

[Cursory Translation]

SUPPLEMENT IX TO THE MAINLAND AND HONG KONG CLOSER ECONOMIC PARTNERSHIP ARRANGEMENT

To further enhance the level of economic and trade exchanges and cooperation between the Mainland^① and the Hong Kong Special Administrative Region (hereinafter referred to as “Hong Kong”), and pursuant to:

- the Mainland and Hong Kong Closer Economic Partnership Arrangement (hereinafter referred to as “CEPA”) signed on 29 June 2003 and its Annexes signed on 29 September 2003;
- the Supplement to the Mainland and Hong Kong Closer Economic Partnership Arrangement (hereinafter referred to as “Supplement to the CEPA”) signed on 27 October 2004;
- the Supplement II to the Mainland and Hong Kong Closer Economic Partnership Arrangement (hereinafter referred to as “Supplement II to the CEPA”) signed on 18 October 2005;
- the Supplement III to the Mainland and Hong Kong Closer Economic Partnership Arrangement (hereinafter referred to as “Supplement III to the CEPA”) signed on 27 June 2006;
- the Supplement IV to the Mainland and Hong Kong Closer Economic Partnership Arrangement (hereinafter referred to as “Supplement IV to the CEPA”) signed on 29 June 2007;
- the Supplement V to the Mainland and Hong Kong Closer Economic Partnership Arrangement (hereinafter referred to as “Supplement V to the CEPA”) signed on 29 July 2008;
- the Supplement VI to the Mainland and Hong Kong Closer Economic Partnership Arrangement (hereinafter referred to as “Supplement VI to the CEPA”) signed on 9 May 2009;

① In “CEPA”, the “Mainland” refers to the entire customs territory of China.

- the Supplement VII to the Mainland and Hong Kong Closer Economic Partnership Arrangement (hereinafter referred to as “Supplement VII to the CEPA”) signed on 27 May 2010;
- the Supplement VIII to the Mainland and Hong Kong Closer Economic Partnership Arrangement (hereinafter referred to as “Supplement VIII to the CEPA”) signed on 13 December 2011;

the two sides agreed to sign this Supplement IX on further liberalization of trade in services in the Mainland for Hong Kong, strengthening cooperation in the areas of finance, and promoting mutual recognition of professional qualifications and trade and investment facilitation.

I. Trade in Services

1. From 1 January 2013, the Mainland shall further relax the market access conditions in 21 areas, namely, legal, accounting, construction, medical services, computer and related services, technical testing and analysis services, placement and supply services of personnel, printing, convention and exhibition, other business services, telecommunications, audiovisual, distribution, environment, banking, securities, social services, tourism, cultural, rail transport and individually owned stores etc., on the basis of the commitments on liberalization of trade in services under “CEPA”, “Supplement to the CEPA”, “Supplement II to the CEPA”, “Supplement III to the CEPA”, “Supplement IV to the CEPA”, “Supplement V to the CEPA”, “Supplement VI to the CEPA”, “Supplement VII to the CEPA” and “Supplement VIII to the CEPA”, and to introduce liberalization measures in a new sector, namely, education services. The specific contents are detailed in the Annex of this Supplement IX.

2. The Annex of this Supplement IX is a supplement and amendment to Table 1 of Annex 4 of “CEPA” – “The Mainland’s Specific Commitments on Liberalization of Trade in Services for Hong Kong”, Annex 3 of “Supplement to the CEPA”- “Supplements and Amendments to the Mainland’s Specific Commitments on Liberalization of Trade in Services for Hong Kong”, Annex 2 of “Supplement II to the CEPA”- “Supplements and Amendments II to the Mainland’s Specific Commitments on Liberalization of Trade in Services for Hong Kong”, Annex of “Supplement III to the CEPA” - “Supplements and Amendments III to the Mainland’s Specific Commitments on Liberalization

of Trade in Services for Hong Kong”, Annex of “Supplement IV to the CEPA” - “Supplements and Amendments IV to the Mainland’s Specific Commitments on Liberalization of Trade in Services for Hong Kong”, Annex of “Supplement V to the CEPA” - “Supplements and Amendments V to the Mainland’s Specific Commitments on Liberalization of Trade in Services for Hong Kong”, Annex of “Supplement VI to the CEPA” - “Supplements and Amendments VI to the Mainland’s Specific Commitments on Liberalization of Trade in Services for Hong Kong”, Annex of “Supplement VII to the CEPA” - “Supplements and Amendments VII to the Mainland’s Specific Commitments on Liberalization of Trade in Services for Hong Kong” and Annex of “Supplement VIII to the CEPA” - “Supplements and Amendments VIII to the Mainland’s Specific Commitments on Liberalization of Trade in Services for Hong Kong”. In the event of conflict with the provisions of the other nine instruments, the provisions of the Annex of this Supplement IX shall prevail.

3. “Service suppliers” as referred to in the Annex of this Supplement IX shall meet the relevant requirements in Annex 5 of “CEPA” – “Definition of “Service Supplier” and Related Requirements”.

II. Financial Cooperation

1. The Mainland shall amend and improve the relevant requirements for overseas listing, so as to support Mainland enterprises that satisfy Hong Kong’s listing requirements in listing in Hong Kong, and create favourable conditions for Mainland enterprises, especially small and medium enterprises, to raise capital through direct listing in overseas markets.

2. To actively explore ways and means to deepen co-operation between the commodity futures markets in the Mainland and in Hong Kong, and to promote the establishment of a futures market system in which both sides can complement each other’s advantages, work in co-operation and develop mutually.

3. To actively explore the lowering of the eligibility requirements for Hong Kong financial institutions to apply for Qualified Foreign Institutional Investor (QFII) status, in order to facilitate Hong Kong’s long-term capital investing in the Mainland’s capital markets.

4. To support qualified Hong Kong financial institutions in setting up joint venture securities companies, fund management companies and futures companies in the Mainland.

III. Mutual Recognition of Professional Qualifications

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

IV. Trade and Investment Facilitation

The two sides agreed to further strengthen cooperation in the areas of commodity inspection and quarantine, food safety and quality and standardization. Accordingly, the following is added to Article 5.2.2 of Annex 6 to “CEPA” - inspection and quarantine of animals and plants, and food safety :

“The two sides agreed to carry forward discussions on the ‘Memorandum of Understanding between the General Administration of Quality Supervision, Inspection and Quarantine and the Commerce and Economic Development Bureau of Hong Kong on the Arrangements for the Inspection of Wines Imported into the Mainland through Hong Kong’, with a view to adopting clearance facilitation and related measures for wines imported into the Mainland through Hong Kong, on the premises that the relevant laws and regulations of the Mainland are complied with and that safety is ensured.”

V. Annex

The Annex to this Supplement IX forms an integral part of this Supplement IX.

VII. Coming into Effect

This Supplement IX shall come into effect on the day of signature by the representatives of the two sides.

Signed in duplicate in Hong Kong, this 29th day of June, 2012 in the Chinese language.

Vice Minister of Commerce

Financial Secretary

People's Republic of China

Hong Kong Special
Administrative Region of the
People's Republic of China