>Research and Development Services</del>
<b>Industry Classification</b>	<del>CPC 851-853 Research and Development Services</del>
<b>Description</b>	<del>Hong Kong, China reserves the right to adopt or maintain any measure with respect to research and development services.</del>

**L-HKC-65**

<b>Sector</b>	Business Services Real Estate Services
<b>Industry Classification</b>	CPC 821-822 Real Estate Services
<b><u>Obligations Concerned</u></b>	<u>National Treatment</u> <u>Local Presence</u> <u>Local Management and Boards of Directors</u> <u>Local Content and Other Performance Requirements</u>
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to real estate services, except Mode 3 of real estate services which are limited to the provision, on a fee or contract basis, of management services for residential or commercial buildings which in turn consist of cleaning, maintenance and guarding of such buildings.

**L-HKC-67**

**Sector** Business Services  
Rental/Leasing Services without Operators (except relating to ships)

**Industry Classification**

CPC 83104	Rental/Leasing Services without Operators relating to Aircraft
CPC 83101, 83102 & 83105	Rental/Leasing Services without Operators relating to other Transport Equipment
CPC 832	Other Rental/Leasing Services without Operator

**Obligations Concerned**

[National Treatment](#)  
[Local Presence](#)  
[Local Management and Boards of Directors](#)  
[Local Content and Other Performance Requirements](#)

**Description**

Hong Kong, China reserves the right to adopt or maintain any measure with respect to:

1. rental/leasing services without operators relating to aircraft (CPC 83104) and other land transport equipment (CPC 83105);
2. rental/leasing services without operators concerning private cars (CPC 83101) and goods transport vehicles (CPC 83102) (except for Mode 3);
3. other rental/leasing services without operators (CPC 832); and
4. rental/leasing services without operators relating to air transport.

**L-HKC-78****Sector**

Energy

~~Business Services~~ Incidental to Energy Distribution

Manufacturing

Distribution Services

Storage and Warehouse Services

**Industry Classification****Obligations Concerned**National TreatmentLocal PresenceLocal Management and Boards of DirectorsLocal Content and Other Performance Requirements**Description**

Hong Kong, China reserves the right to adopt or maintain any measure with respect to ~~energy services~~ electricity market.

~~Activities in the energy services include the importation, generation or manufacture, transmission, distribution, storage, supply, sale and use of energy.~~

**L-HKC-89**

**Sector** Communication Services  
Postal Services

**Industry Classification** CPC 7511 Postal Services

**Obligations Concerned** [National Treatment](#)  
[Local Presence](#)  
[Local Management and Boards of Directors](#)  
[Local Content and Other Performance Requirements](#)

**Description** Hong Kong, China reserves the right to adopt or maintain any measure with respect to postal services.

**L-HKC-910**

**Sector** Communication Services  
Courier Services

**Industry Classification** CPC 7512 Courier Services

**Obligations Concerned** [National Treatment](#)  
[Local Presence](#)  
[Local Management and Boards of Directors](#)  
[Local Content and Other Performance Requirements](#)

**Description** Hong Kong, China reserves the right to adopt or maintain any measure with respect to courier services, except for Mode 3 (limited to the provision of services on a fee or contract basis for the delivery of documents and parcels, but excluding services reserved to the Post Office under the Post Office Ordinance (Cap. 98)).

**L-HKC-101**

<b>Sector</b>	Communication Services Audiovisual Services
<b>Industry Classification</b>	CPC 9613      Radio and Television Services CPC 7524      Radio and Television Transmission Services Other Audiovisual Services*
<b><u>Obligations Concerned</u></b>	<u>National Treatment</u> <u>Local Presence</u> <u>Local Management and Boards of Directors</u> <u>Local Content and Other Performance Requirements</u>
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to the services set out above.

\* This refers to the services covered by item f. of sub-sector “D. Audiovisual services” under the sector “Communication Services” of MTN.GNS/W/120.



## **I-HKC-112**

**Sector** Construction and Related Engineering Services <sup>13</sup>

### **Industry Classification**

**Obligations Concerned** National Treatment  
Local Presence  
Local Management and Boards of Directors  
Local Content and Other Performance Requirements

**Description** Hong Kong, China reserves the right to adopt or maintain any measure with respect to construction and related engineering services, except for:

- (a) general construction work for civil engineering (CPC 513);
- (b) building completion and finishing work – interior design services: limited to specialised consulting services related to the post-construction design and fitting out of interior living and working spaces (CPC 517\*\*) (other than Mode 1); and
- (c) other – project management services: limited to the supervision and coordination of construction projects but do not cover engineering or architectural services (other than Mode 1).

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<sup>13</sup> For railway construction and project implementation services, please refer to I-HKC-~~[204]~~.

**I-HKC-123**

**Sector** Educational Services

**Industry Classification** CPC 923 Higher Education Services

CPC 924 Adult Education Services

CPC 929 Other Education Services

**Obligations Concerned** [National Treatment](#)  
[Local Presence](#)  
[Local Management and Boards of Directors](#)  
[Local Content and Other Performance Requirements](#)

**Description** Hong Kong, China reserves the right to adopt or maintain any measure with respect to [Mode 3 supply of](#) the services set out above.

**Sector**

Financial Services

**Industry Classification**

**Obligations Concerned**

National Treatment

Local Presence

Local Management and Boards of Directors

Local Content and Other Performance Requirements

**Description**

For all Financial Services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement], Hong Kong, China reserves the right to adopt or maintain

a. 1) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (b)(i) to (iv) of Article X.3 of Annex [X] on Financial Services of the Agreement;

b. 2) Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (c)(i) and subparagraphs (a)(v) to (ix) and (xii) of Article X.2 as referred to in subparagraph 1 (c)(ii) of Article X.3 of Annex [X] on Financial Services of the Agreement; and

c. 1) 2) Any measure with respect to statutory insurance services under subparagraph (a)(i) of Article X.2 of Annex [X] on Financial Services of the Agreement;

d. 1) 2) Any measure with respect to solicitation of business or conducting of marketing in Hong Kong, China with respect to financial services referred to in subparagraphs (a)(i) to (iv) of Article X.2 of Annex [X] on Financial Services of the Agreement;

e. 3) Any measure with respect to all financial services except for the financial services referred to in subparagraphs (a)(i) to (a)(x)(A)-(E), (a)(xi) to (a)(xiii), (a)(xv), and (a)(xvi) (excluding intermediation services) of Article X.2 of Annex [X] on Financial Services of the Agreement.

For the Financial Services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement [short list] , Hong Kong, China reserves the right to adopt

1), 2) Any amendment to a measure that does not increase the inconsistency of that measure with the treatment provided for in Article I-4 (National Treatment) as it existed on the date of entry

into force of this Agreement.

~~For Mode 1 and Mode 2,~~

- ~~— Hong Kong, China reserves the right to adopt or maintain any measures with respect to all financial services as referred to in Article X.2 of Annex [X] on Financial Services of the Agreement other than the financial services referred to in subparagraphs 1(b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement except for:~~
- ~~— the financial services referred to in subparagraphs (a)(v) to (xvi) of Article X.2 of Annex [X] on Financial Services of the Agreement supplied through Mode 1;~~
- ~~— the financial services referred to in subparagraphs (a)(x), (xi), (xiii) to (xvi) of Article X.2 of Annex [X] on Financial Services of the Agreement supplied through Mode 2;~~
- ~~— statutory insurance services under subparagraph (a)(i) of Article X.2 of Annex [X] on Financial Services of the Agreement;~~
- ~~- — solicitation of business or conducting of marketing in Hong Kong, China with respect to financial services referred to in subparagraphs (a)(i) to (iv) of Article X.2 of Annex [X] on Financial Services of the Agreement.~~
- ~~- Paragraph 3 of Article II 2 of the Agreement shall not apply to financial services referred to in subparagraphs 1(b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement.~~

~~For Mode 3,~~

~~Hong Kong, China reserves the right to adopt or maintain any measures with respect to all financial services except for the financial services referred to in subparagraphs (a)(i) to (a)(x)(A)-(E), (a)(xi) to (a)(xiii), (a)(xv), and (a)(xvi) (excluding intermediation services) of Article X.2 of Annex [X] on Financial Services of the Agreement.~~

<del>Hong Kong, China reserves the right to modify, withdraw, make technical changes, and rectify any errors in this reservation list, including any adjustment necessitated from the deliberations on the FS Annex particularly the commitments anticipated under the current</del>
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~~draft text/proposal for Article X.4.~~

**I-HKC-145**

**Sector** Health Related and Social Services

**Industry Classification****Obligations Concerned**

National Treatment

Local Presence

Local Management and Boards of Directors

Local Content and Other Performance Requirements

**Description**

Hong Kong, China reserves the right to adopt or maintain any measure with respect to health related and social services, except for:

- (a) Mode 2 in respect of hospital services (CPC 93110); and
- (b) Mode 2 in respect of other human health services not elsewhere classified (CPC 93199).

**I-HKC-156**

**Sector** Tourism and Travel Related Services

**Industry Classification****Obligations Concerned**

National Treatment

Local Presence

Local Management and Boards of Directors

Local Content and Other Performance Requirements

**Description**

Hong Kong, China reserves the right to adopt or maintain any measure with respect to tourism and travel related services, except for:

- (a) hotel services (CPC 6411);
- (b) other lodging services (limited to CPC 64191, CPC 64192, CPC 64194 and CPC 64195 only) (other than Modes 1 and 2);
- (c) restaurant and catering services (CPC 642 and CPC 643) (other than Modes 1 and 2); and
- (d) travel agencies and tour operator services (limited to the business of obtaining for clients carriage and/or accommodation outside Hong Kong, China and the provision of related services such as the furnishing of travel information, advice and planning (CPC 7471\*\*)).

**I-HKC-167**

**Sector** Recreational, Cultural and Sporting Services (other than audiovisual services)

**Industry Classification****Obligations Concerned**

National Treatment

Local Presence

Local Management and Boards of Directors

Local Content and Other Performance Requirements

**Description**

Hong Kong, China reserves the right to adopt or maintain any measure with respect to recreational, cultural and sporting services, except for:

- (a) entertainment services (CPC 9619) (other than services provided by authors, composers, sculptors, entertainers and other individual artists (CPC 96192), circus, amusement park and similar attraction services (CPC 96194) and other entertainment services n.e.c. (CPC 96199)); and
- (b) library and archives services (CPC 9631) (other than Modes 1 and 2).



**I-HKC-178**

**Sector** Transport Services  
Maritime Transport Services

**Industry Classification**

**Obligations Concerned** National Treatment  
Local Presence  
Local Management and Boards of Directors  
Local Content and Other Performance Requirements

**Description** Hong Kong, China reserves the right to adopt or maintain any measure with respect to:

- (a) cabotage<sup>14</sup> transport; and
- (b) provision of certain port services (pilotage; anchorage, berth and berthing services; towing and tug assistance; provisioning, fuelling and watering; garbage collecting and ballast waste disposal; port captain's services; navigation aids; shore-based operational services essential to ship operation, including communications, water and electrical supplies; and emergency repair facilities). However, no measures shall be applied which deny international maritime transport service suppliers reasonable and non-discriminatory access to the above port services.

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<sup>14</sup> "Cabotage" covers transportation of passengers or goods between a point in Hong Kong, China and another point in Hong Kong, China, as well as traffic originating and terminating in the same point in Hong Kong, China provided that this traffic remains within the waters of Hong Kong, China.

**L-HKC-189**

<b>Sector</b>	Transport Services
	- Internal Waterways Transport
	- Space Transport
	<del>- Pipeline Transport</del>
	- Other Transport Services*

**Industry Classification**

<b><u>Obligations Concerned</u></b>	<u>National Treatment</u>
	<u>Local Presence</u>
	<u>Local Management and Boards of Directors</u>
	<u>Local Content and Other Performance Requirements</u>

<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to the services as set out above.
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\* This refers to the services covered by sub-sector “I. Other Transport Services” under the sector “Transport Services” of MTN.GNS/W/120.

**L-HKC-1920****Sector**

Transport Services

Air Transport Services or Related Services in Support of Air Services

**Industry Classification****Obligations Concerned**

National Treatment

Local Presence

Local Management and Boards of Directors

Local Content and Other Performance Requirements

**Description**

Hong Kong, China reserves the right to adopt or maintain any measure with respect to air transport services or related services in support of air services, except for:

- (a) selling and marketing of air transport services; and
- (b) computer reservation system services.

**L-HKC-201**

**Sector**

Transport Services

- Rail Transport Services
- Railway Construction and Project Implementation

**Industry Classification**

**Obligations Concerned**

National Treatment

Local Presence

Local Management and Boards of Directors

Local Content and Other Performance Requirements

**Description**

Hong Kong, China reserves the right to adopt or maintain any measure with respect to services as set out above.

**L-HKC-212**

**Sector** Transport Services  
Road Transport Services

**Industry Classification**

**Obligations Concerned** [National Treatment](#)  
[Local Presence](#)  
[Local Management and Boards of Directors](#)  
[Local Content and Other Performance Requirements](#)

**Description** Hong Kong, China reserves the right to adopt or maintain any measure with respect to road transport services, except for road freight transportation (CPC 7123).

**I-HKC-223**

<b>Sector</b>	Transport Services Services Auxiliary to All Modes of Transport	
<b>Industry Classification</b>	CPC 741	Cargo-handling Services
	CPC 742	Storage and Warehousing Services, including distribution centre services and materials handling and equipment services such as container station and depot services
<b><u>Obligations Concerned</u></b>	<u>National Treatment</u> <u>Local Presence</u> <u>Local Management and Boards of Directors</u> <u>Local Content and Other Performance Requirements</u>	
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to:  (a) cargo-handling services in respect of air and rail; and  (b) storage and warehousing services, including distribution centre services and materials handling and equipment services such as container station and depot services, in respect of air and rail.	

**L-HKC-234**

<b>Sector</b>	Other Services not Included Elsewhere	
<b>Industry Classification</b>	CPC 95	Services of Membership Organisations
	CPC 97	Other Services
	CPC 98	Private Households with Employed Persons
	CPC 99	Services <del>p</del> <u>P</u> rovided by Extraterritorial Organisations and Bodies
<b><u>Obligations Concerned</u></b>	<u>National Treatment</u> <u>Local Presence</u> <u>Local Management and Boards of Directors</u> <u>Local Content and Other Performance Requirements</u>	
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to the services as set out above.	

## Appendix II

In respect of intra-corporate transferees, the commitments apply only to the following sectors and sub-sectors<sup>15</sup>:

	<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
1	<u>BUSINESS SERVICES</u>	<u>Section B</u>
A.	<u>Professional Services</u>	
b.	Accounting, auditing and bookkeeping services	862
c.	Taxation services	863
d.	Architectural services	8671
e.	Engineering services	8672
f.	Integrated engineering services	8673
g.	Urban planning and landscape architectural services	8674
i.	Veterinary services	932
B.	<u>Computer and Related Services</u>	
a.	Consultancy services related to the installation of computer hardware	841
b.	Software implementation services	842
c.	Data processing services	843
d.	Data base services	844
e.	Other	845+849
C.	<u>Research and Development Services</u>	
a.	<u>R&amp;D services on natural sciences</u>	<u>851</u>
b.	<u>R&amp;D services on social sciences and humanities</u>	<u>852</u>
c.	<u>Interdisciplinary R&amp;D services</u>	<u>853</u>
D.	<u>Real Estate Services</u>	
b.	On a fee or contract basis (limited to the provision, on a fee or contract basis, of management services for residential or commercial buildings which in turn consist of cleaning, maintenance and guarding of such buildings)	822**
E.	<u>Rental/Leasing Services without Operators</u>	

<sup>15</sup> The sectors and sub-sectors in this Appendix are listed on the basis of the WTO Services Sectoral Classification List (MTN.GNS/W/120) and with reference to Annexes [X] on Financial Services, Maritime Transport Services and Air Transport Services of the Agreement as appropriate.



<u>SECTORS AND SUB-SECTORS</u>		<u>CORRESPONDING</u> <u>CPC</u>
a.	Relating to ships	83103
c.	Relating to other transport equipment (excluding services relating to air transport)	83101-83102
d.	Relating to other machinery and equipment (excluding transport equipment)	83106-83109
F.	<u>Other Business Services</u>	
a.	Advertising services	871
b.	Market research and public opinion polling services	864
c.	Management consulting services	865
d.	Services related to management consulting	866
e.	Technical testing and analysis services	8676
f.	Services incidental to agriculture, hunting and forestry	881
g.	Services incidental to fishing	882
h.	Services incidental to mining	883+5115
i.	Services incidental to manufacturing	884+885 (except for 88442)
k.	Placement and supply services of personnel	872
l.	Investigation and security	87301-87305
m.	Related scientific and technical consulting services	8675
n.	Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment)	633+8861-8866
o.	Building-cleaning services	874
p.	Photographic services	875
q.	Packaging services	876
r.	Printing, publishing services	88442
s.	Convention services including exhibition management services which are limited to activities relating to planning, organising, managing and marketing services for exhibitions, conventions and similar events	87909*
t.	Other	8790

2

## COMMUNICATION SERVICES

B.	<u>Courier sServices</u> (limited to the provision of services on a fee or contract basis for the delivery of documents and parcels, but excluding services reserved to the Post Office under the Post Office Ordinance (Cap. 98))	7512**
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	<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
	C. <u>Telecommunication sServices</u>	
	a. Voice telephone services	7521
	b. Packet-switched data transmission services	7523**
	c. Circuit-switched data transmission services	7523**
	d. Telex services	7523**
	e. Telegraph services	7522
	f. Facsimile services	7521**+7529**
	g. Private leased circuit services	7522**+7523**
	h. Electronic mail	7523**
	i. Voice mail	7523**
	j. On-line information and data base retrieval	7523**
	k. Electronic data interchange (EDI)	7523**
	l. Enhanced/value-added facsimile services, including store and forward, store and retrieve	7523**
	m. Code and protocol conversion	n.a.
	n. On-line information and/or data processing (including transaction processing)	843**
	o. Other	
	D. <u>Audiovisual sServices</u>	
	a. Motion picture and video tape production and distribution services	9611
	b. Motion picture projection service	9612
	e. Sound recording	n.a.
	E. Other	
3	<u>CONSTRUCTION AND RELATED ENGINEERING SERVICES</u>	
	B. <u>General eConstruction wWork for eCivil eEngineering</u>	513
	D. <u>Building eCompletion and fFinishing wWork</u> - Interior design services (limited to specialised consulting services related to the post- construction design and fitting out of interior living and working spaces)	517**
	E. <u>Other</u> - Project management services (limited to the supervision and coordination of construction projects but do not cover engineering or architectural services)	
4	<u>DISTRIBUTION SERVICES</u>	

	<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
	A. <u>Commission <del>a</del>Agents' <del>s</del>Services</u>	621
	B. <u>Wholesale <del>t</del>Trade <del>s</del>Services</u>	622
	C. <u>Retailing <del>s</del>Services</u>	631+632; 6111+6113+6121
	D. <u>Franchising</u>	8929
	E. <u>Other</u>	
5	<u>EDUCATIONAL SERVICES</u>	
	A. <u>Primary <del>e</del>Education <del>s</del>Services</u>	921
	B. <u>Secondary <del>e</del>Education <del>s</del>Services</u>	922
6	<u>ENVIRONMENTAL SERVICES</u>	
	A. <u>Sewage <del>s</del>Services</u>	9401
	B. <u>Refuse <del>d</del>Disposal <del>s</del>Services</u>	9402
	C. <u>Sanitation and <del>s</del>Similar <del>s</del>Services</u>	9403
	D. <u>Other</u>	
	- Cleaning services of exhaust gases	9404
	- Noise abatement services	9405
	- Nature and landscape protection services	9406
	- Other environmental protection services not elsewhere classified	9409
7	<u>FINANCIAL SERVICES</u>	
	A. <u>Insurance and <del>i</del>Insurance-related <del>s</del>Services</u>	
	i. Direct insurance (including co-insurance): (A) life and (B) non-life	
	ii. Reinsurance and retrocession	
	iii. Insurance intermediation, such as brokerage and agency	
	iv. Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services	
	B. <u>Banking and other <del>f</del>Financial <del>s</del>Services (excluding <del>i</del>Insurance)</u>	
	v. Acceptance of deposits and other repayable funds from the public	
	vi. Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction	
	vii. Financial leasing	

## SECTORS AND SUB-SECTORS

## CORRESPONDING CPC

- viii. All payment and money transmission services
- ix. Guarantees and commitments
- x. Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:
  - (A) money market instruments (including cheques, bills, certificates of deposits)
  - (B) foreign exchange
  - (C) derivative products including, but not limited to, futures and options
  - (D) exchange rate and interest rate instruments, including products such as swaps, forward rate agreements
  - (E) transferable securities
- xi. Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of service related to such issues
- xii. Money broking
- xiii. Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial, depository and trust services
- xv. Provision and transfer of financial information, and financial data processing and related software by providers of other financial services
- xvi. Advisory and other auxiliary financial services on all the activities listed in subparagraph (a)(v) to (xv) of [Article X.2 of Annex [X] on Financial Services of the Agreement], including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy

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## TOURISM AND TRAVEL RELATED SERVICES

### A. Hotels and Restaurants (including eCatering)

- Hotel services
- Other lodging services
- Restaurant and eCatering sServices

6411  
64191, 64192,  
64194 & 64195  
642 & 643

	<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
	B. <u>Travel <del>a</del>Agencies and <del>t</del>Tour <del>e</del>Operators <del>s</del>Services</u> (limited to the business of obtaining for clients carriage and/or accommodation outside Hong Kong, China and the provision of related services such as the furnishing of travel information, advice and planning)	7471**
10	<u>RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)</u>	
	A. <u>Entertainment <del>s</del>Services</u>	
	- Theatrical producer, singer group, band and orchestra entertainment services	96191
	- Ancillary theatrical services not elsewhere classified	96193
	- Ballroom, discotheque and dance instructor services Ancillary theatrical services not elsewhere classified	96195
	C. <u>Libraries, <del>a</del>Archives, <del>m</del>Museums and <del>e</del>Other <del>e</del>Cultural <del>s</del>Services</u>	
	- Library and archive services	9631
	D. <u>Sporting and <del>e</del>Other <del>r</del>Recreational <del>s</del>Services</u>	
	- Sporting and other recreational services except gambling and betting services	964**
11	<u>TRANSPORT SERVICES</u>	
	A. <u>Maritime Transport Services (excluding <del>e</del>Cabotage)<sup>16</sup></u>	
	a. Passenger transportation	7211
	b. Freight transportation	7212

<sup>16</sup> Cabotage is assumed to cover transportation of passengers or goods between a point in Hong Kong, China and another point in Hong Kong, China, as well as traffic originating and terminating in the same point in Hong Kong, China, provided that this traffic remains within the waters of Hong Kong, China.

SECTORS AND SUB-SECTORSCORRESPONDING  
CPCMaritime Auxiliary Services

- Rental of vessels with crew
- Maintenance and repair of vessels: these are limited to businesses related to maintenance and repair of ocean going vessels at anchor or alongside and maintenance and repair of local vessels
- Maritime freight forwarding services as defined in Annex [X] on Maritime Transport Services
- Preshipment inspection services: these are limited to services performed on a fee or contract basis involved in the verification of quality, quantity, price (including currency, exchange rate and financial terms), and/or the customs classification of goods to be exported. Customs or quarantine inspection is not included.

7213  
8868\*\*

C. Air Transport Services

As defined in Annex  
[X] on Air Transport  
Services

Selling and marketing of air transport services  
Computer reservation system services

~~D~~F. Road Transport Services

## b. Freight transportation

7123

G. Pipeline Transporta. Transportation of fuels

7131

b. Transportation of other goods

7139

H. Services ~~a~~Auxiliary to ~~a~~All ~~m~~Modes of ~~t~~Transport

## a. Cargo-handling services (except those of rail and air) including maritime cargo handling services as defined in Annex [X] on Maritime Transport Services

741\*\*

## b. Storage and warehouse services (except those of rail and air) including distribution centre services and materials handling and equipment services such as container station and depot services as defined in Annex [X] on Maritime Transport Services

742\*\*

<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
c. Freight transport agency services including customs clearance services and maritime agency services as defined in Annex [X] on Maritime Transport Services	748
d. Other auxiliary services including through-chain logistics services, reverse logistics, container leasing and rental services	749

The (\*) indicates that the service specified is a component of a more aggregated CPC item specified elsewhere in MTN.GNS/W/120.

The (\*\*) indicates that the service specified constitutes only a part of the total range of activities covered by the CPC concordance.

### **Appendix III**

In respect of installers or servicers, the commitments apply only to the following sectors and sub-sectors<sup>17&18</sup>:

	<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
1	<u>BUSINESS SERVICES</u>	<u>Section B</u>
	B. <u>Computer and Related Services</u>	
	a. Consultancy services related to the installation of computer hardware	841
	b. Software implementation services	842
	c. Data processing services	843
	d. Data base services	844
6	<u>ENVIRONMENTAL SERVICES</u>	
	A. <u>Sewage <del>s</del>Services</u>	9401
	B. <u>Refuse <del>d</del>Disposal <del>s</del>Services</u>	9402
	C. <u>Sanitation and <del>s</del>Similar <del>s</del>Services</u>	9403
	D. <u>Other</u>	
	- Cleaning services of exhaust gases	9404
	- Noise abatement services	9405
	- Nature and landscape protection services	9406
	- Other environmental protection services not elsewhere classified	9409

<sup>17</sup> The sectors and sub-sectors in this Appendix are listed on the basis of the WTO Services Sectoral Classification List (MTN.GNS/W/120).

<sup>18</sup> In implementing this commitment, the sectors and sub-sectors listed under this Appendix shall be construed by reference to the field of activity of the supplying company.