



# 落实CEPA服务业合作工作小组

## Services — Implementation of CEPA Sub-group

### 工作目标及范围

中央人民政府与香港特别行政区政府在2003年6月签署了「内地与香港关于建立更紧密经贸关系的安排」(CEPA)，并在2004年10月签署CEPA第二阶段。CEPA涵盖三大范畴，分别为：货物贸易、服务贸易和贸易投资便利化。在2005年1月CEPA第二阶段实施以后，合共有26个服务行业的香港服务提供者取得内地的优惠待遇。

落实CEPA服务业合作工作小组集中于研究服务行业进入内地市场的安排及实施进度。小组的主要目标包括研究如何加强推广CEPA、了解及建议如何解决服务提供者在内地开业时遇到的困难及研究专业服务在内地发展的前景及问题等。

### 工作进度及意见

根据香港特区政府的经济效益分析，初步结果显示CEPA实施的首两年估计为香港带来超过28 000个新增职位。在这方面，小组认为CEPA对香港的整体经济有帮助。但是在服务行业方面，尤其是个别专业，CEPA的效果并不十分彰显。小组认为主要成因有以下几方面：

- 服务业在内地申请开业遇到不少困难。香港业界一般对内地法规不熟悉，加上某些政策透明度不高和申请开业手续比较繁复。因此，香港服务提供者在办理手续时往往遇到困难。

### Objectives of the Sub-group

The Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA) and CEPA II were signed by the Central Government and the HKSAR Government in June 2003 and October 2004 respectively. CEPA covers three main areas, namely trade in goods, trade in services, as well as trade and investment facilitation. Since the implementation of CEPA II in January 2005, service suppliers of a total of 26 services sectors from Hong Kong have been granted preferential treatment in the Mainland.

The Sub-group focused on the arrangements and implementation progress regarding the services sector's market access in the Mainland. Its primary objectives are to explore ways to step up the promotion of CEPA, identify problems encountered by service suppliers in starting a business in the Mainland and suggest possible solutions, and assess the prospects as well as possible problems for professional sectors to develop in the Mainland.

### Work progress and suggestions

According to the initial economic assessment conducted by the HKSAR Government, an estimate of over 28 000 new jobs would be created in Hong Kong in the first two years after the implementation of CEPA. The Sub-group is of the view that while CEPA is helpful to the local economy as a whole, it has not made significant impact on the services sector, especially individual professions, mainly due to the following reasons:

- Hong Kong's services sector has been confronted with difficulties in starting up business in the Mainland. Generally they are unfamiliar with the Mainland's laws and regulations. Moreover some policies may not be very transparent and application procedures may be relatively complicated. As a result, service suppliers from Hong Kong often encountered difficulties when going through the necessary formalities required for business operation.



- 由于内地与香港制度不同，因此在落实CEPA方面必须要解决因制度不同而做成的障碍，其中以专业界别遇到较大问题。小组认为两地的专业服务行业必须衷诚合作，达成专业资格互认及加强交流，并要在互惠的原则下合作，让两地的专业可扩大市场并得到更大的发展空间。
- 此外，即使个别专业行业的专业资格可以互认，在开业时仍然可能遇到其他问题。例如在建筑专业，内地在审批申请成立建筑设计企业时，对申办资质证书的人员要求，必须包含建筑、结构及其他相关的专业人员。这种综合模式的企业，有别于香港一般的单一专业形式经营。因此，一般香港建筑师事务所不能以现有模式在CEPA框架下在内地开业。工程师及规划师等专业服务行业亦遇到类似的问题。

小组在研究过这些问题后，认为可以从不同途径进一步协助CEPA在两地得到更好的发展，其中广东省与香港关系最密切，亦是香港服务业开拓内地市场的第一步，因此应从广东省做起：

- Barriers created by the institutional differences between Hong Kong and the Mainland had hampered the smooth implementation of CEPA. In particular, the professional sector has faced greater difficulties. The Sub-group considered that the professional service sectors of the two places should work together earnestly to achieve mutual recognition of qualifications and conduct more exchange activities. They should also cooperate on the principle of reciprocity to help expand their markets and seek bigger scope for development.
- For some professional sectors, though mutual recognition of qualifications has been in place, they still have to address some other problems in establishing business in the Mainland. Take the architectural profession for example. A staff mix of architects, structural engineers and other related professionals is required for an architectural design company to apply for business operation in the Mainland. Such a multi-disciplined mode of business is different from the operation of architectural firms in Hong Kong, which generally adopts a single-professional mode. As a result, Hong Kong architectural firms cannot operate in their existing mode in the Mainland under CEPA. Other professionals, like engineers and planners, also have similar problems.

The Sub-group has studied the issue and considered that efforts could be made at various levels to take CEPA further in both places, and such efforts should start with Guangdong as it has the closest tie with Hong Kong and is the gateway for Hong Kong services sector to develop in the Mainland market:



- 香港特区及广东省政府应加强合作推广CEPA，提高有关政策及规例的透明度，及尽量简化申请开业的手续。两地政府部门亦应该加强咨询服务，发放讯息。此外，就着个别行业的需求及新政策的推行，小组建议可请广东省作为试点，先推行简化的程序和较宽松的处理方法。
- 两地的商会和专业团体应加强交流和建立联系，多接触有兴趣利用CEPA到内地经营的企业或专业人士，以了解他们的需求，并将搜集到的资料或意见交给政府考虑。
- 此外，小组鼓励香港的专业界别多在广东省发展，为那些准备到香港开业的内地企业提供不同的财务、会计、法律及管理等方面的服务，各个专业界别亦应就此加强推广。

小组亦研究了医疗专业在广东省发展的可能性，并理解到在CEPA框架下，具有香港特区合法行医权的医生，可以申请在内地短期执业，最长时间为3年，短期执业期满需要延期的，可重新办理短期执业。但是现时内地一般情

- Both the HKSAR and Guangdong governments should forge closer cooperation to promote CEPA, enhance the transparency of relevant policies and regulations, and streamline application procedures for business operation. Government departments in both places should also strengthen their enquiry services and information dissemination. Guangdong could be requested to offer herself as a trial point for simplifying procedures and relaxing regulations in response to the needs of individual trades and introduction of new policies.
- Chambers of commerce and professional bodies in both places should enhance mutual exchanges and liaison. They should reach out to enterprises or professionals interested in establishing operations in the Mainland under CEPA, so as to gauge their needs and relay the information or views collected to the governments for consideration.
- Hong Kong's professional sector should be encouraged to build a greater presence in Guangdong to provide a wide range of financial, accounting, legal and management services to Mainland enterprises intending to start business in Hong Kong. The professional sector should step up promotional efforts in this respect.

The Sub-group has also studied the feasibility of exporting Hong Kong's medical services to Guangdong. It understood that currently medical practitioners who are legally eligible to practise in the HKSAR can apply for a licence, maximum duration being 3 years, to provide short-term medical services in the Mainland. On expiry, the licence for



况是医生在医疗机构工作，私人执业并不普遍容许。香港的医疗界在内地开办医疗机构亦不容易，除了要有一定开办资本，申请手续也相当繁复。小组亦认为香港医疗专业可以其专业精神作主要卖点，向广东省及内地其他地区的市民推广来港就医，但内地市民对香港医疗服务的详情，例如收费及配套措施等不清楚。小组认为香港医疗服务界应多加推广。

## 未来工作

小组将继续研究如何协助医疗专业利用CEPA进入广东省市场，委员将会谘询香港的医疗机构以了解在内地开业的困难。小组将在了解情况后向粤港政府反映，并研究是否可以广东省为试点，放宽部份开办业务的条例。

此外，小组会研究香港特区政府进行有关CEPA经济效益的评估，以考虑商务委员会可向政府或其他机构进一步提出的意见。

short-term practice is renewable. It also noted that private practice is not normally allowed in the Mainland as medical practitioners are generally employed by medical institutions. Setting up medical practice in the Mainland by Hong Kong's medical service sector is not easy as it involves sizable start-up capital and have to go through complicated application procedures. The Sub-group considered that the medical profession might highlight its professionalism as a key selling point and promote the local medical services to people from Guangdong and other areas in the Mainland. Promotion drive should also be stepped up for people in the Mainland as they have no idea about the service details like the fee level and service package.

## Future actions

The Sub-group will continue to explore ways to facilitate the entry of Hong Kong's medical profession into Guangdong under CEPA. Local medical institutions will be consulted on the difficulties they encountered in setting up practice in the Mainland. The Sub-group will then reflect the situation to the HKSAR and Guangdong governments and see whether Guangdong could run a pilot scheme and relax certain regulations governing medical practice.

Moreover, the Sub-group will study the assessment conducted by the HKSAR Government on the economic impact of CEPA in order to consider what the Business Council should propose to the governments or other organisations.