

**PART A – CHINA’S SCHEDULE OF RESERVATIONS AND NON-CONFORMING
MEASURES FOR SERVICES AND INVESTMENT**

LIST I

EXPLANATORY NOTES

1. List I of the Schedule of China in this Annex sets out, pursuant to Article 7 (Reservations and Non-Conforming Measures) of Chapter 8 (Cross-Border Trade in Services) and Article 6*ter* (Reservations and Non-Conforming Measures) of Chapter 10 (Investment), China's existing measures that are not subject to some or all of the obligations imposed by:

- (a) Article 3 (Market Access) of Chapter 8 (Cross-Border Trade in Services);
- (b) Article 4 (National Treatment) of Chapter 8 (Cross-Border Trade in Services) or Article 3 (National Treatment) of Chapter 10 (Investment);
- (c) Article 5 (Most-Favoured-Nation Treatment) of Chapter 8 (Cross-Border Trade in Services) or Article 4 (Most-Favoured-Nation Treatment) of Chapter 10 (Investment);
- (d) Article 6 (Local Presence) of Chapter 8 (Cross-Border Trade in Services);
- (e) Article 6 (Prohibition of Performance Requirements) of Chapter 10 (Investment); or
- (f) Article 6*bis* (Senior Management and Board of Directors) of Chapter 10 (Investment).

2. Each entry in List I sets out the following elements:

- (a) **Sector** refers to the sector for which the entry is made;
- (b) **Obligations Concerned** specifies the article(s) referred to in paragraph 1 that, pursuant to paragraph 1(a) of Article 6*ter* (Reservations and Non-Conforming Measures) of Chapter 10 (Investment) and paragraph 1(a)

of Article 7 (Reservations and Non-Conforming Measures) of Chapter 8 (Cross-Border Trade in Services), do not apply to the non-conforming aspects of the **Measures** or the **Description**, as set out in paragraph 3;

- (c) **Level of Government** indicates the level of government maintaining the scheduled measure(s);
- (d) **Measures**¹ identifies the laws, regulations, or other measures for which the entry is made. A measure cited in the **Measures** element:
 - (i) means the measure as amended, continued or renewed as of the date of entry into force of this 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 aspects of the measure for which the entry is made.

3. In accordance with paragraph 1(a) of Article 6*ter* (Reservations and Non-Conforming Measures) of Chapter 10 (Investment) and paragraph 1(a) of Article 7 (Reservations and Non-Conforming Measures) of Chapter 8 (Cross-Border Trade in Services), and subject to paragraph 1(c) of Article 6*ter* (Reservations and Non-Conforming Measures) of Chapter 10 (Investment) and paragraph 1(c) of Article 7 (Reservations and Non-Conforming Measures) of Chapter 8 (Cross-Border Trade in Services), the articles of this Agreement specified in the **Obligations Concerned** element of an entry do not apply to the non-conforming aspects of the **Description** element, or the law, regulation, or other measure, as applicable, identified in the **Measures element** of that entry.

¹ For greater certainty, in the case of China, a change in the level of government at which a measure is administered or enforced does not, by itself, decrease the conformity of the measure with the obligations referred to in paragraph 1 of Article 6*ter* (Reservations and Non-Conforming Measures) of Chapter 10 (Investment) and paragraph 1 of Article 7 (Reservations and Non-Conforming Measures) of Chapter 8 (Cross-Border Trade in Services).

4. In the interpretation of a Schedule entry, all elements of the entry, as well as the articles against which the entry is made, shall be considered. Unless otherwise explicitly indicated in the entry, the **Measures** element shall prevail over all other elements, including where a difference exists between the **Description** element and the **Measures** element in the aspect of liberalisation commitments.

5. For greater certainty, where there is overlap between the contents of List I and List II, notwithstanding the obligations a Party assumes under paragraph 1 of Article 6*ter* (Reservations and Non-Conforming Measures) of Chapter 10 (Investment), paragraph 1 of Article 7 (Reservations and Non-Conforming Measures) of Chapter 8 (Cross-Border Trade in Services) and List I, the Party remains entitled to adopt or maintain relevant measures in accordance with paragraph 2 of Article 6*ter* (Reservations and Non-Conforming Measures) of Chapter 10 (Investment), paragraph 2 of Article 7 (Non-Conforming Measures) of Chapter 8 (Cross-Border Trade in Services) and List II.

6. For greater certainty, unless otherwise specified, “all sectors” referred to in List I shall mean all sectors including financial services.

7. For the purposes of List I of the Schedule of China in this Annex:

- (a) “**foreign investor**” means any investor of the other Party or a non-Party.
- (b) “**foreign investor may not invest**” means a foreign investor may not directly or indirectly invest, including by holding any shares, stock or other forms of rights or interest directly or indirectly, in the territory of China.
- (c) “**Chinese control**” means the circumstances where the total investment proportion held by foreign investors, whether directly and indirectly, is not greater than 49%.

8. For greater certainty, with respect to reservations concerning the supply of a service, the articles of this Agreement specified in the **Obligations Concerned** element of an entry do not apply to the non-conforming aspects of the **Description**

element, or the law, regulation, or other measure, as applicable, identified in the **Measures** element of that entry, regardless of the mode(s) of service supply unless otherwise specified or described in the reservation, law, regulation or measure.

9. The Schedule of Singapore shall not be used to interpret China's commitments or obligations under Chapter 8 (Cross-Border Trade in Services) or Chapter 10 (Investment).

Entry 1 – Seed Industry

Sector: Seed Industry

**Obligations
Concerned:** National Treatment (Investment)

**Level of
Government:** Central

Measures: *Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021)*, Articles 1, 2 and 3.

Description: Investment

1. Foreign investors may not invest in the research and development, cultivation or planting of the precious and quality varieties which are rare and special in China, and the production of the relevant reproductive materials thereof (including high quality genes in the industries of crop production, livestock industry and aquaculture).

2. Chinese control is required for investments by foreign investors in the selection and breeding of new varieties of corn and seed production of corn. Chinese shareholding in the selection and breeding of new varieties of wheat and seed production of wheat shall not be less than 34%.

3. Foreign investors may not invest in the selection and breeding of transgenic varieties of crops, livestock and poultry raised for breeding purpose, seeds and sprouts of aquatic

products, and the production of their transgenic seeds (sprouts).

Entry 2 – Fishery

Sector:	Fishery/Services Incidental to Fishing
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Most-Favoured-Nation Treatment (Cross-Border Trade in Services)
Level of Government:	Central
Measures:	<i>Fisheries Law of People’s Republic of China (2013); Law on the Exclusive Economic Zone and the Continental Shelf (1998); Law on the Territorial Sea and the Contiguous Zone (1992), Article 11; Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 4; Interim Provisions on the Administration of Fishery Activities of Foreigners and Foreign Ships in the Territorial Sea of the People's Republic of China (2022 Amended).</i>
Description:	<u>Cross-Border Trade in Services and Investment</u> 1. Foreign investors may not invest in the fishing of aquatic products within the sea and inland waters under the

jurisdiction of China.

2. Foreigners and foreign fishing vessels must obtain approval from Chinese government before entering the territorial waters of the People's Republic of China for carrying out fishery activities. If those persons and vessels belong to countries that have signed relevant accords or agreements with China, their activities shall be conducted in accordance with those accords or agreements.

Entry 3 – Exploration and Exploitation of Exclusive Economic Zone and Continental Shelf

Sector: Exploration and Exploitation of Exclusive Economic Zone and Continental Shelf

Obligations Concerned: National Treatment (Investment)

Level of Government: Central

Measures: *Law on the Exclusive Economic Zone and the Continental Shelf* (1998), Article 7.

Description: Investment

Any international organisation, foreign entity or individual must obtain approval from Chinese government for carrying out activities of exploring and exploiting natural resources in the exclusive economic zone of China or on the Chinese continental shelf, or drilling on the Chinese continental shelf for any purpose.

Entry 4 – Exploration, Exploitation and Smelting of Minerals

Sector: Exploration, Exploitation and Smelting of Minerals

**Obligations
Concerned:** National Treatment (Investment)

**Level of
Government:** Central

Measures: *The State Council Notice on Tungsten, Tin, Antimony, Ion Type Rare Earth Minerals Being Listed as Nation-wide Protective Specific Minerals for Mining (1991), Article 2;*
Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 5.

Description: Investment

Foreign investors may not invest in the exploration, exploitation or ore dressing of rare earth and tungsten.

Entry 5 – Printing of Publications

Sector: Printing of Publications

**Obligations
Concerned:** National Treatment (Investment)

**Level of
Government:** Central

Measures: *Regulations on the Administration of Printing Industry (2020 Amended)*, Article 14;

Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 6.

Description: Investment

Chinese control is required for investment (excluding those in free trade pilot zones) by foreign investors in the printing of publications.

Entry 6 – Government-granted Monopoly

Sector: Government-granted Monopoly/Services related to Government-granted Monopoly

Obligations Concerned: National Treatment (Cross-Border Trade in Services and Investment)
Market Access

Level of Government: Central

Measures: *Law of the People's Republic of China on Tobacco Monopoly (2015), Article 1, 2 and 3;*
Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 9;
Regulation on the Implementation of the Law of the People's Republic of China on Tobacco Monopoly (2023).

Description: Cross-Border Trade in Services and Investment

Foreign investors or foreign service suppliers may not invest or engage in the production, whole sale, retail or import and export of leaf tobacco, cigarettes, re-dried leaf tobacco, cigars, cut tobacco and other tobacco products.¹

¹ For the purpose of this entry, “tobacco products” refer to products entirely or partly made of the leaf tobacco as raw material, which are manufactured to be used for smoking, sucking, chewing or snuffing, including electronic cigarettes and other new-type tobacco products.

Entry 7 – Postal and Delivery Services

Sector:	Postal and Delivery Services
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Local Presence Market Access
Level of Government:	Central
Measures:	<i>Postal Law of the People's Republic of China (2015), Article 5, 14, 15, 42, 51, 52, 55, 84;</i> <i>Measures for the Supervision and Administration of Universal Postal Services (2015), Article 21;</i> <i>Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 13.</i>
Description:	<u>Cross-Border Trade in Services and Investment</u> 1. Foreign investors or foreign service suppliers may not invest in postal enterprises ¹ or operate postal services ² .

¹ For the purpose of this entry, “postal enterprise(s)” refer to the China Post Group and its wholly owned and/or controlled enterprises that provide postal services.

² For the purpose of this entry, “postal services” refer to postal services supplied by a postal enterprise, including mail delivery, postal remittance, stamp issuance, issuance of newspapers and magazines required by the government, post office counter services, P.O. box leasing services, and poste restante services.

2. Foreign investors or foreign service suppliers may not invest or engage in the operation of domestic express delivery service³ for correspondence.⁴

3. Only the corporate legal person⁵ established in China is allowed to operate delivery service within the territory of the People's Republic of China.

³ For the purpose of this entry, “domestic express delivery service” refers to express delivery service in which the entire process from the acceptance of mail to delivery occurs within the territory of China.

⁴ For the purpose of this entry, “correspondence” refers to letters or postcards. The term “letter” refers to a sealed information carrier delivered in an envelope to a specific individual or entity according to the name and address indicated thereon, excluding books, newspapers, periodicals, etc.

⁵ For the purpose of this entry, “corporate legal person” refers to an entity established for profit, consisting of limited liability company, joint stock company limited by shares, whole-people-owned company, company under collective ownership and commercial association.

Entry 8 – Telecommunication Services¹

Sector:	Telecommunication Services
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Market Access Local Presence
Level of Government:	Central
Measures:	<i>Telecommunication Regulation of the People's Republic of China (2016), Article 10;</i> <i>Administrative Provisions on Foreign-Invested Telecommunications Enterprise (2022 Amended);</i> <i>Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 14;</i> <i>Management Measures on Telecommunication Business License (2017);</i> <i>Measures on the Administration of International Communication Accesses (2002);</i> <i>Radio Regulation of the People's Republic of China (2016);</i>

¹ Notwithstanding this entry, China shall not adopt or maintain any measure that is inconsistent with its obligation under the GATS, including those under Article XVI and Article XVII and *Regional Comprehensive Economic Partnership Agreement (RCEP)*, including those under Article 8.4 and Article 8.5.

Measures for the Administration of Internet Domain Names (2017);

Notice of the Telecommunications Administration Bureau of Ministry of Information and Industry on Further Standardizing the Market of Satellite Communication Business (2001).

Description: Cross-Border Trade in Services and Investment

1. Foreign investors may not invest in the international communication facility service, satellite communication service, cluster communication service, network access facilities service, network trusteeship service, domestic communication facilities service (excluding domestic private-line circuit lease services), internet data center service, content delivery network service, internet access service and domestic internet virtual private network services.

2. For fixed communication service, cellular mobile communication service, data communication service, IP telephone service or domestic private line leasing service, the shareholding percentage of that foreign investor may not exceed 49% (the foregoing services may be provided on the basis of facilities). For online data processing and transaction processing services (E-commerce not included), code and protocol conversion services, radio paging services and information services, the shareholding percentage of that foreign investor may not exceed 50%.

3. China adopts a licensing system for telecommunications business. Only companies established in the territory of China in accordance with the law, after obtaining a

telecommunication business licence, may be engaged in telecommunications business.

4. The provision of international communications service within the territory of China shall only be conducted through international communications accesses (ICAs). The establishment of an ICA shall be applied by a wholly state-owned telecommunication business operator, who shall undertake the operation and maintenance of the ICA, and be approved by the Ministry of Industry and Information Technology.

5. Foreign investors or foreign service suppliers shall not conduct radio wave parameter testing or radio wave monitoring within the territory of China.

6. To establish a domain name root server or a domain name root server operating institution, domain name registry or domain name registrar within the territory of China, the corresponding licence issued by the telecommunications administrations shall be obtained.

7. Foreign satellite companies providing lease services for satellite transponders within the territory of China shall, in advance, complete the work of coordination with China's satellite network and so on, lease satellite transponders to domestic satellite companies qualified to operate lease services for satellite transponders in China or to user entities authorized by the Chinese government, and then domestic satellite companies sublease the satellite transponders to domestic user entities. Domestic satellite companies are responsible for technical support, marketing, user service and

user supervision. No foreign satellite companies may lease satellite transponders directly to domestic users without the approval of the Chinese government.

Entry 9 – Legal Services¹

Sector:	Legal Services
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Senior Management and Board of Directors Market Access Local Presence
Level of Government:	Central
Measures:	<i>Regulations on the Administration of Foreign Law Firms' Representative Offices in China (2001);</i> <i>Provisions of the Ministry of Justice on the Execution of the Regulations on the Administration of Foreign Law Firms' Representative Offices in China (2004);</i> <i>Implementation Measures for the National Uniform Legal Profession Qualification Examination (2018), Article 9;</i> <i>Administrative Measures for the Practice of Law by Lawyers (2016);</i>

¹ Notwithstanding this entry, China shall not adopt or maintain any measure that is inconsistent with the market access commitments it has undertaken in the sector of Legal Services (CPC 861) as set out in Appendix B to its schedule in List II of this Agreement.

Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 16;

Lawyers Law of the People's Republic of China (2017);

Administrative Measures for the Practice by Notarization Institutions (2006);

Administrative Measures for the Practices of Notaries Public (2006);

Notary Law of the People's Republic of China (2017);

Decision of the Standing Committee of the National People's Congress on the Administration of Forensic Identification and Evaluation (2015);

Administrative Measures for the Registration of Judicial Authentication Institutions (2005);

Administrative Measures for the Registration of Judicial Authenticators (2005);

Regulations on Patent Agency (2018);

Administrative Measures for the Establishment of Resident Representative Offices in China by Foreign Patent Agencies (2022), Article 14 and 16.

Description: Cross-Border Trade in Services and Investment

1. Foreign investors or foreign service suppliers may not invest or engage in the affairs on Chinese law.²

2. Foreign nationals may not take the National Uniform Legal Profession Qualification Examination, obtain the Chinese legal practitioner qualification, or become partners of Chinese law firms.

3. A foreign law firm may enter into China only in the form of a representative office; no foreign law firm, other foreign organization or individual may render legal services within the territory of China in other name except for in the name of its representative office in China; the establishment of representative office and dispatch of representatives by a foreign law firm are subject to the approval of the administrative department of justice of China. A representative in a representative office of foreign law firm shall reside within the territory of China for a period not less than 6 months every year.

4. Foreign lawyers are not allowed to engage in commercial arbitration, conciliation and mediation proceedings as representatives within the territory of China. Foreign lawyers are not allowed to provide legal services on a temporary fly-in,

² For the purpose of this entry, the following acts can be regarded as “affairs on Chinese law”: (1) participating in litigation activities within China as lawyers; (2) providing opinions or certifications on the specific issues governed by Chinese laws in contracts, agreements, articles of association or other written documents; (3) providing opinions and certifications on the acts or events governed by Chinese laws; (4) presenting agent’s opinions on the application of Chinese laws as an agent in arbitration activities; (5) handling, on the trustor’s behalf, the procedures for registration, alteration, application or putting on record, and other procedures at the government organs of China or other organizations authorized by laws and regulations with administrative authorities.

fly-out basis.

5. Representative offices of foreign law firms may not employ lawyers licensed to practice Chinese law, and the supporting personnel employed by such representative offices may not provide legal services to any concerned party. None of representative and the supporting personnel of a representative office may provide services in relation to Chinese law as a “Chinese legal consultant”.

6. Only notarization institutions that established in the territory of China may engage in notarization³ services. A control of total number shall be adopted for the establishment of notarization institutions. Only natural person with nationality of the People’s Republic of China may be a notary.

7. Only a juridical person or any other organization that established in the territory of China may apply for engaging in judicial authentication.⁴ Only Chinese citizens may apply for engaging in judicial authentication.

8. For the purpose of this entry, no representative office or their affiliated foreign law firm may:

(a) invest in any Chinese law firm, whether directly or indirectly;

(b) form profit-sharing or risk-sharing commercial

³ For the purpose of this entry, “notarization” refers to an act performed by a notarial institution, upon the application of a party concerned, such as certifying the authenticity and legality of a legal act, a document or a fact of legal significance according to the statutory procedures.

⁴ For the purpose of this entry, “judicial authentication” refers to the activities that authenticators identify, make judgments and offer expertise on the special issues involved in litigation by using scientific technologies or special knowledge.

association with a Chinese law firm or a Chinese lawyer;

(c) establish joint office with any Chinese law firm or dispatch personnel to Chinese law firms to engage in legal services; or

(d) manage, operate control or enjoy equity interests in any Chinese law firm.

9. The establishment of a resident representative office in China by a foreign patent agency must be subject to the approval of the Patent administration department. The resident representative office in China by a foreign patent agency may not engage in or in other name engage in Chinese patent affairs. The resident representative office of a foreign patent agency in China may not employ Chinese patent agents who have been permitted practice for filing.

Entry 10 – Market Investigation and Social Investigation

Sector:	Market Investigation and Social Investigation
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Market Access
Level of Government:	Central
Measures:	<i>Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 17, Article 18;</i> <i>Regulation on the Implementation of the Statistics Law of the People's Republic of China (2017);</i> <i>Statistics Law of the People's Republic of China (2009);</i> <i>Measures for the Administration of Foreign-related Investigation (2004).</i>
Description:	<u>Cross-Border Trade in Services and Investment</u> 1. Foreign investors may not invest in social investigation. ¹

¹ For the purpose of this entry, “social investigation” refers to the activity, other than a market investigation, of collecting, compiling and analyzing the relevant information of the society by way of questionnaire (including paper media, magnetic media and online form), interview, observation or any other ways, which corresponds to CPC 86402 (public opinion polling service) and the content of “economic and social intelligence service not related to commodities, such as industry analysis, econometrics model, demographic analysis, etc.” as set out in CPC 86401 in the 1991 provisional Central Product Classification (CPC) of the United Nations Statistical Office.

2. Foreign investors may not invest in market investigation² in the form of wholly foreign-owned enterprises.

3. Foreign service suppliers providing market or social investigation in China shall conduct it through an institution which is licensed for foreign-related investigation.³

² For the purpose of this entry, “market investigation” refers to the investigation service designed to secure information on the prospects and performance of an organisation’s products in the market, including market analysis (of size and other characteristics of a market) and analysis of consumer attitudes and preferences, which corresponds to CPC 86401 (market investigation service) in the 1991 provisional Central Product Classification (CPC) of the United Nations Statistical Office, but excluding the content of “economic and social intelligence service not related to commodities, such as industry analysis, econometrics model, demographic analysis, etc.”

³ For the purpose of this entry, “foreign-related investigation” refers to social and market investigation conducted under the entrustment or financial aid of any overseas organisations, individuals, or the agency in China of any overseas organisations; social and market investigation conducted in corporation with any overseas organisation, individuals, or the agency in China of any overseas organisations; market survey lawfully conducted by the agency in China of any overseas organisation; and market and social investigation of which the materials and results are to be provided to any overseas organisation, individual or the agency in China of any overseas organisation.

Entry 11 – Professional Technical Services

Sector:	Professional Technical Services
Obligations Concerned:	National Treatment (Investment)
Level of Government:	Central
Measures:	<p><i>Surveying and Mapping Law of the People's Republic of China (2017 Amended), Article 8;</i></p> <p><i>Interim Measures for the Administration of the Surveying and Mapping Conducted by Foreign Organizations or Individuals in China (2019 Amended), Article 7;</i></p> <p><i>Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 21.</i></p>
Description:	<p><u>Investment</u></p> <p>Foreign investors may not invest in the following business: geodetic survey, hydro graphic survey, aerial photography for mapping, ground moving survey, administrative boundary survey; compilation of topographic maps, world administrative district maps, national administrative district maps, provincial and lower administrative district maps, national teaching maps, local teaching maps, true three-dimensional maps and digital navigation maps; regional geological mapping, survey of mineral geology, geophysics, geochemistry, hydrogeology,</p>

environmental geology, geological disasters or remote sensing geology, etc (a mining right holder that conducts work to the extent of its mining right shall be exempt from the special administrative measure).

Entry 12 – Education

Sector: Education

Obligations National Treatment (Investment)

Concerned: Senior Management and Board of Directors

Level of Government: Central

Measures: *Education Law of the People's Republic of China (2021 Amended)*, Article 21, Article 22, Article 23, Article 25, Article 70 and Article 85;

Regulation of the People's Republic of China on Chinese-foreign Cooperative School Running (2019 Amended), Article 6, Article 7, Article 21, Article 23, Article 25, Article 35, Article 38, Article 42, Article 43, Article 44, Article 48 and Article 62;

Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 22 and Article 23;

Catalogue of Encouraged Industries for Foreign Investment (2022), Article 502.

Description: Investment

1. Foreign education institutions, other organizations or individuals may establish schools or other educational

institutions only in the form of Sino-foreign cooperative educational institutions mainly targeted at Chinese citizens.

2. Sino-foreign cooperative educational institutions may not engage in compulsory education and special education services such as military, police, and political education.

3. Foreign religious organisations, foreign religious institutions, foreign religious colleges or schools, or religious teaching personnel may not engage in cooperative school running activities within the territory of China. Sino-foreign cooperative educational institutions may not provide religious education or carry out religious activities.

4. Establishing preschools, general senior high schools and higher education institutions shall be made only in the form of Sino-foreign cooperative educational institutions, which requires the Chinese party to be in the leading position (the president or the principal administrator of a Sino-foreign cooperatively-run educational institution must be a person with Chinese nationality; the board of trustees, board of directors or the joint management committee shall consist of no less than half of the members from the Chinese party).

5. Foreign investors may not invest in educational accreditation services.

Entry 13 – Examination Services

Sector:	Education services
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Market Access
Level of Government:	Central
Measures:	<i>Interim Measures for the Administration of Examinations for Educational Purposes Held Jointly by Chinese and Foreign Institutions (1996), Article 2, Article 3, Article 5 and Article 11;</i> <i>Notice of the Ministry of Labor and Social Security on Strengthening the Administration of Introducing Foreign Professional Qualification Certificates (1998).</i>
Description:	<u>Cross-Border Trade in Services and Investment</u> 1. Upon approval of Chinese government, foreign institutions may engage in educational testing services for purposes other than academic credentials in the form of cooperation with Chinese institutions designated by Chinese government. 2. Foreign investors or foreign service suppliers shall cooperate with Chinese professional qualification certificate institutions, relevant industry organisations, social organisations or other corresponding institutions to carry out professional qualification examinations and certificate granting activities.

Entry 14 – Medicine

Sector: Medicine

**Obligations
Concerned:** National Treatment (Investment)

**Level of
Government:** Central

Measures: *Interim Measures for the Administration of Sino-foreign Equity Joint and Cooperative Joint Medical Institutions* (2000), Article 2;

Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 19 and Article 24.

Description: Investment

1. Foreign investors may not invest in medical institutions in the form of wholly foreign-owned enterprises.
2. Foreign investors may not invest in the development and application of human stem cells, or the development and application of genetic diagnosis or treatment technology.¹

¹ For greater certainty, this entry does not prevent foreign-invested medical institutions from using cell products that have been approved by the medical products administration under the State Council.

Entry 15 – Facilities of Satellite Television Broadcasting

Sector:	Radio and Television
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Market Access
Level of Government:	Central
Measures:	<i>Rules for the Administration of Ground-Based Receiving Equipment for Satellite Television Broadcasts</i> (Issued in 1993, 2018 Amended), Article 3 and Article 4; <i>Interim Measures for the Installation of Ground Receiving Facilities of Satellite Television Broadcasting</i> (Issued in 2009, 2021 Amended), Article 4 and Article 5; <i>Special Administrative Measures (Negative List) for the Access of Foreign Investment</i> (2021), Article 27.
Description:	<u>Cross-Border Trade in Services and Investment</u> Foreign investors and foreign service suppliers may not invest or engage in the installation services for ground receiving facilities of satellite television and broadcasts; foreign investors and foreign service suppliers investing and engaging in the manufacture of ground receiving facilities for satellite television and broadcast and key components shall obtain approval in accordance with the law.

Entry 16 – All Sectors

Sector:	All Sectors ¹
Obligations Concerned:	National Treatment (Investment)
Level of Government:	Central
Measures:	<i>Regulation for Implementing the Foreign Investment Law of the People's Republic of China (2019), Article 34;</i> <i>Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021).</i>
Description:	<u>Investment</u> The license, enterprise registration, or any other relevant matters shall not be granted if a foreign investor proposes to invest in sectors covered by the <i>Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021)</i> but not in compliance with the requirements listed in it; nor should the project approval for an investment in fixed assets be issued.

¹ For the purpose of this entry, “all sectors” referred to in this entry shall not include financial services.

Entry 17 – All Sectors

Sector: All Sectors

**Obligations
Concerned:** National Treatment (Investment)

**Level of
Government:** Central

Measures: *Regulation of the People's Republic of China on the Administration of Foreign Exchange (2008), Article 16 and Article 23;*

Notice of the State Administration of Foreign Exchange on Reforming and Regulating Policies on the Administration over Foreign Exchange Settlement of Capital Accounts (2016);

Guiding Opinions on Regulating the Asset Management Business of Financial Institution (2018).

Description: Investment

After completing the foreign exchange registration for foreign direct investment, foreign-invested enterprises shall, according to the nature of the transaction, open designated foreign exchange accounts under direct investment at the banks directly, including capital accounts and asset liquidation accounts. Capitals of foreign-invested enterprises and Renminbi funds gained through the settlement of foreign exchange shall not be invested directly or indirectly

in securities or wealth management products (wealth management products with risk assessment result not higher than level 2 not included), or used for issuance of loans to unrelated enterprises (except as otherwise explicitly specified in the business scope of the enterprise), or the construction or purchase of real estate that is not for self-use (real estate enterprises not included).

Entry 18 – All Sectors

Sector: All Sectors

**Obligations
Concerned:** National Treatment (Investment)

**Level of
Government:** Central

Measures: *Law of the People's Republic of China on Sole Proprietorship Enterprises* (1999), Article 47;

Law of the People's Republic of China on Specialized Cooperatives of Farmers (2017), Article 2, Article 3, Article 4, and Article 19;

Regulation on Promoting Individual Industrial and Commercial Households (2022), Article 2;

Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Note 2.

Description: Investment

Foreign investors may not carry out business operations in China in the forms of individual business entities or individual sole proprietorship enterprises, or as members of specialized cooperatives of farmers.

Entry 19 – Atomic Energy

Sector: Atomic Energy

**Obligations
Concerned:** National Treatment (Investment)

**Level of
Government:** Central

Measures: *Regulation of the People's Republic of China on the Control over Nuclear Exports (2006 Amended), Article 2 and Article 6;*

Special Administrative Measures (Negative List) for Market Access of Foreign Investment (2021), Article 5 and Article 8.

Description: Investment

1. Chinese control is required for investment by foreign investors in construction or operation of nuclear power stations.

2. Foreign investors may not invest in the exploration, mining, beneficiation, metallurgy, purification, transformation, isotope separation of radioactive mineral resources, or invest in nuclear fuel production and processing, or engage in nuclear export businesses for materials and items listed in the *Nuclear Export Control List*.

Entry 20 – Accounting, Auditing and Bookkeeping Services

Sector: Accounting, Auditing and Bookkeeping Services

**Obligations
Concerned:** Local Presence

**Level of
Government:** Central

Measures: *Accounting Law of the People's Republic of China (2017);
Law of the People's Republic of China on Certified Public Accountants (2014);
Measures for the Practice Licensing and Supervision and Administration of Accounting Firms (2019);
Administrative Measures for Agency Bookkeeping (2019).*

Description: Cross-Border Trade in Services

1. Foreign service suppliers providing statutory auditing services shall establish commercial presence in the territory of China.
2. Foreign service suppliers providing agency bookkeeping services shall establish commercial presence in the territory of China.

Entry 21 – Urban Planning, Architectural, Engineering and Integrated Engineering Services

Sector: Urban planning, Architectural, Engineering and Integrated engineering Services

Obligations National Treatment (Cross-Border Trade in Services)

Concerned: Market Access

Local Presence

Level of Government: Central

Measures: *Urban and Rural Planning Law of the People's Republic of China (2019 Amended);*

Administrative Provisions on the Qualifications of Project Supervising Enterprises (2018 Amended);

Regulation on the Management of Survey and Design of Construction Projects (2018 Amended);

Interim Provisions on the Administration of Foreign Enterprises Engaging in Construction Project Designing Activities within the People's Republic of China (2004).

Description: Cross-Border Trade in Services

1. Foreign service suppliers shall cooperate with Chinese professional institutions to provide preliminary (fundamental) designs for construction projects, construction drawings (detailed designs) and engineering and integrated

engineering.

2. Except for the scenarios where cross-border supply are permitted (such as scheme design), foreign service suppliers shall establish commercial presence to supply prospecting, design services and supervision of construction independently.

3. Foreign service suppliers may not engage in general urban planning and shall cooperate with Chinese professional institutions to provide other urban planning services when in the form of cross-border supply. Urban design except for statutory planning and pre-planning studies for urban design are not subject to this restriction.

Entry 22 – Customs Clearance Services

Sector: Professional Services

**Obligations
Concerned:** Local Presence

**Level of
Government:** Central

Measures: *Customs Law of the People's Republic of China (2021 Amended);*

Provisions of the Customs of the People's Republic of China on the Administration of Recordation of Customs Declaration Entities (2021).

Description: Cross-Border Trade in Services

Only corporate legal person¹ established in the territory of China may engage in customs declaration.

¹ For the purpose of this entry, “corporate legal person” refers to an entity established for profit, consisting of limited liability company, joint stock company limited by shares, whole-people-owned company, company under collective ownership and commercial association.

Entry 23 – Placement and Supply Services of Personnel

Sector:	Placement and Supply Services of Personnel
Obligations Concerned:	National Treatment (Cross-Border Trade in Services) Market Access Local Presence
Level of Government:	Central
Measures:	<i>Employment Promotion Law of the People's Republic of China (2015), Article 40;</i> <i>Interim Regulation on Human Resources Market (2018), Article 18;</i> <i>Administrative Provisions on Human Resources Service Agencies (2023);</i> <i>Interim Provisions on the Administration of Foreign-funded Talent Intermediaries (2019);</i> <i>Provisions on the Administration of Talents Markets (2019);</i> <i>Interim Provisions on the Administration of the Establishment of Foreign-funded Job Intermediaries (2019);</i> <i>Regulation on the Administration of Foreign Labor Cooperation (2012);</i> <i>Provisions of the People's Republic of China on the Administration of Overseas Assignment of Seamen (2023)</i>

Amended);

Opinions on Relevant Issues of Strengthening the Administration of Overseas Civil Aviation Companies Employ Chinese Civil Aviation Professional and Technical Personnel (2004).

Description: Cross-Border Trade in Services

Foreign service suppliers providing human resource services (including but not limited to talent intermediary services and job intermediary services) shall obtain approval or registration in accordance with the law. Foreign service suppliers may not directly recruit contract workers from within the territory of China to work abroad.

Entry 24 – Security Services

Sector:	Security Services
Obligations Concerned:	National Treatment (Cross-Border Trade in Services) Local Presence
Level of Government:	Central
Measures:	<i>Regulation on the Administration of Security and Guarding Services (2022 Amended);</i> <i>Measures for the Public Security Organs to Implement the Regulation on the Administration of Security and Guarding Services (2016 Amended).</i>
Description:	<u>Cross-Border Trade in Services</u> Foreign nationals may not serve as security guard to provide security and guarding services ¹ in China; foreign service suppliers may only provide security services through commercial presence.

¹ For the purpose of this entry, “security services” refer to (1) the doorman, patrol, guard, escorting, body guard, security inspection, and security technology protection, security risk assessment and other services which a security company offers to its client entities by assigning security guards; (2) the internal watchman, patrol, guard and other security protection work undertaken by those persons employed by enterprises; (3) the guard, patrol, maintenance of order and other services conducted by persons employed by realty service enterprises within the realty management area.

Entry 25 – Exhibition Services¹

Sector:	Exhibition Services
Obligations Concerned:	National Treatment (Cross-Border Trade in Services) Market Access
Level of Government:	Central
Measures:	<i>Notice of the Ministry of Foreign Trade and Economic Cooperation on Reiterating and Defining the Regulations Concerning the Administration of Hosting Foreign Economic and Technological Exhibitions in China (2001);</i> <i>Regulations on Broadcasting and Television (2020 Amended, 1997 Published), Article 45;</i> <i>Provisions on Administration of Radio, Film and Television Festival Exhibition and Programme Exchange Activities (2016 Amended), Article 2, Article 4, Article 6 and Article 12.</i>
Description:	<u>Cross-Border Trade in Services</u> 1. Foreign economic and technological exhibitions held in China by foreign institutions shall be conducted jointly or entrusted to entities in the territory of China. 2. Approval from administrative authority is required to hold

¹ Notwithstanding this entry, China shall not adopt or maintain any measure that is inconsistent with its obligation under the GATS, including those under Article XVI and Article XVII.

film festivals, film exhibitions, other film exhibiting activities, and radio and television exchanges (including festival exhibition) and trade activities in China. Overseas films and radio and television programs that enter China for competition or exhibition shall be examined and approved by administrative authority.

3. To hold overseas publications exhibitions within the territory of China, foreign service suppliers shall obtain approval from the publishing administrative department under the State Council.

Entry 26 – Asset Appraisal Services

Sector: Asset Appraisal Services

Obligations National Treatment (Investment)

Concerned: Senior Management and Board of Directors

Local Presence

Level of Government: Central

Measures: *Asset Appraisal Law of the People's Republic of China* (2016);

Measures for the Fiscal Supervision and Administration of the Asset Appraisal Industry (2019).

Description: Cross-Border Trade in Services and Investment

1. Only after filing a registration application with the related appraisal administrative department, an appraisal institution may engage in asset appraisal services.

2. For an asset appraisal institution, more than two thirds of its partners or shareholders shall be Chinese Public Appraisers.

Entry 27 – Civil and Commercial Investigation Services

Sector: Civil and Commercial Investigation Services

**Obligations
Concerned:** Market Access (Cross-Border Trade in Services)

**Level of
Government:** Central

Measures: *Notice of the Ministry of Public Security on Prohibiting the Establishment of Non-government Institutions with "Private Detective Agency" Nature (1993).*

Description: Cross-Border Trade in Services

Foreign service suppliers may not engage in private detective services.

Entry 28 – Construction and Related Engineering Services

Sector: Construction and Related Engineering Services

**Obligations
Concerned:** Local Presence

**Level of
Government:** Central

Measures: *Administration Provisions on Qualifications of Enterprises in Construction Industry (2018 Amended)*

Description: Cross-Border Trade in Services

Foreign service suppliers shall establish commercial presence to supply construction services.¹

¹ Notwithstanding this entry, China shall not adopt or maintain any measure that is inconsistent with its obligation under the GATS including those under Article XVI and Article XVII and the RCEP, including those under Article 8.4 and Article 8.5.

Entry 29 – Distribution Services

Sector:	Distribution Services
Obligations Concerned:	Market Access Local Presence
Level of Government:	Central
Measures:	<i>Regulation on Veterinary Drug Administration (2020);</i> <i>Regulation on the Administration of Feeds and Feed Additives (2017);</i> <i>Regulation on Pesticide Administration (2022 Amended);</i> <i>Measures for Monopoly of Table Salt (2017);</i> <i>Interim Measures for the Administration of Port Entry Duty-free Shops (2016);</i> <i>Notice on Issuing the Supplementary Provisions to the Interim Measures for the Administration of Port Entry Duty-free Stores (2018);</i> <i>Interim Measures for the Administration of Port Exit Duty-free Shops (2019);</i> <i>Relevant Provisions on Further Strengthening the Centralized and Unified Management of the Duty-free Business (2000);</i> <i>Customs Law of the People's Republic of China (2021</i>

Amended);

Measures of General Administration of Customs of the People's Republic of China for Supervising and Controlling Duty-Free Shops and Goods (2023 Amended).

Description: Cross-Border Trade in Services

1. Foreign service suppliers are not permitted to sell veterinary drugs, feeds, feed additives and pesticide directly in China, and the foreign service suppliers shall form a sales organization in the territory of China or authorize a qualified Chinese agencies in order to do it.
2. Foreign service suppliers may not engage in table salt wholesale business.
3. China applies a system of special approval for duty-free shops.

Entry 30 – Road Transport Services

Sector:	Road Transport Services
Obligations Concerned:	National Treatment (Cross-Border Trade in Services) Market Access
Level of Government:	Central
Measures:	<i>Regulation of the People's Republic of China on Road Transport (2023 Amended);</i> <i>Provisions for the Administration of International Road Transport (2023 Amended).</i>
Description:	<u>Cross-Border Trade in Services</u> Foreign service suppliers may not engage in Chinese domestic road passenger or freight transport business where the starting points and ending points are all in the territory of China, and may not illegally undertake freight of goods or canvassing passengers inside the territory of China by themselves.

Entry 31 – Water Transportation

Sector:	Water Transportation
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Market Access Local Presence
Level of Government:	Central
Measures:	<i>Maritime Law of the People's Republic of China (1992), Article 4;</i> <i>Regulation on the Administration of Domestic Water Transport (2023 Amended);</i> <i>Provisions on the Administration of Domestic Water Transport (2020 Amended);</i> <i>Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 10;</i> <i>Circular of the Ministry of Communications on Strengthening the Supervision and Inspection over the Maritime Transport Between the Ports of China Undertaken by Foreign Vessels (2001);</i> <i>Maritime Traffic Safety Law of the People's Republic of China (2021);</i>

Regulations of the People's Republic of China on Administration of Traffic Safety in Inland Rivers (2019);

Law of the People's Republic of China on Ports (2018);

Regulations on Management of Ship Piloting (2021 Amended);

Measures of the State Council for the Administration of Foreign Investors' Participation in the Salvage of Sunken Vessels and Objects in Coastal Waters of China (2020);

Administration of the Establishment of Ship Inspection Companies in China by Foreign Ship Inspection Institutions (2008);

Provision on the Administration of Port Operations (2020);

Regulation on the Administration of Foreign Labor Cooperation (2012);

Regulation of the People's Republic of China on Seamen (2023 Amended);

Provisions of the People's Republic of China on the Administration of Overseas Assignment of Seamen (2023 Amended);

Labor Contract Law of People's Republic of China (2012 Amended).

Description: Cross-Border Trade in Services and Investment

1. Following conditions shall be satisfied when a foreign-invested enterprise apply for engaging in domestic

water transportation¹: (1) Chinese control is required; (2) no existing water transportation operators in China can satisfy the requirements for the applied domestic water transportation; (3) the enterprise has good performance and operation records in water transportation.

2. No foreign service supplier may engage in domestic water transport business or engage in water transport business in a disguised form such as leasing a Chinese vessel or shipping space. No water transport operator may use a foreign vessel to engage in domestic water transport business. However, under the circumstance where there is no Chinese vessel that can satisfy the requirements for the applied transportation, and the berthing port or water areas for the vessel is an open port or water areas, the water transport operator may, upon the approval of the competent transport authority of the State Council and within the prescribed time limit and voyage number as prescribed by the competent transport authority of the State Council, temporarily use a foreign vessel for transport.

3. Only juridical person established in the territory of China may engage in maritime vessel crew services.

4. Only with the permission of the Chinese government, foreign vessels may engage in the towage services between the ports of China.

5. Foreign vessels sailing in the inland river, or foreign

¹ For the purpose of this entry, “domestic water transportation” refers to commercial transportation of passenger and goods whose ports of departure, port of call and ports of destination are all located in navigable waters governed by the People’s Republic of China.

vessels sailing, berthing and pulling in the pilotage districts designated by competent agency of transport under the State Council (except foreign vessels exempted by the competent agency of transport under the State Council upon approval by the State Council) should apply to the local pilot organizations for piloting.

6. Foreign service supplier may conclude with the Chinese party a joint salvage contract to engage in the salvage of sunken ships and sunken articles in China's coastal waters. With conditions being equal, foreign service supplier should give preference to Chinese salvage operators from whom to rent ships and equipment and hire labor services needed in the implementation of the joint salvage contract.

7. Only with establishment of ship inspection company in China, foreign ship inspection institution may dispatch or hire personnel to carry out ship inspection activities in China.

Entry 32 – Press

Sector:	Press
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Market Access
Level of Government:	Central
Measures:	<p><i>Regulation of the People's Republic of China on News Coverage by Resident Offices of Foreign News Agencies and Foreign Correspondents</i> (2008), Article 6;</p> <p><i>Decision of the State Council on Amending the Decision of the State Council on Establishing Administrative Licenses for the Administrative Examination and Approval Items Really Necessary to Be Retained</i> (2009), Article 3;</p> <p><i>Special Administrative Measures (Negative List) for the Access of Foreign Investment</i> (2021), Article 25;</p> <p><i>Measures for the Administration of Release of News and Information in China by Foreign News Agencies</i> (2006); <i>Provisions for the Administration of Internet News Information Services</i> (2017), Article 7.</p>
Description:	<p><u>Cross-Border Trade in Services and Investment</u></p> <p>1. Foreign investors or foreign service suppliers may not invest in or engage in news service, including but not limited</p>

to, news service provided through news agencies, newspapers, periodicals, radio stations and television stations, except that subject to the approval of the Chinese government:

(a) foreign news institutions may establish resident news offices in China which could only conduct news interview, and may dispatch resident journalists to China¹;

(b) under the condition that the leading position of the Chinese parties is secured, Chinese and foreign news institutions may cooperate in particular businesses.

(c) foreign news agencies may provide news service that is specifically approved into the territory of China.

2. Foreign service suppliers may not engage in Internet news information service² or internet public information posting service³.

¹ For greater certainty, the establishment of representative offices in China by newspapers or periodicals, which only engage in news services, is subject to this subparagraph.

² For greater certainty, “Internet news information” includes reports and commentaries on social and public affairs such as political, economic, military and foreign affairs, as well as reports and commentaries on social emergency events. “Internet news information service” includes services in respect of internet news information collection, editing, posting, reposting, and services in respect of transmission platform, which are provided to the public through internet websites, application programs, BBS, blogs, microblogs, public WeChat accounts, instant communication tools, live internet broadcast, etc.

³ For greater certainty, “Internet public information posting service” refers to services that mainly provide facilities through establishing BBS, blogs, microblogs and other information exchange platforms to users for the posting of information to the general public.

Entry 33 – Network Information Services

Sector:	Network Information Services
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Market Access
Level of Government:	Central
Measures:	<i>Administrative Measures for Internet Information Services (2011 Amended);</i> <i>Measures for Archival Administration of non-operational Internet information Services (2005);</i> <i>Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 17.</i>
Description:	<u>Cross-Border Trade in Services and Investment</u> 1. For investments by foreign investors in the internet information searching services (information searching within a single website not included), the shareholding percentage of the foreign investors shall be no more than 50%. Foreign service suppliers may not provide cross-border internet information searching services. 2. To provide profitable internet information service, foreign service suppliers shall obtain a license by relevant authority. To provide non-profitable Internet information service,

foreign service suppliers shall file a record of its service.

Entry 34 – Professional Qualifications of Natural Person

Sector: All Sectors

**Obligations
Concerned:** National Treatment (Cross-Border Trade in Services)

**Level of
Government:** Central

Measures: *Asset Appraisal Law of the People's Republic of China* (2016);

Interim Provisions on the Professional Qualification System of Asset Appraisers (2017);

Regulations on the Professional Qualification System of Registered Urban and Rural Planners (2017);

Provisions on the Professional Qualification System of Real Estate Appraisers (2021);

Interim Provisions on the Qualification System of Auctioneer (1996);

Provisions on the Certified Metrology Engineer System (2019);

Implementation Measures on Certified Metrology Engineer Qualification Examination (2019);

Regulations of the People's Republic of China on Registered Architects (2019 Amended);

Detailed Rules for the Implementation of the Regulation of the People's Republic of China on Registered Architects (2008);

Lawyers Law of the People's Republic of China (2017);

Administrative Measures for Practicing Lawyers (2016);

Implementation Measures for the National Uniform Legal Profession Qualification Examination (2018);

Interim Provisions on the Registered Marine Surveyor System (2006);

Implementation Measures on Registered Marine Surveyor Qualification Examination (2007);

Regulations on Management of Ship Piloting (2021 Amended);

Regulation of the People's Republic of China on Seamen (2023 Amended);

Regulations of the People's Republic of China Governing the Registration of Ships (2014);

Administrative Measures for Practicing Veterinarians and Village Veterinarians (2022);

Regulation on the Administration of Commercial Performances (2020 Amended);

Administrative Measures for Performance Agent (2021);

Interim Provisions on the Administration of Qualifications for Radio and TV Editing Journalists and Announcers (2004);

Administrative Measures for Press Cards (2009);

Interim Provisions on the Professional Qualification Examination for Publishing Professional and Technical Personnel (2001);

Regulations on Patent Commissioning (2018);

Regulations on Administration of Tour Guides (2017 Amended);

Interim Provisions on the Registered Surveyor System (2007);

Implementation Measures on Registered Surveyor Qualification Examination (2007);

Measures for the Qualification Assessment of Registered Surveyor (2007);

Provisions on the Administration of Certified Survey and Design Engineers (2016);

Civil Aviation Law of the People's Republic of China (2021);

Rules for the Administration of Licenses for Civil Aviation Intelligence Officers (2016);

Rules for the Administration of Licenses for Civil Aviation Air Traffic Controllers (2016).

Description: Cross-Border Trade in Services

1. Foreign citizens may not apply for sitting for the examination of asset appraisal and mining rights appraisal qualification.

2. Foreign citizens may not apply for sitting for the examination of registered urban and rural planner professional qualification.
3. Foreign citizens may not apply for sitting for the professional qualification examination of registered real estate appraiser.
4. Foreign citizens may not apply for sitting for the examination of registered auctioneer qualification.
5. The application for sitting for the unified nationwide qualification examination of registered architects by foreign citizens shall be conducted by the principle of reciprocity. For registration, the country where the foreign citizen located shall have signed reciprocal registration agreement with China.
6. Foreign citizens may not apply for sitting for the National Uniform Legal Profession Qualification Examination, or obtain legal professional qualification, or apply for becoming Chinese practice lawyer or notary.
7. Foreign citizens may not apply for sitting for the examination of certified survey and design engineer¹ qualification.
8. Foreign citizens may not register as pilots.
9. The captain of a Chinese vessel shall be a Chinese crew

¹ For greater certainty, the survey and design registration engineer includes various professional qualifications under the survey and design registration engineer in the National Vocational Qualifications Catalogue.

member. Foreign crew members working on Chinese vessels shall hold corresponding certificates issued by the relevant departments of the Chinese government and relevant identity documents issued by the governments of their respective countries.

10. Foreign citizens may not apply for sitting for the examination of practicing veterinarians qualification, and may not apply for registration or recordation.

11. Foreign citizens may not apply for sitting for the examination of performance broker qualification or obtain the certificate of performance broker qualification or engage in performance brokerage activities within the territory of the People's Republic of China.

12. Foreign citizens may not apply for sitting for the examination of registered supervisor engineer qualification.

13. Foreign citizens may not apply for sitting for the examination of broadcasting and TV editorial reporter and announcer qualification or obtain related professional certificates, may not obtain the professional qualification of journalist, and may not apply for sitting for the publishing professional qualification examination or obtain the publishing professional qualification.

14. Foreign citizens may not apply for patent agent qualification.

15. Foreign citizens may not apply for sitting for the examination of tour guide qualification and may not obtain tour guide certificate or engage in tour guide activities in China.

16. Foreign citizens may not apply for sitting for the examination of registered surveyor qualification.

17. Foreign citizens may not apply for the licenses of civil aviation telecommunication personnel and civil aviation air traffic controllers.

Entry 35 – Chinese Traditional Medicine

Sector: Pharmaceutical Manufacture

**Obligations
Concerned:** National Treatment (Investment)

**Level of
Government:** Central

Measures: *Circular of the State Food and Drug Administration on the Relevant Issues concerning the Business Scope of the Foreign-funded Enterprises that Engage in the Production of Herbal Medicines for Decoction (2006);*

Special Administrative Measures (Negative List) for the Access of Foreign Investment (2021), Article 7.

Description: Investment

Foreign investors may not invest in the application of processing techniques of Chinese medicinal decocting pieces including steaming, plain stir-baking, stir-baking with adjuvant, calcining or the manufacture of confidential prescription products of Chinese patent medicine.

LIST II

EXPLANATORY NOTES

1. List II of the Schedule of China in this Annex sets out, pursuant to Article 7 (Reservations and Non-Conforming Measures) of Chapter 8 (Cross-Border Trade in Services) and Article 6*ter* (Reservations and Non-Conforming Measures) of Chapter 10 (Investment), the specific sectors, subsectors, or activities for which China may maintain existing, or adopt new or more restrictive, measures that do not conform with obligations imposed by:

- (a) Article 3 (Market Access) of Chapter 8 (Cross-Border Trade in Services);
- (b) Article 4 (National Treatment) of Chapter 8 (Cross-Border Trade in Services) or Article 3 (National Treatment) of Chapter 10 (Investment);
- (c) Article 5 (Most-Favoured-Nation Treatment) of Chapter 8 (Cross-Border Trade in Services) or Article 4 (Most-Favoured-Nation Treatment) of Chapter 10 (Investment);
- (d) Article 6 (Local Presence) of Chapter 8 (Cross-Border Trade in Services);
- (e) Article 6 (Prohibition of Performance Requirements) of Chapter 10 (Investment); or
- (f) Article 6*bis* (Senior Management and Board of Directors) of Chapter 10 (Investment).

2. Each entry in List II sets out the following elements:

- (a) **Sector** refers to the sector for which the entry is made;
- (b) **Subsector** refers to the specific sub-sector with which the entry is

concerned if mentioned.

- (c) **Obligations Concerned** specifies the article(s) referred to in paragraph 1 that, pursuant to paragraph 2 of Article 6*ter* (Reservations and Non-Conforming Measures) of Chapter 10 (Investment) and paragraph 2 of Article 7 (Reservations and Non-Conforming Measures) of Chapter 8 (Cross-Border Trade in Services), do not apply to the sectors, subsectors, or activities scheduled in the entry;
- (d) **Description** sets out the scope of the sectors, subsectors, or activities covered by the entry; and
- (e) **Existing Measures** identifies, for transparency purposes, existing measures that apply to the sectors, subsectors, or activities covered by the entry.

3. In accordance with paragraph 2 of Article 7 (Reservations and Non-Conforming Measures) of Chapter 8 (Cross-Border Trade in Services) and paragraph 2 of Article 6*ter* (Reservations and Non-Conforming Measures) of Chapter 10 (Investment), the articles of this Agreement specified in the Obligations Concerned element of an entry do not apply to the sectors, subsectors, or activities identified in the Description element of that entry.

4. For the purposes of List II of the Schedule of China in this Annex, “**foreign investor**” means any investor of the other Party or a non-Party.

5. The Schedule of Singapore shall not be used to interpret China’s commitments or obligations under Chapter 8 (Cross-Border Trade in Services) or Chapter 10 (Investment).

Entry 1 – Social Services

Sector:	Social Services
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Most-Favoured-Nation Treatment (Cross-Border Trade in Services and Investment) Prohibition of Performance Requirements Senior Management and Board of Directors Market Access Local Presence
Description:	<u>Cross-Border Trade in Services and Investment</u> China reserves the right to adopt or maintain any measure in the following areas: provision of law enforcement and correctional services, provision of social services established or maintained for public purposes, including: social security or social insurance, social welfare, ¹ public education, public training, health and child care. ²

¹ For greater certainty, social welfare includes protection of interests of the group of preferential treatment, households enjoying the minimum living guarantee, aged people, the disabled and children.

² This entry does not apply to Services for the aged (part of CPC 93311 and 93323) which is listed in List II Appendix B.

Entry 2 – Atomic Energy

Sector: Atomic Energy

Obligations National Treatment (Investment)

Concerned: Most-Favoured-Nation Treatment (Investment)

Prohibition of Performance Requirements

Senior Management and Board of Directors

Description: Investment

China reserves the right to adopt or maintain any measure with respect to the storage, transportation and reprocessing of spent fuels, decommissioning of nuclear facilities and disposal of radioactive wastes, as well as nuclear import business.

Entry 3 – Ethnic Minorities

Sector:	Ethnic Minorities ¹
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Most-Favoured-Nation Treatment (Cross-Border Trade in Services and Investment) Prohibition of Performance Requirements Senior Management and Board of Directors Market Access Local Presence

Description: Cross-Border Trade in Services and Investment

China reserves the right to adopt or maintain any measure that grants rights or preferences to places which are ethnic minorities area ² with the view to balance economic development and maintain social justice.

¹ For the purpose of this entry, “ethnic minorities” refer to 55 non-Han minorities that have less population than Han nationality in 56 ethnic nationalities identified and recognised by the Chinese central government.

² For the purpose of this entry, “ethnic minority areas” refer to:

(a) autonomous regions, prefectures and counties as set forth in the Constitution Law of the People’s Republic of China and the Law on Regional Ethnic Autonomy;

(b) ethnic townships and towns inhabited by ethnic minorities according to Regulations on the Administrative Work of Ethnic Townships approved by the State Council; and

(c) the three provinces of Yunnan, Guizhou, and Qinghai.

Entry 4 – Traditional Crafts

Sector: Traditional Crafts

Obligations National Treatment (Investment)

Concerned: Most-Favoured-Nation Treatment (Investment)

Prohibition of Performance Requirements

Senior Management and Boards of Directors

Description: Investment

China reserves the right to adopt or maintain any measure with respect to the traditional crafts¹ including production of rice paper and ink stick.

¹ For the purpose of this entry, “traditional crafts” refers to the crafts and related products which have historical inheritance and ethnic or regional characteristics, closely related to daily life, mainly using manual labor for production. As a customized production using creative manual labor and distinctive skills based on materials, it has the characteristics that industrial production cannot replace.

Entry 5 – Protection of Biological Resources

Sector:	Protection of Biological Resources ¹
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Most-Favoured-Nation Treatment (Cross-Border Trade in Services) Prohibition of Performance Requirements Market Access Local Presence
Description:	<u>Cross-Border Trade in Services and Investment</u> China reserves the right to adopt or maintain any measure with respect to the collection, acquisition and development of biological resources ² (including human, animal, plant and microbe resources) under national protection.

¹ For greater certainty, this entry does not affect the commitments of China in the biological resources sector as set out in List I Entry 1 - Seed Industry of China's schedule.

² For greater certainty, biological resources includes genetic resources, organisms or parts thereof, populations, or any other biotic component of ecosystems with actual or potential use or value for humanity.

Entry 6 – All Sectors

Sector:	All Sectors
Obligations Concerned:	National Treatment (Investment) Most-Favoured-Nation Treatment (Investment) Prohibition of Performance Requirements Senior Management and Board of Directors
Existing Measures:	<i>Law of the People’s Republic of China on the Administration on Activities of Overseas Non-Governmental Organisations within the Territory of China (2017 Amended);</i> <i>Regulations on the Administration of Foundations (2004), Article 23 and 24.</i>
Description:	<u>Investment</u> China reserves the right to adopt or maintain the following measures with respect to non-government organisations (including but not limited to private non-enterprise units, social groups, foundations, foreign non-government organisations and other civil social organisations and their representative institutions).

Entry 7 – Land

Sector:	Land
Obligations Concerned:	National Treatment (Investment) Most-Favoured-Nation Treatment (Investment) Prohibition of Performance Requirements Senior Management and Board of Directors
Existing Measures:	<i>Land Administration Law</i> (2019 Amended), Article 2, Article 4 of Chapter 1, Chapter 2, Chapter 4 and Chapter 5; <i>Forestry Law</i> (2019 Amended), Chapter 2 and Chapter 6; <i>Grassland Law</i> (2021 Amended), Article 10, Article 11 and Article 13; <i>Fisheries Law</i> (2013 Amended), Article 8; <i>Law on the Contracting of Rural Land</i> (2018 Amended).
Description:	<u>Investment</u> China reserves the right to adopt or maintain any measure with respect to restricting foreign investors and their investments in the use or contracted management of agricultural land. ¹

¹ For the purpose of this entry, agricultural land refers to the land directly used for agricultural production, including arable land, forest land, grass land, land for farm and water conservancy, waters for aquaculture, etc.

Entry 8 – All Sectors

Sector:	All Sectors (state-owned assets) ¹
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Prohibition of Performance Requirements Senior Management and Board of Directors Market Access Local Presence
Description:	<u>Cross-Border Trade in Services and Investment</u> China reserves the right to adopt or maintain any measure with respect to the evaluation, transfer and disposition of state-owned assets ² .

¹ For greater certainty, this entry does not apply to the evaluation, transfer or disposition of assets which are no longer state-owned assets after being transacted.

² For the purpose of this entry, “state-owned assets” refer to the rights and interests by virtue of all forms of investments directly or indirectly made by the State in an enterprise.

Entry 9 – All Sectors¹

Sector:	All Sectors
Obligations Concerned:	Most-Favoured-Nation Treatment (Cross-Border Trade in Services and Investment)
Description:	<u>Cross-Border Trade in Services and Investment</u>

1. With respect to Cross-Border Trade in Services and the establishment, acquisition, and expansion of investments:

(a) China reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral international agreement in force or signed prior to the date of entry into force of the 2023 Protocol.*

(b) China reserves the right to adopt or maintain any measures that accords differential treatment to the parties under any future bilateral or multilateral international agreement which liberalises service in accordance with Article V of GATS or liberalises investment provided the agreement has substantial sector coverage in terms of number of sectors, and provides for the absence or elimination of substantially all

¹ For greater certainty, this reservation is without prejudice to China's rights and obligations with respect to Singapore under the WTO Agreement.

discrimination in the covered sectors either at the entry into force of that agreement or on the basis of a reasonable time-frame.*

(c) China reserves the right to adopt or maintain any measure that accords differential treatment to countries under any international agreement in force or signed after the date of entry into force of the 2023 Protocol involving:

(i) Aviation matters, including air services;

(ii) Fisheries;

(iii) Maritime and services auxiliary to maritime matters including rescue and salvage;

(iv) Telecommunication and information technology matters;

(v) Education matters;and

(vi) Electronic commerce matters.

2. With respect to the management, conduct, operation, and sale or other disposition of investments:

(a) China reserves the right to adopt or maintain any measure that accords differential treatment to countries under any bilateral or multilateral international agreement in force or signed prior to 16 October 2019.*

(b) China reserves the right to adopt or maintain any measure that accords differential treatment to countries

under any bilateral or multilateral international agreements involving:

(i) aviation matters;

(ii) fisheries; and

(iii) maritime and services auxiliary to maritime matters including salvage.

* For greater certainty, the wording in these paragraphs extend to any differential treatment accorded to a country pursuant to a subsequent review or amendment of the relevant bilateral or multilateral agreement mentioned in these paragraphs.

Entry 10 – All Sectors

Sector:	All Sectors
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Most-Favoured-Nation Treatment (Cross-Border Trade in Services and Investment) Prohibition of Performance Requirements Senior Management and Board of Directors Market Access Local Presence
Description:	<u>Cross-Border Trade in Services and Investment</u> China reserves the right to adopt or maintain any measure with respect to any special arrangement or favourable treatment for any services and service suppliers of, or investors, as well as any investments thereof, from (1) Hong Kong, China; (2) Macao, China; and (3) Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei).

Entry 11 – Lottery

Sector:	Lottery Services
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Market Access Prohibition of Performance Requirements Senior Management and Board of Directors
Existing Measures:	<i>Regulations on Lottery management (2009).</i>
Description:	<u>Cross-Border Trade in Services and Investment</u> China reserves the right to adopt or maintain any measure with respect to the lottery sector.

Entry 12 – Gambling Services

Sector: Gambling Services

Obligations National Treatment (Cross-Border Trade in Services)

Concerned: Market Access

Local Presence

Description: Cross-Border Trade in Services

China reserves the right to adopt or maintain any measure with respect to the gambling sector.

Entry 13 – Services related to Religion

Sector: Services related to religion

Obligations National Treatment (Cross-Border Trade in Services)

Concerned:

Market Access

Most-Favoured-Nation Treatment (Cross-Border Trade in Services)

Local Presence

Description: Cross-Border Trade in Services

China reserves the rights to adopt or maintain any measure with respect to services and activities related to religion.

Entry 14 – Culture¹

Sector: Culture

Obligations Concerned: National Treatment (Cross-Border Trade in Services and Investment)

Market Access

Most-Favoured-Nation Treatment (Cross-Border Trade in Services and Investment)

Local Presence

Prohibition of Performance Requirements

Senior Management and Board of Directors

Description: Cross-Border Trade in Services and Investment

1. China reserves the right to adopt or maintain any measure in the following areas:

(a) The editing, publication, and production of books, newspapers, periodicals, audio and video products and electronic publication;

(b) Radio and television broadcasting and transmitting services, production and operation business of radio and

¹ Notwithstanding this entry, China shall not adopt or maintain any measure that is inconsistent with its obligation under the GATS, including those under Article XVI and Article XVII.

television programs², video on demand services, radio and television station, television station, radio and television channel (rate), radio and television transmission coverage network;

(c) The production, distribution, cinema line and introduction of films;

(d) The protection of cultural relics and intangible cultural heritage;

(e) Literary and artistic creation and performance, grade test of social art skills;

(f) Network publication, network audio and visual and Internet culture operation;³

(g) Public culture.⁴

2. Chinese control is required for investments by foreign investors in investigations of television or broadcast audience ratings.

² For greater certainty, production and operation business of radio and television programs includes production, introduction and purchase radio and television programs.

³ In accordance with Administrative Provisions on Online Publishing Services, Administrative Provisions on Network Audio and Visual Program Services, Interim Administrative Provisions on Internet Culture.

⁴ For greater certainty, public culture includes the establishment and operation of culture pavilion, library, fine art museum, culture center, museums, and foreign culture exchanges.

Entry 15 – Research and Experimental Development Services on Social Sciences and Humanities

Sector: Research and experimental development services on social sciences and humanities¹

Obligations Concerned: National Treatment (Cross-Border Trade in Services and Investment)

Most-Favoured-Nation Treatment (Cross-Border Trade in Services and Investment)

Market Access

Local Presence

Prohibition of Performance Requirements

Senior Management and Board of Directors

Description: Cross-Border Trade in Services and Investment

China reserves the right to adopt or maintain any measure with respect to Research and Experimental Development Services on Social Sciences and Humanities.

¹ For the purpose of this entry, “research and experimental development services on social sciences and humanities” refers to the services under CPC 852 in accordance with the 1991 provisional Central Product Classification (CPC) of the United Nations Statistical Office, including research and experimental development services on cultural sciences, sociology and psychology (CPC 85201), research and experimental development services on economics (CPC 85202), research and experimental development services on law (CPC 85203), research and experimental development services on linguistics and languages (CPC 85204) and research and experimental development services on other social sciences and humanities (CPC 85209).

Entry 16 – Internet Security

Sector: Internet Services

Obligations National Treatment (Cross-Border Trade in Services)

Concerned:

Market Access

Most-Favoured-Nation Treatment (Cross-Border Trade in Services)

Local Presence

Description: Cross-Border Trade in Services

China reserves the right to adopt or maintain any measure according to *the Cybersecurity Law of the People's Republic of China* and related laws and regulations.

Entry 17 – All Sectors

Sector:	All Sectors
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Most-Favoured-Nation Treatment (Cross-Border Trade in Services and Investment) Prohibition of Performance Requirements Senior Management and Board of Directors Market Access Local Presence
Description:	<u>Cross-Border Trade in Services and Investment</u> 1. China reserves the right to adopt or maintain any measure with respect to new industries and new services. 2. China shall notify Singapore prior to adopting a measure with respect to a new industry or new service inconsistent with the above-mentioned obligations. At the request of either Party, the Parties shall enter into negotiations with regard to the liberalisation commitments for the new industry or new service. 3. For the purposes of this entry: (a) The term “new industry” means an economic activity that at the date of entry into force of the 2023 Protocol is: (i) not currently in existence in the territory of either

Party; and

(ii) an existing economic activity not covered or defined in the International Standard Industrial Classification of All Economic Activities (ISIC), Rev.4 (“ISIC Rev.4”).

(b) The term “new services” means a service that at the date of entry into force of the 2023 Protocol is:

(i) not currently in existence in the territory of either Party;
and

(ii) an existing service not covered or defined in the 1991 provisional Central Product Classification (CPC) of the United Nations Statistical Office.

4. For greater certainty, this entry does not apply to a service or economic activity that could be classified in the ISIC Rev.4 or the CPC, but that could not previously be supplied on a cross-border basis due to lack of technical feasibility.

Entry 18 – Technical Consulting Services, Exploration and Exploitation of Natural Resource

Sector: Technical Consulting Services, Exploration and Exploitation of Natural Resource

Obligations National Treatment (Cross-Border Trade in Services)

Concerned: Market Access

Local Presence

Existing Measures: *Provisions on Administration of Foreign-related Marine Scientific Research* (1996);

Provisions Governing the Laying of Submarine Cables and Pipelines (1989);

Law on Exclusive Economic Zone and the Continental Shelf (1998);

Mineral Resources Law (2009 Amended), Article 3 and Article 16;

Regulation of the People's Republic of China on the Hydrology (2017).

Description: Cross-Border Trade in Services

1. China reserves the right to adopt or maintain any measure with respect to surveying and mapping, meteorology, hydrology, seismic monitoring, marine scientific research, establishment of artificial islands, installations and structures, laying of submarine cables and pipelines, etc., within China's territory, territory airspace, and waters under China's jurisdiction. China

reserves the right to adopt or maintain any measure with respect to natural resource exploration and development within waters under China's jurisdiction.

2. This reservation does not apply to obligation under Article 3 (Market Access) of Chapter 8 (Cross-Border Trade in Services), Article 4 (National Treatment) of Chapter 8 (Cross-Border Trade in Services) or Article 3 (National Treatment) of Chapter 10 (Investment) in respect of a service provided by mode (1) and mode (2) in the following sectors:

(a) Related scientific technical consulting services (CPC 8675):

(i) Offshore oil-field services geological, geophysical and other scientific prospecting services (CPC 86751); and

(ii) Sub-surface surveying services (CPC 86752); and

(b) Onshore oil-field services.

3. For the purposes of this entry:

Mode (1) refers to the supply of a service from the territory of a Party into the territory of the other Party; and

Mode (2) refers to the supply of a service in the territory of a Party by a person of that Party to a service consumer of the other Party.

Entry 19 – Education¹

Sector: Education

Obligations National Treatment (Cross-Border Trade in Services)

Concerned: Market Access

Local Presence

Description: Cross-Border Trade in Services

China reserves the right to adopt or maintain any measure with respect to any cross-border educational services.

¹ Notwithstanding this entry, China shall not adopt or maintain any measure that is inconsistent with its obligation under the GATS, including those under Article XVI and Article XVII.

Entry 20 – Tourism

Sector:	Tourism and Travel Related Services
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Most-Favoured-Nation Treatment (Cross-Border Trade in Services and Investment) Prohibition of Performance Requirements Market Access
Description:	<u>Cross-Border Trade in Services and Investment</u> China reserves the right to adopt or maintain any measure with respect to foreign-invested enterprises' engaging in the activities of Chinese travelling abroad and to Hong Kong China, Macao China and Chinese Taipei. ¹

¹ Notwithstanding this entry, China shall not adopt or maintain any measure that is inconsistent with its obligation under the GATS, including those under Article XVI and Article XVII, and its modifications which are listed in the Appendix B to List II of this Agreement.

Entry 21 – Air Transportation

Sector:	Transport Services
Obligations Concerned:	National Treatment (Cross-Border Trade in Services) Most-Favoured-Nation Treatment (Cross-Border Trade in Services) Market Access Local Presence
Existing Measures:	<i>Civil Aviation Law of the People's Republic of China (2021); Interim Provisions on the Licensing of the Direct Access to and Use of Foreign Computer Reservation Systems by the Sales Agents within the Chinese Territory Designated by Foreign Air Transportation Enterprises (2016); Provisions on Permission for Using Transport Airports (2022); Rules on Air Traffic Control of Civil Aviation (2022); Rules for Managing the Air Traffic Control Training in Civil Aviation (2016); Rules for the Administration of Civil Aviation Intelligence Training (2016).</i>
Description:	<u>Cross-Border Trade in Services</u> 1. China reserves the right to adopt or maintain any measure affecting cross-border supply of:

- (a) aircraft repair and maintenance services (CPC 8868);
- (b) the selling and marketing of air transport services;
- (c) computer reservation system services (CRS).

2. This reservation does not apply to obligations under Article 3 (Market Access) or Article 4 (National Treatment) of Chapter 8 (Cross-Border Trade in Services) in respect of the supply of a service:

(a) by mode (1) and mode (2) in respect of rental/leasing services relating to aircraft without operators;

(b) by mode (2) in respect of the following services:

- (i) computer reservation system (CRS) services;
- (ii) Aircraft repair and maintenance services (CPC 8868); or

(c) by mode (1) in respect of computer reservation system (CRS) services, based on the following limitations:

- (i) Foreign Computer Reservation System, may provide services to Chinese aviation enterprises and Chinese aviation agents by connecting with Chinese Computer Reservation System;
- (ii) Foreign Computer Reservation System may provide services to representative offices and sales offices established in the destination cities in China by foreign aviation enterprises which have the right to engage in business according to the bilateral aviation agreements; and
- (iii) Direct access to and use of foreign Computer Reservation System by Chinese aviation

enterprises and agents of foreign aviation enterprises are subject to approval of the Civil Aviation Administration of China (CAAC).

3. For the purposes of this reservation:

Mode (1) refers to the supply of a service from the territory of a Party into the territory of the other Party;
and

Mode (2) refers to the supply of a service in the territory of a Party by a person of that Party to a service consumer of the other Party.

Entry 22 – Air Transportation

Sector:	Transport Services
Obligations Concerned:	National Treatment (Investment) Most-Favoured-Nation Treatment (Investment) Prohibition of Performance Requirements Senior Management and Board of Directors Market Access
Existing Measures:	<i>Civil Aviation Law of the People's Republic of China (2021); Interim Provisions on the Licensing of the Direct Access to and Use of Foreign Computer Reservation Systems by the Sales Agents within the Chinese Territory Designated by Foreign Air Transportation Enterprises (2016); Provisions on Permission for Using Transport Airports (2022); Rules on Air Traffic Control of Civil Aviation (2022); Rules for Managing the Air Traffic Control Training in Civil Aviation (2016); Rules for the Administration of Civil Aviation Intelligence Training (2016).</i>
Description:	<u>Cross-Border Trade in Services and Investment</u> 1. China reserves the right to adopt or maintain any measure affecting investments in air transport and air transport-related services.

2. This reservation does not apply to obligations under Article 3 (Market Access) of Chapter 8 (Cross-Border Trade in Services) or Article 3 (National Treatment) of Chapter 10 (Investment) in respect of investments:

(a) in Computer Reservation System (CRS) services, based on the following limitations: foreign service suppliers are permitted to establish partly foreign-invested enterprises with Chinese Computer Reservation System in China. The Chinese side shall hold controlling shares or be in a dominant position in the partly foreign-invested enterprises. Licenses for the establishment of partly foreign-invested enterprises are subject to economic needs test;

(b) in Aircraft Repair and Maintenance services (CPC 8868), based on the following limitations:

(i) foreign service suppliers are permitted to establish partly foreign-invested aircraft repair and maintenance enterprises in China. The Chinese side shall hold controlling shares or be in a dominant position in the partly foreign-invested enterprises;

(ii) the partly foreign-invested enterprises have the obligation to undertake business in the international market.

(c) in Rental/Leasing services relating to aircraft without operators, based on the following limitations:

(i) wholly foreign-owned subsidiaries are permitted;

(ii) service suppliers shall have global assets of US\$ 5 million.

Entry 23 – Air Transportation

Sector:	Transport Services
Sub-Sector:	Air Transport Services - Passengers Transportation by Air Freight Transportation by Air
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Most-Favoured-Nation Treatment (Cross-Border Trade in Services and Investment) Prohibition of Performance Requirements Senior Management and Board of Directors Market Access Local Presence
Description:	<u>Cross-Border Trade in Services and Investment</u> China reserves the right to adopt or maintain any measure relating to requirements of China's bilateral and multilateral air services agreements.

Entry 24 – Foreign Debts

Sector: Financial Services

Sub-Sector:

**Obligations
Concerned:** National Treatment (Cross-Border Trade in Services and Investment)

Market Access

Description: Cross-Border Trade in Services and Investment

China reserves the right to adopt or maintain any measures with regard to the borrowing of foreign debts by domestic enterprises and individuals pursuant to the foreign debt administration regime.

Entry 25 – Import and Export

Sector: Wholesale - Import and Export

**Obligations
Concerned:** National Treatment (Investment)

**Existing
Measures:** *Foreign Trade Law of the People's Republic of China (2022)*,
Article 10;

*Regulation of the People's Republic of China on the
Administration of the Import and Export of Goods (2001)*,
Article 45.

Description: Investment:

The import or export of the following goods into or outside China are subject to state trading administration, and Chinese government reserves the right to determine and announce to public the list of the enterprises that may engage in the import state trading or export state trading:

(a) Goods of which the import is subject to state trading administration refer to the goods listed in Annex 2A1 to the Protocol on the Accession of the People's Republic of China (WT/L/432), excluding vegetable oil;

(b) Goods of which the export is subject to the state trading administration refer to the goods as listed in Annex 2A2 to the Protocol on the Accession of the People's Republic of China (WT/L/432) and tobacco monopoly products, excluding yarn and non-bleached yarn.

Entry 26 – All sectors

Sector:	All sectors
Obligations Concerned:	Most-Favoured-Nation Treatment (Cross-Border Trade in Services) National Treatment (Cross-Border Trade in Services) Market Access
Description:	<u>Cross-Border Trade in Services</u> China reserves the right to adopt or maintain any measure with respect to the supply of service by the presence of natural persons, or other movement of natural persons, including immigration, entry or temporary stay, subject to the provisions of Chapter 9 (Movement of Natural Persons).

Entry 27 – Financial Services

Sector:	Financial Services
Obligations Concerned:	National Treatment (Cross-Border Trade in Services and Investment) Most-Favoured-Nation Treatment (Cross-Border Trade in Services and Investment) Prohibition of Performance Requirements Senior Management and Board of Directors Market Access Local Presence
Description:	<u>Cross-Border Trade in Services and Investment:</u> 1. China reserves the right to adopt or maintain any measure affecting the supply of financial services with respect to Most-Favoured-Nation Treatment, Local Presence, National Treatment, Performance Requirements and Senior Management and Boards of Directors. 2. China reserves the right to adopt or maintain any measure affecting the supply of financial services with respect to Market Access and National Treatment, except as specified in Appendix A to List II (Commitments for Financial Services-China) and subject to the limitations, conditions and qualifications specified therein.

Entry 28 – All Sectors

Sector: All Sectors (not including Financial Services)

**Obligations
Concerned:** Market Access

Description: Cross-Border Trade in Services

China reserves the right to adopt or maintain any measure affecting trade in services through commercial presence of a Singaporean service supplier in its territory that is not consistent with Article 3 (Market Access) of Chapter 8 (Cross-Border Trade in Services), except for China's commitments under Article XVI of *General Agreement on Trade in Services* (GATS) as set out in China's Schedule of Specific Commitments under the GATS and China's modifications in Appendix B.

APPENDIX A TO LIST II
COMMITMENTS FOR FINANCIAL SERVICES
CHINA

EXPLANATORY NOTES

1. This Appendix shall be read together with entry 27 in List II of the China's Schedule in Annex 5 (Schedules of Reservations and Non-Conforming Measures for Services and Investment). This Appendix does not include China's commitments on the supply of a service by the presence of natural persons, or other movement of natural persons, including immigration, entry or temporary stay.
2. The classification of sectors in this Schedule is based on the 1991 provisional Central Product Classification (CPC) of the United Nations Statistical Office, while the ordering reflects the classification system used by the WTO Secretariat in MTN.GNS/W/120 dated 10 July 1991.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
FINANCIAL SERVICES			
A. All Insurance and Insurance-Related Services ¹ (a) Life, health and pension/annuity insurance (b) Non-life insurance (c) Reinsurance (d) Services auxiliary to insurance	(1) Unbound except for: (a) reinsurance; (b) international marine, aviation, and transport insurance; and (c) brokerage for large scale commercial risks, international marine, aviation, and transport insurance, and reinsurance.	(1) None	
	(2) Unbound for brokerage. Other, none.	(2) None	
	(3) A. <u>Form of establishment</u> Foreign non-life insurers are permitted to establish as a branch, or as a foreign-	(3) None, except for: - Foreign insurance institutions shall not engage in the statutory insurance business,	

¹ Any further authorisation provided to foreign insurers after accession under more favourable conditions than those contained in this Schedule (including the extension of grandfathered investments through branching, sub-branching or any other legal form), will be made available to other foreign service suppliers which so requested.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>invested enterprise, with no form of establishment restrictions.</p> <p>Foreign life insurers are permitted to establish as a branch, or as a foreign-invested enterprise with no form of establishment restrictions.</p> <p>Foreign Insurance brokerage companies are permitted to establish foreign-invested companies.</p> <p>Internal branching is permitted for foreign insurance firms which have established foreign-invested insurance companies in China.</p>	<p>except that insurance institutions of a Party are permitted to undertake third party auto liability insurance.</p>	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>Internal branching is permitted for foreign insurance brokerage companies which have established foreign-invested insurance brokerage companies in China.</p> <p>B. <u>Business Scope</u> (See Attachment – Insurance: Definition of “Master Policy”) Foreign non-life insurers are permitted to provide "master policy" insurance/insurance of large scale commercial risks, which has no geographic restrictions. In accordance with national treatment, foreign insurance brokers are</p>		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>permitted to provide "Master policy" no later than Chinese brokers, under conditions no less favourable.</p> <p>Qualified foreign investors are permitted to engage in insurance agency business and loss adjustment business in China.</p> <p>The business scope of foreign insurance brokerage company will be the same as Chinese insurance brokerage company.</p> <p>Foreign non-life insurers are permitted to provide the full range of non-life insurance services to both foreign and domestic clients.</p>		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>Foreign insurers are permitted to provide health insurance, individual/group insurance and pension/annuities insurance to foreigners and Chinese.</p> <p>Foreign insurers are permitted to provide reinsurance services for life and non-life insurance as a branch, or as a foreign-invested enterprise, without geographic or quantitative restrictions on the number of licences issued.</p> <p>C. <u>Licences</u> Licences are issued with no economic needs test or quantitative limits on licences. Qualifications for establishing a</p>		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>foreign insurance institution are as follows:</p> <ul style="list-style-type: none"> - it shall have total assets of more than US \$5 billion at the end of the year prior to application, except for insurance brokers. 		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<p>B. Banking and Other Financial Services (excluding insurance and securities)</p> <p>Banking services as listed below:</p> <p>(a) Acceptance of deposits and other repayable funds from the public;</p> <p>(b) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction;</p> <p>(c) Financial leasing;</p>	<p>(1) Unbound except for the following:</p> <ul style="list-style-type: none"> - Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; - Advisory, intermediation and other auxiliary financial services on all activities listed in subparagraphs (a) through (k), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy. 	<p>(1) None</p>	<p>For financial leasing services, foreign financial leasing corporations are permitted to provide financial leasing service at the same time as domestic corporations.</p>
	<p>(2) None</p>	<p>(2) None</p>	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
(d) All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts (including import and export settlement); (e) Guarantees and commitments; (f) Trading for own account or for account of customers: foreign exchange.	(3) A. <u>Geographic coverage</u> For foreign currency and local currency business, there is no geographic restriction. B. <u>Clients</u> For foreign currency business, foreign financial institutions are permitted to provide services in China without restriction as to clients. For local currency business, the relevant requirements as to clients are solely prudential. C. <u>Licensing</u> Criteria for authorisation to deal in China's financial services sector are solely prudential (i.e., contain no	(3) Except for prudential measures, foreign financial institution may do business, without restrictions or need for case-by-case approval, with foreign-invested enterprises, non-Chinese natural persons, Chinese natural persons, and Chinese enterprises. Otherwise, none.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	economic needs test or quantitative limits on licences).		
- Motor vehicle financing by non-bank financial institutions	(1) Unbound except for the following: <ul style="list-style-type: none"> - Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services; and - Advisory, intermediation and other auxiliary financial services on all activities listed in subparagraphs (a) through (k), including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on 	(1) Unbound	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>corporate restructuring and strategy.</p> <p>(2) None</p> <p>(3) None</p>	<p>(2) None</p> <p>(3) None</p>	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence				
Sector or Sub-sector	Limitations on Market Access		Limitations on National Treatment	Additional Commitments
- Other financial services as listed below: (k) Provision and transfer of financial information, and financial data processing and related software by supplier of other financial services; (l) Advisory, intermediation and other auxiliary financial services on all activities listed in subparagraphs (a) through (k), including credit reference and analysis, investment and portfolio	(1)	None	(1)	None
	(2)	None	(2)	None
	(3)	None. Criteria for authorisation to deal in China's financial services sector are solely prudential (i.e., contain no economic needs test or quantitative limits on licences). Branches of foreign institutions are permitted.	(3)	None

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
research and advice, advice on acquisitions and on corporate restructuring and strategy.			

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
Securities	<p>(1) Unbound except for the following:</p> <p>(a) Foreign securities institutions may engage directly (without Chinese intermediary) in B share business</p> <p>(b) Foreign service suppliers which meet the requirement of China's relevant laws and regulations are permitted to provide the following services to Chinese Qualified Institutional domestic Investors (QDII):</p> <ul style="list-style-type: none"> - Trading for account of QDII; - Providing securities trading advice or portfolio management; and 	(1) None	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<ul style="list-style-type: none"> - Providing custody for overseas assets of QDII. 		
	(2) None	(2) None	
	(3) (a) Unbound except for the following: <ul style="list-style-type: none"> - Representative offices in China of foreign securities institutions may become Special Members of all Chinese stock exchanges. - Foreign service suppliers, which meet the regulatory requirements and conditions, upon approval, are permitted to establish wholly foreign owned fund management companies to engage (without Chinese intermediary) in 	(3) None	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence			
Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
	<p>domestic securities investment fund management business.</p> <ul style="list-style-type: none"> - Foreign services suppliers, which meet the regulatory requirements and conditions, upon approval, are permitted to establish wholly foreign owned securities companies to engage (without Chinese intermediary) in domestic securities business. - Foreign services suppliers are permitted to hold 100 per cent equity of futures companies. <p>(b) Criteria for authorisation to deal in China's financial industry are solely prudential (i.e., contain no economic needs test or quantitative limits on licences).</p>		

Attachment

Insurance: Definition of "Master Policy"

Master policy is the policy that provides blanket coverage for the same legal person's property and liabilities located in different places. Master policy may only be issued by the business department of an insurer's head office or that of its authorised province-level branch offices. Other branches are not allowed to issue master policy.

Master policy business with the state key construction projects as its subject-matter insured. If investors on the state key construction projects (i.e., projects that are so listed and annually announced by the State Development and Planning Commission) meet either of the following requirements, they may purchase master policy from insurers that are located in the same place as the investors' legal persons do.

The investment on the subject-matter insured is all from China (including the reinvestment from the foreign-invested enterprises in China), and the sum of investment of the investor accounts for over 15 per cent of the total investment.

The investment is partially from abroad, and partially from China (including the reinvestment from the foreign-invested enterprises in China), and the sum of investment of the Chinese investor accounts for over 15 per cent for the total domestic investment.

For those projects that draw investment all from abroad, every insurer may provide coverage in the form of master policies.

Master policy covering different subjects-matter insured of the same legal person. For those subjects-matter insured located in different places and owned by the same legal person (excluding financial, railway, and post and telecommunications industries and enterprises), master policy may be issued on the basis of either of the following conditions.

For the sake of payment of premium tax, insurance companies incorporated where the legal person or accounting unit of the insurance applicant is located are allowed to issue master policy.

If over 50 per cent of insurance amount of the subject-matter insured is from a larger or medium sized city, then insurers in that city are allowed to issue

master policy, no matter whether the insurance applicant's legal person or accounting unit is located in the city.

Motor insurance, credit insurance, employer liabilities insurance, statutory insurance, and other insurance business excluded by the CIRC cannot be underwritten or co-insured by insurers located other than where the subject-insured are located, or covered under a master policy.

APPENDIX B TO LIST II

For the following Sectors, China's Obligations under Article XVI of the General Agreement on Trade in Services as set out in China's Schedule of Specific Commitments under GATS (GATS/SC/135, GATS/SC/135/Corr.1, GATS/SC/135/Corr.2) are improved as described.

Sector/Subsector	Market Access Improvements
1. BUSINESS SERVICES	
A. Professional Services	
a. Legal Services (CPC 861, excluding Chinese law practice)	<p>For mode 3 limitations: The geographic and quantitative limitations for representative offices are eliminated for mode 3.</p> <p>Foreign law firms which have established their representative offices in the China (Shanghai) Pilot Free Trade Zone ("FTZ") in accordance with the Chinese laws, regulations and rules:</p> <p>(1) may enter into contracts with Chinese law firms in the FTZ, and based on such contracts, these foreign and Chinese law firms may dispatch their lawyers to each other to act as legal counsels. For aforementioned dispatchment, it means the Chinese law firms may dispatch their lawyers to the representative offices in the China (Shanghai) FTZ of foreign law firms to act as legal counsels on Chinese law and international law practice, and the foreign law firms may dispatch their lawyers to the Chinese law firms in the China (Shanghai) FTZ to act as legal counsels on foreign law and international law practice. The two sides shall cooperate within their respective</p>

Sector/Subsector	Market Access Improvements
	<p>business scope;</p> <p>(2) are permitted to form commercial association with Chinese law firms in Shanghai FTZ. Within the validity of commercial association, the two law firms from both sides respectively have independent legal status, name, and financial operation, and bear civil liabilities independently. Clients of the commercial association are not limited within Shanghai FTZ. Foreign lawyers in this type of commercial association are not permitted to conduct the practice of Chinese law.</p>
c. Taxation services (CPC 8630)	Modify mode 3 limitations as “None”
<p>d. Architectural services (CPC 8671)</p> <p>e. Engineering services (CPC 8672)</p> <p>f. Integrated engineering services (CPC 8673)</p>	Modify mode 3 limitations as: “None.”
<p>g. Urban planning services (except general urban planning) (CPC 8674)</p>	Modify mode 3 limitations as “None”.
<p>Hospital Services (CPC 9311)</p>	<p>Insert new commitments with “Foreign service suppliers are permitted to establish partly foreign-invested hospital with Chinese partners, the total number of which will be in line with China’s needs, with foreign equity share no more than 70%” for mode 3.</p>
<p>B. Computer and Related Services</p> <p>(Computer and related services do not cover the economic activity consisting of the provision of content services which require computer and related services as a</p>	

Sector/Subsector	Market Access Improvements
means of supply)	
b. Software implementation services (CPC 842) c. Data processing services (CPC 843) - Input preparation services (CPC 8431)	Modify mode 3 from “Only in the form of joint ventures, with foreign majority ownership permitted” to “Wholly Foreign-owned enterprises are allowed”.
- Maintenance and repair services of office machinery and equipment including computers (CPC 845 and 886)	Modify mode 3 limitations as follows: “Wholly foreign-owned subsidiaries are permitted”.
D. Real Estate Services	
a. Real estate services involving own or leased property (CPC 821)	Modify mode 3 from “None except for the following: Wholly foreign-owned enterprises are not permitted for high standard real estate projects, such as apartments and office buildings, but excluding luxury hotels” to “None”.
b. Real estate services on a fee or contract basis (CPC 822)	Modify mode 3 from “Only in the form of joint ventures, with foreign majority ownership permitted” to “None”.
E. Rental and leasing services (CPC 831, 832, excluding CPC 83202)	Insert new commitments with “Wholly foreign-owned enterprises are allowed. Foreign service suppliers are required to have global assets of US\$ 5 million” for mode 3.
F. Other Business Services	
a. Advertising Services (CPC 871)	Modify mode 3 limitations as “None”.
b. Market research services (CPC 86401, only limited to investigation services designed to secure	Insert new commitments with “Only in the form of partly foreign-invested enterprises, with foreign majority ownership permitted. Economic needs tests are required” for mode 3.

Sector/Subsector	Market Access Improvements
information on the prospects and performance of an organization's products in the market)	
<p>d. Services related to management consulting (only limited to the following sub-sector)</p> <ul style="list-style-type: none"> - Project management services other than for construction (CPC 86601) 	Insert new commitments with "Only partly foreign-invested enterprises with foreign majority ownership are permitted. Economic needs tests are required" for mode 3.
e. Technical testing and analysis services (CPC 8676) and freight inspection covered by CPC 749, excluding statutory inspection services for freight inspection services	Modify mode 3 limitations as "None".
<p>g. Services incidental to manufacturing</p> <p>(CPC 884, 885, except for 88442, and excluding prohibited or restricted industries for foreign service suppliers by Chinese laws and regulations, and excluding services China considers relating to its national security interests.)</p>	Insert new commitments with "Wholly foreign-owned subsidiaries are allowed" for mode 3.
h. Placement and supply services of Personnel (CPC 872)	Insert new commitments with "None" for mode 3.
<p>m. Related scientific and technical consulting services (CPC 8675)</p> <ul style="list-style-type: none"> - Geological, geophysical (excluding regional gravity and magnetism prospecting services) 	Modify mode 3 limitations as "None" for mode 3.

Sector/Subsector	Market Access Improvements
<p>and other scientific prospecting services (CPC 86751)</p> <ul style="list-style-type: none"> - Sub-surface surveying services (CPC 86752) 	
<ul style="list-style-type: none"> - Onshore oil-field services 	<p>Modify mode 3 limitations as follows: “</p> <p>For domestic and foreign invested enterprises established in China with net assets of less than 300 million yuan: Only in the form of petroleum exploitation in cooperation with China National Petroleum Corp. (CNPC) or China Petroleum & Chemical Corporation (SINOPEC) in the designated areas approved by the Chinese government.</p> <p>In order to carry out the petroleum contract, the foreign service supplier shall establish a branch, subsidiary or representative office within the territory of the People's Republic of China and go through registration formalities in accordance with the laws. The domiciles of the said offices shall be determined through consultation with CNPC or SINOPEC.</p> <p>The foreign service supplier shall open its bank account with a bank approved by the Chinese authorities to engage in foreign exchange business within the Chinese territory.</p> <p>For domestic and foreign invested enterprises established in China with net assets of no less than 300 million yuan: engage in oil and gas exploration and exploitation shall in compliance with safety, environmental protection and other qualification requirements and regulations, and with corresponding technical capabilities for oil and gas exploration and exploitation, could gain oil and gas exploration and exploitation rights independently.”</p>

Sector/Subsector	Market Access Improvements
- Maintenance and repair services (CPC 63, 6112 and 6122)	Modify mode 3 limitations as follows: “Wholly foreign-owned subsidiaries are permitted”.
o. Building-cleaning services (CPC 874)	Insert new commitments with “Wholly foreign-owned enterprises are permitted” for mode 3.
q. Packaging services (CPC 876)	Modify mode 3 limitations as follows: “None”.
r. Printing of packaging materials, on a fee or contract basis (Only limited to the printing of packaging materials)	Insert new commitments with “Wholly foreign-owned enterprises are permitted. Economic needs tests are required” for mode 3.
t. Translation and interpretation services (CPC 87905)	Modify mode 3 limitations as follows: “Wholly foreign-owned enterprises are permitted”.
2. COMMUNICATION SERVICES	
B. Courier Services (CPC 75121, except for those specifically reserved to Chinese postal authorities by the related law at the time of China’s accession to WTO on December 11 th 2001)	Modify mode 3 limitations as follows: “Wholly foreign-owned subsidiaries are permitted”.
C. Telecommunication Services ¹ Value-added Services Including the following: (h) Electronic mail	Modify mode 3 limitations as follows: “Foreign service suppliers are permitted to establish partly foreign-invested value-added telecommunication enterprises, and foreign

¹ China’s commitments are scheduled in accordance with Notes for Scheduling Basic Telecom Services Commitments (S/GBT/W/2/REV/1) and Market Access Limitations on Spectrum Availability (S/GBT/W/3) as set out in China’s Schedule of Specific Commitments under the GATS.

All international telecommunications services shall go through gateways established with the approval of China’s telecommunications authorities, which will act as an independent regulatory authority in accordance with the principles of paragraph 5 of the Reference Paper.

Sector/Subsector	Market Access Improvements
(i) Voice mail (j) On-line information and database retrieval (k) Electronic data interchange (l) Enhanced/Value-added facsimile services (including store and forward, store and retrieve) (m) Code and protocol conversion (n) On-line information and/or data processing (including transaction processing)	investment in the enterprises shall be no more than 50 per cent.”
Basic Telecommunication Services - Paging Services	Modify mode 3 limitations as follows: “Foreign service suppliers are permitted to establish partly foreign-invested enterprises with foreign equity participation of no more than 50 per cent”.
Mobile Voice and Data Services: - Analogue / Digital / Cellular Services - Personal Communication Services	Modify mode 3 limitations as follows: “Foreign service suppliers are permitted to establish partly foreign-invested enterprises only, and foreign investment in the enterprises shall be no more than 49 per cent”.
- Domestic Services a. Voice services b. Packet-switched data transmission services c. Circuit-switched data transmission services f. Facsimile services g. Domestic private leased circuit services	Modify mode 3 limitations as follows: “Foreign service suppliers are permitted to establish partly foreign-invested enterprises only, and foreign investment in the enterprises shall be no more than 49 per cent”.

Sector/Subsector	Market Access Improvements
<ul style="list-style-type: none"> - International Services <ul style="list-style-type: none"> a. Voice services b. Packet-switched data transmission services c. Circuit-switched data transmission services f. Facsimile services g. International closed user group voice and data services (use of private leased circuit service is permitted) 	
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES	
(CPC 511, 512, 513 ² , 514, 515, 516, 517, 518 ³)	Modify mode 3 limitations as “None”.
4. DISTRIBUTION SERVICES⁴	
<ul style="list-style-type: none"> A. Commission Agents’ Services (excluding salt, tobacco) B. Wholesale Trade Services (excluding salt, tobacco) 	Modify mode 3 limitations as follows: “None”.
C. Retailing Services (excluding tobacco)	Modify mode 3 limitations as follows: “None”.
D. Franchising	Modify mode 3 limitations as follows: “None”.

² Including dredging services relating to infrastructure construction.

³ Coverage of CPC 518 is limited only to the rental and leasing services of construction and/or demolition machines with operator which are owned and used by foreign construction enterprises in their supply of services.

⁴ For greater certainty, the exclusion of “tobacco” in the distribution services sector includes the exclusion of the distribution of electronic cigarettes and other new-type tobacco products.

Sector/Subsector	Market Access Improvements
E. Wholesale or retail trade services away from a fixed location.	Modify mode 3 limitations as follows: “None.” ⁴¹
6. ENVIRONMENTAL SERVICES (excluding environmental quality monitoring and pollution source inspection)	
A. Sewage Services (CPC 9401) B. Solid Waste Disposal Services (CPC 9402) C. Cleaning Services of Exhaust Gases (CPC 9404) D. Noise Abatement Services (CPC 9405) E. Nature and Landscape Protection Services (CPC 9406) F. Other Environmental Protection Services (CPC 9409) G. Sanitation Services (CPC 9403)	Modify mode 3 from “Foreign services suppliers engaged in environmental services are permitted to provide services only in the form of joint ventures, with foreign majority ownership permitted” to “None”.
8. HEALTH RELATED AND SOCIAL SERVICES	
C. Social Services - Services for the aged (part of CPC 93311 and 93323)	Insert new mode 3 commitments as follows: “Service suppliers of a Party are permitted to establish wholly foreign-owned profit-making institutions for the aged in China”.
9. TOURISM AND TRAVEL RELATED SERVICES	
A. Hotels (including apartment buildings) and Restaurants (CPC 641-643)	Modify mode 3 limitations as follows: “Foreign services suppliers may construct, renovate and operate hotel and restaurant establishments in China. Wholly foreign-owned subsidiaries are

⁴ See paragraph 310 of the Working Party Report on the Accession of China to the WTO.

Sector/Subsector	Market Access Improvements
	permitted.”
B. Travel Agency and Tour Operator (CPC 7471)	Modify mode 3 limitations as follows: “None”.
10. RECREATIONAL, CULTURAL AND SPORTING SERVICES (other than audiovisual services)	
D. Sporting and other recreational services (Only limited to CPC 96411, 96412, 96413, including yoga, excluding golf)	Insert new commitments with “None” for mode 3.
11. TRANSPORT SERVICES	
A. Maritime Transport Services - International transport (freight and passengers) (CPC 7211 and 7212 less cabotage transport services)	Modify mode 3 limitations as follows: “None”.
- Maintenance and repair services of motor vehicles (CPC 61120)	Insert new commitments with “ wholly foreign-owned subsidiaries will be permitted” for mode 3.
H. Auxiliary Services a. Maritime cargo-handling services (CPC 741) c. Customs clearance services for maritime transport d. Container station and depot services e. Maritime agency services	Modify mode 3 limitations as follows: “None”.
C. Air Transport Services d. Aircraft repair and maintenance services (CPC 8868)	Delete the limitation of “Licenses for the establishments of joint ventures are subject to economic needs test” for mode 3.
- Computer Reservation	Modify mode 3 from “unbound” to “Foreign

Sector/Subsector	Market Access Improvements
System (CRS) services	service suppliers are permitted to establish partly foreign-invested enterprises with Chinese Computer Reservation System in China. The Chinese side shall hold controlling shares or be in a dominant position in the enterprises. Licences for the establishment of enterprises are subject to economic needs test".
<p>E. Rail Transport Services</p> <ul style="list-style-type: none"> - Freight transportation by rail (CPC 7112) - Supporting services for rail transport services (CPC 743) 	Modify mode 3 limitations as follows: "None".
<p>F. Road Transport Services</p> <ul style="list-style-type: none"> - Freight transportation by road in trucks or cars (CPC 7123) 	Modify mode 3 limitations as follows: "None".
<p>Passenger Transportation</p> <ul style="list-style-type: none"> - Urban and suburban regular transportation (CPC 71211) - Urban and suburban special transportation (CPC 71212) - Interurban regular transportation (CPC 71213) - Interurban special transportation (CPC 71214) 	Insert new commitments with "None" for mode 3.
<p>H. Services Auxiliary to all modes of Transport</p> <ul style="list-style-type: none"> - Storage and warehousing services (CPC 742) 	Modify mode 3 limitations as follows: "None".
<ul style="list-style-type: none"> - Freight forwarding agency 	Modify mode 3 limitations as follows: "Foreign freight forwarding agencies which have at least

Sector/Subsector	Market Access Improvements
services (CPC 748)	<p>three consecutive years' experience are permitted to set up partly foreign-invested freight forwarding agency in China.</p> <p>Wholly foreign-owned subsidiaries permitted.</p> <p>Operation term of the partly foreign-invested enterprises shall not exceed 20 years.</p> <p>After one year operating in China, a partly foreign-invested enterprise can set up branches.</p> <p>A foreign freight forwarding agency may set up a second partly foreign-invested enterprise after its first enterprise has been in operation for two years”.</p>
<ul style="list-style-type: none"> - Freight inspection covered by CPC 749, excluding statutory inspection services for freight inspection services 	<p>Modify mode 3 limitations as follows:</p> <p>“Foreign services suppliers which have been engaged in inspection services in their home countries for more than three years are permitted to establish partly foreign-invested enterprises conducting technical testing, analysis and freight inspection with no less than US\$ 350,000 in registered capital.</p> <p>Wholly foreign-owned subsidiaries are permitted.”</p>
12. OTHER SERVICES NOT INCLUDED ELSEWHERE	
<ul style="list-style-type: none"> - Specialty design services (CPC 87907) 	Insert new commitments with “None” for mode 3.
<ul style="list-style-type: none"> - Hairdressing and other beauty services (CPC 9702) 	Insert new commitments with “None” for mode 3.