Agreement ID : CHINA-HONG KONG, China
Short Name : China-Hong Kong CEPA

Member Countries

China
Hong Kong,SAR

Total: 2 countries

Mainland and Hong Kong Closer Economic Partnership Arrangement

Status : Signed in **2003** In force since 2003
Scope : Bilateral
Type : FTA & EIA
WTO Notification : GATT Art XXIV, GATS Art V 2003
Agreement text :
http://www.tid.gov.hk/english/cepa/legaltext/cepa_legaltext.html
Other links :
http://www.worldtradelaw.net/fta/agreements/chinhkfta.pdf
WTO consideration process :
http://rtais.wto.org/rtadocs/57/RelatedDocuments/Factual%20Abstract/English/China-HK%20China(G)_W.doc

GOODS

Tariffs
CHAPTER 2;Article 5: Tariff elimination by 2005
Annex 1: Tariff schedule, Negative list
Annex 1: Every year new products can be included in the no-tariff list (every October 1st)

Rules of Origin
CHAPTER 3; Article 10; Annex 2 (5) : Value added content 30% of FOB, or change in tariff heading, or special processing

Annex 2 (5); Table 1: Schedule on Rules of Origin for Hong Kong Goods (product specific rules)

Contingency Measures
Anti - Dumping : CHAPTER 2; Article 7: Not allowed
Countervailing Duties : CHAPTER 2; Article 8: Not allowed
Safeguards : CHAPTER 2; Article 9: Allowed (product included in Annex 1), for temporary time

Standards : CHAPTER 5; Article 17; Annex 6: Cooperate in commodity inspection and quarantine, food safety and quality and

Notes :
No provisions for coverage of agricultural goods. Consideration process in CRTA: factual abstract in preparation.

SERVICES

WTO Notification (GATS Art. V) : Notified
Date of notification : 27/12/2003
Consideration Process : Under Consideration

Liberalization Approach : Positive Lists

Modes Covered
Cross - Border Supply : **Yes**
Consumption Abroad : **Yes**
Commercial Presence Abroad : **Yes**
Movement of Natural Persons : **Yes**

Specific Chapters on

Specific Sectors Excluded

Public Sectors carve-out : Other
No explicit public services carve-out

Most Favoured Nation : Not featured

National Treatment : Not featured

Market Access : Not featured

Domestic Regulation : Not featured

Subsidies covered by services disciplines : Covered

Denial of benefits for commercial presence : Annex 5 sets out detailed rules of origin and on denial of benefits.

Notes :
No major disciplines in the text of the agreement. Substantial and sectoral obligations are adopted by positive listing in the schedules of commitments.

Link to schedules :

INVESTMENT

Scheduling Approach :

Definition of investment :

Most Favoured Nation :

National Treatment :

Fair and Equitable Treatment :

Expropriation :

Board of Directors and executive personnel :

Invester - State arbitration : No

Denial of Benefits :

Additional BIT exists between the parties : No
BIT list I :
Status:
BIT list II :
Status:

Notes :
The Parties will promote trade and investment facilitation through greater transparency, standards conformity and enhanced information exchange.

Link to schedules :

TRADE FACILITATION

Customs procedures : **Yes** CHAPTER 5; Article 17; Annex 6
Customs valuation : **Yes** CHAPTER 5; Article 17; Annex 6
Trade regulations publication and administration : **Yes** CHAPTER 5; Article 17; Annex 6
Use of ICT : **No**
Mobility of business people : **No**
Freedom of transit : **No**
Transport and logistics : **No**
Trade finance : **No**

OTHER AREAS

Government Procurement : **No**
Investment : **Yes** CHAPTER 5
Competition Policy : **No**
Intellectual Property : **No**
Dispute Settlement : **Yes** CHAPTER 6; Article 19
Labor Mobility : **No**
Labor and Environmental Standards : **No**
Technical cooperation : **No**
Institutional mechanism : **Yes** CHAPTER 6; Article 19

Notes :
Hong Kong continues to apply zero tariff to products originating from the mainland

RULES OF ORIGIN

Cumulation
Not mentioned

Specific Process
Annex 2 (5); Table 1:some specific process (with significant transformation) accepted
Heading Change

De Minimis
Not mentioned
Minimum Content

Drawback
Not mentioned
HTTP Link
http://www.tid.gov.hk/english/cepa/tradegoods/trade_goods.html

Notes :