

## APPENDIX 1 TO ANNEX X

### FIRST LIST OF RESERVATIONS OF HONG KONG, CHINA

1. Where appropriate, non-conforming measures 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 (“CPC code”) and on the basis of the Services Sectoral Classification List WTO document MTN.GNS/W/120.
2. This List sets out, pursuant to paragraph 1(a) of Article 3.17 of the Agreement, Hong Kong, China’s existing measures that are not subject to some or all of the obligations imposed by:
  - (a) Article 3.4 (Most-Favoured-Nation Treatment);
  - (b) Article 3.5 (Market Access); or
  - (c) Article 3.6 (National Treatment).
3. Each entry in this List sets out the following elements:
  - (a) **Sector** refers to the sector in which the entry is made;
  - (b) **Industry Classification** refers, for the purpose of clarity, and where applicable, to the activity covered by the entry according to the CPC code;
  - (c) **Obligations Concerned** specifies the obligation(s) referred to in Paragraph 2;
  - (d) **Measures** identify measures for which the entry is made. A measure cited in the Measures element:
    - (i) means the measure as amended, continued, or renewed, and as in force at the date of entry into force of the Agreement; and
    - (ii) includes any subordinate measure adopted or maintained under the authority of and consistent with the measure; and
  - (e) **Description** sets out the non-conforming measure to which the entry applies.
4. The following terms used in the Description element shall have the following meanings:
  - (a) “Mode 1” means the supply of a service from the Area of a Party into the Area of another Party

(b) “Mode 2” means the supply of a service in the Area of a Party to the service consumer of another Party

(c) “Mode 3” means the supply of a service by a service supplier of a Party, through commercial presence in the Area of another Party.

5. In accordance with paragraph 1 (a) of Article 3.17 of the Agreement, the Articles of the Agreement specified in the Obligations Concerned element of an entry do not apply to the measures as described in the Description element of that entry.

6. Where an inconsistency arises in relation to the interpretation of an entry, the Description element of the entry shall prevail to the extent of the inconsistency.

I-HKC-1

<b>Sector</b>	Business Services Professional Services Accounting, Auditing and Book Keeping Services
<b>Industry Classification</b>	CPC 862      Accounting, Auditing and Book Keeping Services
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Measures</b>	Section 29 of the Professional Accountants Ordinance (Cap. 50)
<b>Description</b>	Provision of statutory auditing services is limited to corporate practices and natural persons licenced as certified public accountants (practising), either as sole proprietors or in partnership.

I-HKC-2

<b>Sector</b>	Business Services Professional Services Architectural Services
<b>Industry Classification</b>	CPC 8671      Architectural Services
<b>Obligations Concerned</b>	National Treatment (Article 3.6)
<b>Measures</b>	Section 13 of the Architects Registration Ordinance (Cap. 408)
<b>Description</b>	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.

I-HKC-3

<b>Sector</b>	Business Services Professional Services Engineering Services Integrated Engineering Services
<b>Industry Classification</b>	CPC 8672      Engineering Services CPC 8673      Integrated Engineering Services
<b>Obligations Concerned</b>	National Treatment (Article 3.6)
<b>Measures</b>	Section 12 of the Engineers Registration Ordinance (Cap. 409)
<b>Description</b>	To be registered as a Registered Professional Engineer, 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.

I-HKC-4

<b>Sector</b>	Business Services Professional Services Urban Planning and Landscape Architectural Services
<b>Industry Classification</b>	CPC 8674      Urban Planning and Landscape Architectural Services
<b>Obligations Concerned</b>	National Treatment (Article 3.6)
<b>Measures</b>	Section 12 of the Planners Registration Ordinance (Cap. 418) Section 12 of the Landscape Architects Registration Ordinance (Cap. 516)
<b>Description</b>	<p>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.</p> <p>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.</p>

I-HKC-5

<b>Sector</b>	Business Services Rental/Leasing Services without Operators relating to Ships  Transport Services Maritime Transport Services
<b>Industry Classification</b>	CPC 83103      Rental/Leasing Services without Operators relating to Ships  CPC 7211      Passenger Transportation  CPC 7212      Freight Transportation  CPC 7213      Rental of Vessels with Crew
<b>Obligations Concerned</b>	National Treatment (Article 3.6)
<b>Measures</b>	Section 23B of the Inland Revenue Ordinance (Cap. 112)
<b>Description</b>	Income derived from international operation of ships registered in the Hong Kong Shipping Register is exempted from Hong Kong, China's profit tax.

I-HKC-6

<b>Sector</b>	Business Services Other Business Services Services incidental to Fishing
<b>Industry Classification</b>	CPC 882      Services incidental to Fishing
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Measures</b>	Section 12 of the Merchant Shipping (Local Vessel) Ordinance (Cap. 548)
<b>Description</b>	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 resident in Hong Kong, China.



I-HKC-7

<b>Sector</b>	Business Services Other Business Services Services incidental to Manufacturing  Transport Services Services auxiliary to all Modes of Transport Storage and Warehousing Services
<b>Industry Classification</b>	CPC 884+885 Services incidental to Manufacturing except for 88442  CPC 742 Storage and Warehousing Services
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Measures</b>	Sections 7 & 8A of the Dutiable Commodities Ordinance (Cap. 109) Regulation 22 of the Dutiable Commodities Regulations (Cap. 109A)
<b>Description</b>	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.



I-HKC-9

<b>Sector</b>	Business Services Other Business Services Related Scientific and Technical Consulting Services
<b>Industry Classification</b>	CPC 8675      Related Scientific and Technical Consulting Services
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Measures</b>	Section 12 of the Land Survey Ordinance (Cap. 473) Section 12 of the Surveyors Registration Ordinance (Cap. 417)
<b>Description</b>	<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 local land boundary survey experience in Hong Kong, China.</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>

I-HKC-10

<b>Sector</b>	Construction and Related Engineering Services <sup>1</sup>
<b>Industry Classification</b>	CPC 513      General Construction Work for Civil Engineering
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Measures</b>	Section 4 of the Buildings Ordinance (Cap. 123) Regulation 3 of the Building (Administration) Regulations (Cap. 123A) Section 13 of the Architects Registration Ordinance (Cap. 408) Section 12 of the Engineers Registration Ordinance (Cap. 409) Section 12 of the Surveyors Registration Ordinance (Cap. 417) Part I of the Buildings Ordinance (Cap. 123)
<b>Description</b>	<p>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”).</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 disciplines or RPS, a person shall be ordinarily resident in Hong Kong, China.</p> <p>To register as an RC, the key personnel of the applicant (which can be a corporation) shall possess adequate working experience, some of which has to be gained in Hong Kong, China.</p> <p>To be qualified as a TCP, a person shall possess site experience in Hong Kong, China.</p>

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<sup>1</sup> For railway construction and project implementation services, please refer to II-HKC-25 under Hong Kong, China’s Second List of Reservations.

Prescribed inspection and prescribed repair to buildings and windows shall be carried out by statutory building agents, including Registered Inspectors (“RI”), Qualified Persons (“QP”) and RC.

To register as an RI, a person shall be an RA, RPE in the relevant disciplines or RPS in the relevant divisions and shall possess adequate relevant working experience, some of which has to be gained in Hong Kong, China.

To be qualified to act as a QP, a person shall be an AP or RSE or RI or qualified RC who shall possess relevant experience in Hong Kong, China as stated above.

I-HKC-11

<b>Sector</b>	Financial Services Insurance and insurance-related services <ul style="list-style-type: none"><li>• Direct Insurance (including co-insurance): Life and Non-life</li></ul>
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Measures</b>	Sections 2(3), 6(1), 7, 8(3)(e), 66(3)(a) of the Insurance Companies Ordinance (Cap. 41) Item 11(a) of the Guidance Note 1 - Authorisation Guidelines issued by the Office of the Commissioner of Insurance pursuant to Section 4A(3) of the Insurance Companies Ordinance (Cap. 41)
<b>Description</b>	<p>With respect to Modes 1 and 2, if the supply of the service involves solicitation of business or marketing by the service supplier, only an incorporated company which maintains an office in Hong Kong, China as its place of business and authorised by the Insurance Authority, or an association of underwriters which maintains an office in Hong Kong, China as its place of business and approved by the Insurance Authority is permitted to carry on insurance business in or from Hong Kong, China. In the case of the former, the company has to take the form of a subsidiary, branch or representative office, although insurance business may not be carried out through a representative office. The chief executive appointed by the authorised insurer shall normally reside in Hong Kong, China.</p> <p>With respect to Mode 1, non-resident insurance companies cannot supply insurance services (including maritime, aviation and transport (MAT) insurance) through an intermediary authorised in Hong Kong, China if the supply of the service involves solicitation of business or marketing by the service supplier. It is only in circumstances where, if an insurance broker is requested by his client or as a result of the absence of suitable insurance products available locally, then the insurance broker can refer or arrange a contract of insurance with an insurer authorised in other jurisdiction but not authorised in Hong Kong, China. In that case, the insurance broker shall advise his client of the unauthorised status of the insurer and obtain a written acknowledgement of the fact from the client.</p>

With respect to Mode 3, only an incorporated company authorised by the Insurance Authority, or an association of underwriters approved by the Insurance Authority is permitted to carry on insurance business. In the case of the former, commercial presence must take the form of a subsidiary, branch or representative office, although insurance business may not be carried out through a representative office. The chief executive appointed by the authorised insurer shall normally reside in Hong Kong, China.

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.

I-HKC-12

<b>Sector</b>	Financial Services Insurance and insurance-related services • Reinsurance and retrocession
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Measures</b>	Sections 2(3), 6(1), 7, 8(3)e, 51(b) and 66(3)(a) of the Insurance Companies Ordinance (Cap. 41) Item 1(1), Part 1 of the Third Schedule to the Insurance Companies Ordinance (Cap. 41) Item 11(a) of the Guidance Note 1 - Authorisation Guidelines issued by the Office of the Commissioner of Insurance pursuant to Section 4A(3) of the Insurance Companies Ordinance (Cap. 41)
<b>Description</b>	With respect to Modes 1 and 2,  (i) the insurance company must be a company incorporated outside Hong Kong, China and has no agent nor place of business in Hong Kong, China; or  (ii) for service suppliers which do not meet the foregoing conditions, if the supply of the service involves solicitation of business or marketing by the service supplier, only an incorporated company which maintains an office in Hong Kong, China as its place of business and authorised by the Insurance Authority, or an association of underwriters which maintains an office in Hong Kong, China as its place of business approved by the Insurance Authority is permitted to carry on insurance business in or from Hong Kong, China. In the case of the former, the company has to take the form of a subsidiary, branch or representative office, although insurance business may not be carried out through a representative office. The chief executive appointed by the authorised insurer shall normally reside in Hong Kong, China.

With respect to Mode 3, only an incorporated company authorised by the Insurance Authority or an association of underwriters approved by the Insurance Authority is permitted to carry on insurance business. In the case of the former, commercial presence must take the form of a subsidiary, branch or representative office, although insurance business may not be carried out through a



representative office. The chief executive appointed by the authorised insurer shall normally reside in Hong Kong, China.

I-HKC-13

<b>Sector</b>	Financial Services Insurance and insurance-related services <ul style="list-style-type: none"><li>• Insurance intermediation, such as brokerage and agency</li><li>• Services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services</li></ul>
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Measures</b>	Sections 65, 69, 70 of the Insurance Companies Ordinance (Cap. 41) Part III item (A) of the “Minimum Requirements for Insurance Brokers” issued by the Office of the Commissioner of Insurance pursuant to Sections 69(2) and 70(2) of the Insurance Companies Ordinance (Cap. 41)
<b>Description</b>	With respect to Modes 1 and 2, if the supply of the services involves solicitation of business or marketing by the service supplier, the service supplier must be an insurance broker authorised by the Insurance Authority, a member of an approved body of insurance brokers or an appointed insurance agent. To be authorised as an insurance broker by the Insurance Authority or to be admitted as a member of an approved body of insurance brokers, a person has to maintain a place of business in Hong Kong, China. To be admitted as a member of an approved body of insurance brokers, the person has to be an incorporated company with a registered business in Hong Kong, China. A chief executive of an insurance broker has to be a Hong Kong Permanent Resident or Hong Kong Resident whose employment visa conditions do not restrict him from being engaged in insurance broking business. A responsible officer or technical representative of an insurance agency company and an individual agent must be a Hong Kong Permanent Resident or Hong Kong Resident whose employment visa conditions do not restrict him from acting as an insurance agent.

I-HKC-14

<b>Sector</b>	Financial Services Banking and other financial services (excluding insurance) <ul style="list-style-type: none"><li>• Acceptance of deposits and other repayable funds from the public</li></ul>
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Measures</b>	Sections 12 and 74 of the Banking Ordinance (Cap. 155) Paragraph 13 of the Seventh Schedule to the Banking Ordinance (Cap. 155) Sections 11 and 12 of the Banking Ordinance (Cap. 155); and paragraph 2.14 of the Guide to Authorisation issued by the Hong Kong Monetary Authority Administrative Requirement of the Hong Kong Monetary Authority including Chapter 9 on Authorisation of Virtual Banks in the Guide to Authorisation issued by the Hong Kong Monetary Authority in September 2002
<b>Description</b>	<p>All authorised institutions (i.e. licensed banks, restricted licence banks and deposit-taking companies) shall maintain a physical presence in Hong Kong, China. They 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.</p> <p>An overseas bank seeking to establish a locally incorporated full licensed bank must:</p> <ol style="list-style-type: none"><li>(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 for upgrading to a full licensed bank; or</li><li>(ii) have maintained a branch in Hong Kong, China for not less than three continuous years before they can apply for approval from the Hong Kong Monetary Authority to subsidiarise the operation of the branch by transferring the branch operation to a locally incorporated company.</li></ol> <p>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>

I-HKC-15

<b>Sector</b>	Financial Services Banking and other financial services (excluding insurance) <ul style="list-style-type: none"><li>• Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise the following:<ul style="list-style-type: none"><li>- money market instruments (cheques, bills, certificate of deposits, etc.)</li><li>- foreign exchange</li><li>- derivative products including futures and options</li><li>- exchange rate and interest rate instruments, including products such as swaps, forward rate agreements etc.</li><li>- transferable securities</li></ul></li></ul>
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Measures</b>	Securities and Futures Ordinance (Cap. 571) Rules of recognised exchange companies approved under the Securities and Futures Ordinance
<b>Description</b>	With respect to Mode 3, <ul style="list-style-type: none"><li>• only corporations incorporated in Hong Kong, China may become members of exchange companies recognised under the Securities and Futures Ordinance (in addition, natural persons born in Hong Kong, China or resident in Hong Kong, China for five of the preceding seven years or partnerships composed of such persons may also become members of the Stock Exchange of Hong Kong Limited<sup>2</sup>);</li><li>• for dealing in securities or commodities futures, there is a residence requirement in Hong Kong, China in respect of a sole proprietor, or, in the case of a partnership or company, in respect of at least one partner or director, who is registered as a dealer.</li></ul>

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<sup>2</sup> The residence requirement for memberships can be waived for persons of good reputation with substantial experience of dealing in securities.

I-HKC-16

<b>Sector</b>	Financial Services Banking and other financial services (excluding insurance) <ul style="list-style-type: none"><li>• 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</li></ul>
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	National Treatment (Article 3.6)
<b>Measures</b>	Securities and Futures Ordinance (Cap. 571)
<b>Description</b>	With respect to Mode 3, if registration as a dealer is required, as it is in the case of public issues, the limitations as for dealers in I-HKC-15 shall apply.

I-HKC-17

<b>Sector</b>	Tourism and Travel Related Services
<b>Industry Classification</b>	CPC 7471      Travel Agencies and Tour Operators Services
<b>Obligations Concerned</b>	Market Access (Article 3.5)
<b>Measures</b>	Section 11 of the Travel Agents Ordinance (Cap. 218) Travel Agents Licence Licencing Guide issued by the Travel Agents Registry
<b>Description</b>	With respect to Mode 3, only a company may operate tours and open branch offices <sup>3</sup> .

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<sup>3</sup> “Company” means a company incorporated in Hong Kong, China under the Companies Ordinance, 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.

## APPENDIX 1 TO ANNEX X

### SECOND LIST OF RESERVATIONS OF HONG KONG, CHINA

1. Where appropriate, measures 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 (“CPC code”) and on the basis of the Services Sectoral Classification List WTO document MTN.GNS/W/120.
2. This List sets out, pursuant to paragraph 1(b) of Article 3.17 of the Agreement, the specific sectors, sub-sectors, or activities for which Hong Kong, China may maintain existing, or adopt new or more restrictive, measures that do not conform with obligations imposed by:
  - (a) Article 3.4 (Most-Favoured-Nation Treatment);
  - (b) Article 3.5 (Market Access); or
  - (c) Article 3.6 (National Treatment).
3. Each entry in this List sets out the following elements:
  - (a) **Sector** refers to the sector in which the entry is made;
  - (b) **Industry Classification** refers, for the purpose of clarity, and where applicable, to the activity covered by the entry according to the CPC code;
  - (c) **Obligations Concerned** specifies the obligation(s) referred to in Paragraph 2; and
  - (d) **Description** sets out the nature and/or scope of the measures in the sectors, sub-sectors or activities covered by the entry.
4. The following terms used in the Description element shall have the following meanings:
  - (a) “Mode 1” means the supply of a service from the Area of a Party into the Area of another Party
  - (b) “Mode 2” means the supply of a service in the Area of a Party to the service consumer of another Party
  - (c) “Mode 3” means the supply of a service by a service supplier of a Party, through commercial presence in the Area of another Party.
5. In accordance with paragraph 1(b) of Article 3.17 of the Agreement, the Articles of the Agreement specified in the Obligations Concerned element of an entry do not apply

to the sectors, sub-sectors, and activities as described in the Description element of that entry.

6. Where an inconsistency arises in relation to the interpretation of an entry, the Description element of the entry shall prevail to the extent of the inconsistency.



## II-HKC-1

**Sector** All Sectors

**Industry Classification**

**Obligations Concerned** Market Access (Article 3.5)  
National Treatment (Article 3.6)

**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 fire fighting services; and
- 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.

II-HKC-2

**Sector** All Sectors

**Industry Classification**

**Obligations Concerned** Market Access (Article 3.5)  
National Treatment (Article 3.6)

**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*.

II-HKC-3

**Sector** All Sectors

**Industry Classification**

**Obligations Concerned** Market Access (Article 3.5)  
National Treatment (Article 3.6)

**Description** Hong Kong, China reserves the right to adopt or maintain any measure affecting the presence of natural persons and supply of service through such presence in a manner not inconsistent with the commitments made in Hong Kong, China's List of Commitments on Movement of Natural Persons under this Annex.

II-HKC-4

<b>Sector</b>	Business Services Professional Services
<b>Industry Classification</b>	CPC 861      Legal Services  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>	Market Access (Article 3.5) National Treatment (Article 3.6)
<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 item k. of sub-sector “A. Professional Services” under the Sector “Business Services” of MTN.GNS/W/120.

II-HKC-5

<b>Sector</b>	Business Services Research and Development Services
<b>Industry Classification</b>	CPC 851-853    Research and Development Services
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to research and development services.

II-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 Operators
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)	
<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 and for the Market Access obligation for Mode 2);</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>	

II-HKC-7

<b>Sector</b>	Business Services Other Business Services
<b>Industry Classification</b>	CPC 87909            Other Business Services not elsewhere classified
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to the services as set out above.

II-HKC-8

<b>Sector</b>	Energy Business Services Manufacturing Distribution Services Storage and Warehouse Services
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	<p>Hong Kong, China reserves the right to adopt or maintain any measure with respect to energy services, except in respect of the following services (other than those relating to electricity):</p> <ul style="list-style-type: none"><li>(a) services incidental to mining (CPC 883 and CPC 5115);</li><li>(b) commission agents' services – limited to sales on a fee or contract basis of fuels, metals, ores (part of CPC 62113);</li><li>(c) wholesale trade services of solid, liquid and gaseous fuels and related products (CPC 62271);</li><li>(d) retail sales of fuel oil, bottled gas, coal and wood (CPC 63297); and</li><li>(e) bulk storage services of liquids or gases (except in respect of air and rail) (part of CPC 74220).</li></ul> <p>Activities in the energy services include the importation, generation or manufacture, transmission, distribution, storage, supply, sale and use of energy.</p>



II-HKC-9

<b>Sector</b>	Communication Services Postal Services
<b>Industry Classification</b>	CPC 7511      Postal Services
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to postal services.

II-HKC-10

<b>Sector</b>	Communication Services Courier Services
<b>Industry Classification</b>	CPC 7512      Courier Services
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to courier services, except for Mode 3 and Market Access obligation for Mode 2 (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).

II-HKC-11

<b>Sector</b>	Communication Services Telecommunication Services
<b>Industry Classification</b>	(a) Voice Telephone Services (b) Packet-switched Data Transmission Services (c) Circuit-switched Data Transmission Services (d) Telex Services (e) Telegraph Services (f) Facsimile Services (g) Private Leased Circuit Services (o) Other
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	<p>Hong Kong, China reserves the right to adopt or maintain any measure with respect to:-</p> <ol style="list-style-type: none"><li>1. services specified in categories (a), (b), (c) and (f) above for international services, (except for resale based for which Hong Kong, China reserves the right of, in respect of Mode 3, not allowing public external telephone service<sup>4</sup>, restricting connection to the public-switched telephone network (PSTN) at the Hong Kong end for self-provision of external satellite circuits and virtual private network service and not allowing gateway station for mobile satellite traffic for mobile satellite service.);</li><li>2. services specified in categories (d), (e) and (g) above for international services;</li><li>3. services specified in category (o) above for local services, except for:<ol style="list-style-type: none"><li>(i) mobile radio telephone services including Cellular and Personal Communications Services;</li><li>(ii) mobile data services; and</li><li>(iii) radio paging services;</li></ol></li><li>4. services specified in category (o) above for international services, except for:<ol style="list-style-type: none"><li>(i) self-provision of external satellite circuits for a company if the messages originated from or received at the Hong Kong end are intended for the company, its holding, subsidiary or affiliated</li></ol></li></ol>

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<sup>4</sup> "External telephone services" only include person to person voice communications with places outside Hong Kong, China.

companies; or for an organisation if the messages originated from or received at the Hong Kong end are intended for the common business or activities of the organisation;

- (ii) virtual private network service (resale-based only); and
- (iii) mobile satellite service,

for which (sub-paragraphs (i)-(iii) in this paragraph) Hong Kong, China reserves the right of, in respect of Mode 3, not allowing public external telephone service<sup>5</sup>, restricting connection to the PSTN at the Hong Kong end for self-provision of external satellite circuits and virtual private network service and not allowing gateway station for mobile satellite traffic for mobile satellite service.

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<sup>5</sup> “External telephone services” only include person to person voice communications with places outside Hong Kong, China.

II-HKC-12

<b>Sector</b>	Communication Services Audiovisual Services
<b>Industry Classification</b>	CPC 9612      Motion Picture Projection Services
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to motion picture projection services, except for motion picture projection services in cinema (part of CPC 96121)



II-HKC-14

<b>Sector</b>	Communication Services Other Communication Services*
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to other communication services.

\* This refers to the services covered by sub-sector "E. Other" under the sector "Communication Services" of MTN.GNS/W/120.

II-HKC-15

<b>Sector</b>	Construction and Related Engineering Services <sup>6</sup>
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<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) to which I-HKC-10 applies;</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 (Part of 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>6</sup> For railway construction and project implementation services, please refer to II-HKC-25 under Hong Kong, China's Second List of Reservations.



II-HKC-16

<b>Sector</b>	Distribution Services
<b>Industry Classification</b>	Other Distribution Services*
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to other distribution services.

\* This refers to the services covered by sub-sector "E. Other" under the sector "Distribution Services" of MTN.GNS/W/120.

II-HKC-17

<b>Sector</b>	Educational Services
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to educational services.

II-HKC-18

**Sector** Financial Services

**Industry Classification**

**Obligations Concerned** Market Access (Article 3.5)  
National Treatment (Article 3.6)

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

- (a) direct insurance (including co-insurance): life and non-life (other than Mode 1 and Mode 2 with respect to statutory insurances which require such insurances to be purchased from an insurer authorised in Hong Kong, China);
- (b) reinsurance and retrocession;
- (c) insurance intermediation, such as brokerage and agency;
- (d) services auxiliary to insurance, such as consultancy, actuarial, risk assessment and claim settlement services;
- (e) acceptance of deposits and other repayable funds from the public (other than Mode 1);
- (f) lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction (other than Mode 1);
- (g) financial leasing (other than the National Treatment obligation for Mode 1 and Mode 2);
- (h) all payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts (other than Mode 1);
- (i) guarantees and commitments (other than the National Treatment obligation for Mode 1 and Mode 2);
- (j) trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise the following (other than Mode 1, and the National Treatment obligation for Mode 2):
  - money market instruments (cheques, bills, certificate of deposits, etc.)
  - foreign exchange

- derivative products including futures and options
  - exchange rate and interest rate instruments, including products such as swaps, forward rate agreements etc.
  - transferable securities
- (k) 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 (other than Mode 1 and the National Treatment obligation for Mode 2);
- (l) asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services (other than Mode 1, and the National Treatment obligation for Mode 2);
- (m) advisory and other auxiliary financial services on all the activities listed in subparagraph 5(a)(v) to (xv) of the GATS Annex on Financial Services, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy (other than the Market Access obligation for Mode 1 in respect of commodity trading and investment advisory service and the National Treatment obligation for Mode 1 and Mode 2); and
- (n) provision and transfer of financial information, and financial data processing and related software by providers of other financial services (other than the National Treatment obligation for Mode 1 and Mode 2)

to which I-HKC-11, I-HKC-12, I-HKC-13, I-HKC-14, I-HKC-15 and I-HKC-16 apply respectively.

For the Mode 1 and Mode 2 mentioned in sub-paragraphs (g), (i) - (n) above, Hong Kong, China reserves the right not to allow a service supplier from the Area of another Party to solicit business or to conduct marketing in Hong Kong, China.

II-HKC-19

**Sector** Health Related and Social Services

**Industry Classification**

**Obligations Concerned** Market Access (Article 3.5)  
National Treatment (Article 3.6)

**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).

II-HKC-20

**Sector** Tourism and Travel Related Services

**Industry Classification**

**Obligations Concerned** Market Access (Article 3.5)  
National Treatment (Article 3.6)

**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 Mode 1 and the National Treatment obligation for Mode 2);
- (c) restaurant and catering services (CPC 642 and CPC 643) (other than Mode 1 and the National Treatment obligation for Mode 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 (part of CPC 7471)), to which I-HKC-17 applies.

II-HKC-21

<b>Sector</b>	Recreational, Cultural and Sporting Services (other than audiovisual services)
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	<p>Hong Kong, China reserves the right to adopt or maintain any measure with respect to recreational, cultural and sporting services, except for:</p> <ul style="list-style-type: none"><li>(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</li><li>(b) library and archives services (CPC 9631) (other than Mode 1 and the National Treatment obligation for Mode 2).</li></ul>

II-HKC-22

<b>Sector</b>	Transport Services Maritime Transport Services
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<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. cabotage<sup>7</sup> transport; and</li><li>2. 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></ol>

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<sup>7</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.



II-HKC-23

<b>Sector</b>	Transport Services - Internal Waterways Transport - Space Transport - Road Transport Services - Pipeline Transport - Other Transport Services*
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<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.

II-HKC-24

<b>Sector</b>	Transport Services Air Transport Services or Related Services in Support of Air Services
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to the services as set out above.

II-HKC-25

<b>Sector</b>	Transport Services - Rail Transport Services - Railway Construction and Project Implementation
<b>Industry Classification</b>	
<b>Obligations Concerned</b>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to the services as set out above.

II-HKC-26

<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>	Market Access (Article 3.5) National Treatment (Article 3.6)
<b>Description</b>	Hong Kong, China reserves the right to adopt or maintain any measure with respect to:  1. cargo-handling services in respect of air and rail; and  2. 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.

II-HKC-27

<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>	Market Access (Article 3.5) National Treatment (Article 3.6)	
<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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APPENDIX 1 TO ANNEX X

LIST OF COMMITMENTS ON  
MOVEMENT OF NATURAL PERSONS OF HONG KONG, CHINA

1. Hong Kong, China's commitments under Article 3.9 of the Agreement are covered wholly and exclusively in this List. Hong Kong, China reserves the right to adopt or maintain any measure in respect of the supply of a service by a service supplier of EFTA States, through presence of natural persons of EFTA States in the Area of Hong Kong, China other than the commitments to grant temporary entry and stay for the purpose of carrying out the specified business activities in relation to the supply of services as set out in this List.

2. This List specifies the conditions and limitations for entry and temporary stay, including the requirements and length of stay, for each category of natural persons included in this List.

3. Hong Kong, China shall grant temporary entry or extension of stay to the extent provided for in the commitments set out in this List to natural persons of EFTA States, provided that those natural persons:

- (a) follow prescribed application procedures for the immigration formality<sup>8</sup> sought; and
- (b) meet all relevant eligibility requirements for entry to Hong Kong, China.

4. Temporary entry granted by Hong Kong, China to a natural person of EFTA States pursuant to this List 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.

<b>Entry in the following categories only</b>	<b>Conditions (including duration of stay)</b>
<p><b>Business visitors</b></p> <p><u>Definition</u> : A <b>business visitor</b> means a natural person of EFTA States who:</p> <p>(a) is seeking temporary entry to Hong Kong, China for the purpose of:</p> <p>(i) attending meetings or conferences, or engaging in consultations with business colleagues;</p>	<p>The commitments shall apply to all sectors in MTN.GNS/W/120.</p> <p>Entry for a period not exceeding 90 days, provided that normal immigration requirements are met.</p>

<sup>8</sup> It is understood that "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.

<p style="text-align: center;"><b>Entry in the following categories only</b></p>	<p style="text-align: center;"><b>Conditions (including duration of stay)</b></p>
<p>(ii) 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>(iii) undertaking business consultations concerning the establishment, expansion or winding up of a juridical person in Hong Kong, China; and</p> <p>(b) who is not seeking to enter the labour market of Hong Kong, China; and</p> <p>(c) whose principal place of business, actual place of remuneration, and predominant place of accrual of profits remain outside Hong Kong, China.</p>	
<p><b>Intra-corporate transferees</b></p> <p><u>Definition:</u> An <b>intra-corporate transferee</b> means a senior manager or a specialist who is an employee of a service supplier of EFTA States with a commercial presence in Hong Kong, China.</p> <p>A <b>senior manager</b> means a natural person of EFTA States within an organisation of EFTA States who:</p> <p>(a) 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;</p> <p>(b) 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</p>	<p>The commitments:</p> <p>(a) shall only apply to the sectors and sub-sectors in MTN.GNS/W/120 as set out in paragraph 5 and the services as set out in paragraph 6 below;</p> <p>(b) shall only apply to natural persons of EFTA States of service suppliers of EFTA States 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</p> <p>(c) 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. For senior managers and specialists, temporary stay shall be limited to one</p>

Entry in the following categories only	Conditions (including duration of stay)
<p>(c) supervises and controls the work of other supervisory, professional or managerial employees. This does not include a first-line supervisor unless the employees supervised are professionals, nor does this include an employee who primarily performs tasks necessary for the provision of the service.</p> <p>A <b>specialist</b> means a natural person of EFTA States within an organisation of EFTA States who:</p> <p>(a) possesses knowledge at an advanced level of technical expertise;</p> <p>(b) possesses proprietary knowledge of the organisation's service, research equipment, techniques or management; and</p> <p>(c) is essential to the operation of the concerned service supplier's establishment in Hong Kong, China.</p>	<p>year in the first instance, which may be extended up to a total of five years.</p> <p>Natural persons of EFTA States seeking entry into Hong Kong, China as senior manager or specialist under Hong Kong, China's commitments on intra-corporate transferees shall:</p> <p>(a) 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>(b) during their stay in Hong Kong, China, except with the prior approval of the Government of Hong Kong, China, not change employment or employers.</p>
<p><b>Installers or servicers</b></p> <p><u>Definition:</u> An <b>installer or servicer</b> means a natural person of EFTA States 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>The commitments shall only apply to the sectors and sub-sectors in MTN.GNS/W/120 as set out in paragraph 7 below.</p> <p>Entry for a period not exceeding three months in any 12-month period and subject to economic needs tests<sup>9</sup>.</p>

5. In respect of intra-corporate transferees, the commitments apply only to the following sectors and sub-sectors in MTN.GNS/W/120:

<sup>9</sup> Including economic benefits test and labour market test.



<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
g. Urban planning and landscape architectural services	8674
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
D. <u>Real Estate Services</u>	
a. Involving own or leased property	821
b. On a fee or contract basis	822
E. <u>Rental/Leasing Services without Operators</u>	
a. Relating to ships	83103
c. Relating to other transport equipment, excluding other land transport equipment	83101+83102
d. Relating to other machinery and 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 service	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
i. Services incidental to manufacturing	884+885 (except for 88442)
k. Placement and supply services of Personnel	872
l. Investigation and security	873
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	88442

<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
s. Convention services	87909*
t. Other, excluding credit reporting services; collection agency services; and other business services not elsewhere classified	8790 excluding 87901, 87902 & 87909
 2 <u>COMMUNICATION SERVICES</u>	
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)	7512**
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 (limited to motion picture projection services in cinemas)	96121**
e. Sound recording	n.a.
 3 <u>CONSTRUCTION AND RELATED ENGINEERING SERVICES</u>	
B. <u>General construction work for civil engineering</u>	513

<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
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)	
 4 <u>DISTRIBUTION SERVICES</u>	
B. <u>Wholesale trade services</u> , excluding wholesale trade services of live animals (except for live food animals); agricultural raw materials not elsewhere classified (except for animal feed); edible oils and fats; edible offal, preserves and preparations of meat; fishery products; pharmaceutical and medical goods; and surgical and orthopaedic instruments and devices	622**
C. <u>Retailing services</u>	
- Food retailing services	631
- Non-food retailing services, excluding retail sales of pharmaceutical, medical and orthopaedic goods	632 excluding 63211
 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
<u>Cleaning services of exhaust gases</u>	9404
<u>Noise abatement services</u>	9405
<u>Nature and landscape protection services</u>	9406
<u>Other environmental protection services not elsewhere classified (n.e.c.)</u>	9409
 7 <u>FINANCIAL SERVICES (W/120)</u>	
A. <u>All insurance and insurance-related services</u>	812**
a. Life, accident and health insurance services	8121
b. Non-life insurance services	8129
c. Reinsurance and retrocession	81299*
d. Services auxiliary to insurance (including broking and agency services)	8140
B. <u>Banking and other financial services (excl. insurance)</u>	

<u>SECTORS AND SUB-SECTORS</u>	<u>CORRESPONDING CPC</u>
a. Acceptance of deposits and other repayable funds from the public	81115-81119
b. Lending of all types, including, inter alia, consumer credit, mortgage credit, factoring and financing of commercial transaction	8113
c. Financial leasing	8112
d. All payment and money transmission services	81339**
e. Guarantees and commitments	81199**
f. Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:	
- money market instruments (cheques, bills, certificate of deposits, etc.)	81339**
- foreign exchange	81333
- derivative products including, but not limited to, futures and options	81339**
- exchange rate and interest rate instruments, including products such as swaps, forward rate agreements, etc.	81339**
- transferable securities	81321*
g. Participation in issues of all kinds of securities, including under-writing and placement as agent (whether publicly or privately) and provision of service related to such issues	8132
i. Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services	8119**+81323*
k. Advisory and other auxiliary financial services on all the activities listed in Article 1B of MTN.TNC/W/50, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy	8131 or 8133
l. Provision and transfer of financial information, and financial data processing and related software by providers of other financial services	8131
9 <u>TOURISM AND TRAVEL RELATED SERVICES</u>	
A. <u>Hotels and restaurants (incl. catering)</u>	
- Hotel lodging services	6411
- Other lodging services (limited to children's holiday camp services; holiday centre and holiday home services; youth hostel and mountain shelter services; and camping and caravanning site services)	64191, 64192, 64194 & 64195
- Restaurant and catering services	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</u> (other than audiovisual services)	
A. <u>Entertainment services</u> (including theatre, live bands and circus services)	
- Theatrical producer, singer group, band and orchestra entertainment services	96191
- Ancillary theatrical services n.e.c.	96193
- Ballroom, discotheque and dance instructor services	96195
C. <u>Libraries, archives, museums and other cultural services</u>	
- Library and archive services	9631
11 <u>TRANSPORT SERVICES</u>	
A. <u>Maritime Transport Services (excluding cabotage)</u> <sup>10</sup>	
b. Freight transportation	7212
c. Rental of vessel with crew (limited to services of hiring a vessel with crew under charter party terms for a voyage or period of time)	7213**
d. Maintenance and repair of vessels (limited to businesses related to maintenance and repair of ocean going vessels at anchor or alongside and maintenance and repair of local vessels)	8868**
H. <u>Services auxiliary to all modes of transport</u>	
a. Cargo-handling services (except those of rail and air)	741**
b. Storage and warehouse services (except those of rail and air)	742**
c. Freight transport agency services	748
d. Other	749

6. The commitments on intra-corporate transferees also apply to the following maritime auxiliary services:

<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.

- Customs clearance services (limited to activities consisting of carrying out on behalf of another party customs formalities concerning import, export or through transport of cargoes, whether this service is the main activity of the service provider or a usual complement of its main activity);
- Container station and depot services (limited to activities consisting of storing containers, whether in port areas or inland, with a view to their stuffing/stripping, repairing and making them available for shipment);
- Maritime agency services (limited to activities consisting of representing, within a given geographic area, as an agent the business interest of one or more shipping lines or shipping companies for marketing and sales of maritime transport and related services and for acting on behalf of the companies organising the call of the ship or taking over cargoes when required); and
- Preshipment inspection services (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).

7. In respect of installers or servicers, the commitments apply only to the following sectors and sub-sectors in MTN.GNS/W/120<sup>11</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
F. <u>Other Business Services</u>	
i. Services incidental to manufacturing, limited to the following field of activities: Machinery and equipment for chemical manufacturing Machinery and equipment for manufacturing of automotive parts Machinery and equipment for metal working Machinery and equipment for pharmaceutical manufacturing Machinery and equipment for textile manufacturing Measuring equipment	884+885, except 88442**

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<sup>11</sup> In implementing this commitment, the sectors and segments listed under this paragraph shall be construed by reference to the field of activity of the supplying company.

	Precision equipment	
2	<u>COMMUNICATION SERVICES</u>	
C.	<u>Telecommunication services</u>	
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**
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>	9303
	<u>Cleaning services of exhaust gases</u>	9404
	<u>Noise abatement services</u>	9405
	<u>Nature and landscape protection services</u>	9406
	<u>Other environmental protection services n.e.c.</u>	9409
8	<u>HEALTH RELATED AND SOCIAL SERVICES</u>	
B.	<u>Other Human Health Services</u>	
	Other human health services n.e.c. – limited to the following field of activity:	93199**
	Medical equipment	
11	<u>TRANSPORT SERVICES</u>	
H.	<u>Services auxiliary to all modes of transport</u>	
a.	Cargo-handling services (except those of air and rail)	741**
b.	Storage and warehouse services (except those of air and rail)	742**

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.

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