



落實CEPA服務業合作工作小組

Services — Implementation of CEPA Sub-group

工作目標及範圍

中央人民政府與香港特別行政區政府在2003年6月簽署了「內地與香港關於建立更緊密經貿關係的安排」（CEPA），並在2004年10月簽署CEPA第二階段。CEPA涵蓋三大範疇，分別為：貨物貿易、服務貿易和貿易投資便利化。在2005年1月CEPA第二階段實施以後，合共有26個服務行業的香港服務提供者取得內地的優惠待遇。

落實CEPA服務業合作工作小組集中於研究服務行業進入內地市場的安排及實施進度。小組的主要目標包括研究如何加強推廣CEPA、了解及建議如何解決服務提供者在內地開業時遇到的困難及研究專業服務在內地發展的前景及問題等。

工作進度及意見

根據香港特區政府的經濟效益分析，初步結果顯示CEPA實施的首兩年估計為香港帶來超過28 000個新增職位。在這方面，小組認為CEPA對香港的整體經濟有幫助。但是在服務行業方面，尤其是個別專業，CEPA的效果並不十分彰顯。小組認為主要成因有幾方面：

- 服務業在內地申請開業遇到不少困難。香港業界一般對內地法規不熟悉，加上某些政策透明度不高和申請開業手續比較繁複。因此，香港服務提供者在辦理手續時往往遇到困難。

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.



- 由於內地與香港制度不同，因此在落實CEPA方面必須要解決因制度不同而做成的障礙，其中以專業界別遇到較大問題。小組認為兩地的專業服務行業必須衷誠合作，達成專業資格互認及加強交流，並要在互惠的原則下合作，讓兩地的專業可擴大市場並得到更大的發展空間。
- 此外，即使個別專業行業的專業資格可以互認，在開業時仍然可能遇到其他問題。例如在建築專業，內地在審批申請成立建築設計企業時，對申辦資質證書的人員要求，必須包含建築、結構及其他相關的專業人員。這種綜合模式的企業，有別於香港一般的單一專業形式經營。因此，一般香港建築師事務所不能以現有模式在CEPA框架下在內地開業。工程師及規劃師等專業服務行業亦遇到類似的問題。

小組在研究過這些問題後，認為可以從不同途徑進一步協助CEPA在兩地得到更好的發展，其中廣東省與香港關係最密切，亦是香港服務業開拓內地市場的第一步，因此應從廣東省做起：

- 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:



- 香港特區及廣東省政府應加強合作推廣CEPA，提高有關政策及規例的透明度，及盡量簡化申請開業的手續。兩地政府部門亦應該加強諮詢服務，發放訊息。此外，就着個別行業的需求及新政策的推行，小組建議可請廣東省作為試點，先推行簡化的程序和較寬鬆的處理方法。
 - 兩地的商會和專業團體應加強交流和建立聯繫，多接觸有興趣利用CEPA到內地經營的企業或專業人士，以了解他們的需求，並將搜集到的資料或意見交給政府考慮。
 - 此外，小組鼓勵香港的專業界別多在廣東省發展，為那些準備到香港開業的內地企業提供不同的財務、會計、法律及管理等方面的服務，各個專業界別亦應就此加強推廣。
- 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.

小組亦研究了醫療專業在廣東省發展的可能性，並理解到在CEPA框架下，具有香港特區合法行醫權的醫生，可以申請在內地短期執業，最長時間為3年，短期執業期滿需要延期的，可重新辦理短期執業。但是現時內地一般情況

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



是醫生在醫療機構工作，私人執業並不普遍容許。香港的醫療界在內地開辦醫療機構亦不容易，除了要有一定開辦資本，申請手續也相當繁複。小組亦認為香港醫療專業可以其專業精神作主要賣點，向廣東省及內地其他地區的市民推廣來港就醫，但內地市民對香港醫療服務的詳情，例如收費及配套措施等不清楚。小組認為香港醫療服務界應多加推廣。

未來工作

小組將繼續研究如何協助醫療專業利用CEPA進入廣東省市場，委員將會諮詢香港的醫療機構以了解在內地開業的困難。小組將在了解情況後向粵港政府反映，並研究是否可以廣東省為試點，放寬部份開辦業務的條例。

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