

# WORLD TRADE ORGANIZATION

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Council for Trade in Services

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## COMMUNICATION FROM CHINA

Transitional Review Mechanism under Section 18 of the Protocol on  
the Accession of the People's Republic of China

Information required by Annex 1A

The following communication, dated 28 October 2009, from the delegation of the People's Republic of China is being circulated to the Members of the Council for Trade in Services.

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## COUNCIL FOR TRADE IN SERVICES:

## TRANSITIONAL REVIEW UNDER ARTICLE 18 OF THE PROTOCOL OF ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA

Information Required in Annex 1A

- (a) Regularly updated lists of all laws, regulations, administrative guidelines and other measures affecting trade in each service sector or sub-sector indicating, in each case, the service sector(s) or sub-sector(s) they apply to, the date of publication and the date of entry into force

	Services sector or sub-sector	Name of Relevant Laws, Regulations and/or Administrative Measures and Date of Publication or Entering into force
	I. HORIZONTAL COMMITMENTS	
1	All sectors included in the Schedule of Specific Commitments on Services of China	<p>Measures of the People's Republic of China for the Registration of Partnership Enterprises 2007/5/9 2007/6/1</p> <p>Law of the People's Republic of China on Chinese-Foreign Equity Joint Venture 2001/3/15</p> <p>Regulations for the Implementation of the Law of the People's Republic of China on Chinese-Foreign Equity Joint Venture 2001/7/22</p> <p>Law of the People's Republic of China on Sino-Foreign Contractual Joint Venture 2000/10/31</p> <p>Regulations for the Implementation of the Law of the People's Republic of China on Chinese-Foreign Contractual Joint Venture 1995/9/4</p> <p>Law of the People's Republic of China on Foreign Capital Enterprise 2000/10/31</p> <p>Regulations for the Implementation of the Law of the People's Republic of China on Foreign-Capital Enterprises 2001/4/12</p> <p>Catalogue for the Guidance of Foreign Investment Industries 2007/10/31 2007/12/1</p> <p>Foreign Trade Law 2004/4/6 2004/7/1</p> <p>Administrative Permission Law of the People's Republic of China 2003/8/27 2004/7/1</p> <p>Companies Law of the People's Republic of China 2005/10/27 2006/1/1</p> <p>Regulations of the People's Republic of China on the Disclosure of Government Information 2007/4/5 2008/5/1</p>

	Services sector or sub-sector	Name of Relevant Laws, Regulations and/or Administrative Measures and Date of Publication or Entering into force
		Anti-monopoly Law of the People's Republic of China 2007/8/30 2008/8/1 Regulations on the Implementation of the Income Tax Law of the People's Republic of China 2007/12/6 2008/1/1 Provisions of the State Council on the Standard for Declaration of Concentration of the Business Operators 2008/8/3 2008/8/3 Real Right Law of People's Republic of China 2007/3/16 2007/10/1
II. SPECIFIC COMMITMENTS		
2	1. BUSINESS SERVICES A. Professional Services a. Legal Services (CPC861 excluding Chinese law practices)	Regulations on Administration of Foreign Law Firms' Representative Offices in China 2001/12/22 2002/1/1 Measures for Administration of Law Firms' Representative Offices of Hong Kong SAR and Macao SAR 2002/3/13 2002/4/1 Decision of Amendment on the Rules by Ministry of Justice on the Implementation of Regulations on Administration of Foreign Law Firms' Representative Offices in China 2004/9/2
3	b. Accounting, auditing and bookkeeping services (CPC 862) c. Taxation services (CPC 8630)	Tentative Procedures for the Administration of Sino-foreign Cooperative Accounting Firm 1996/3/28 Provisional Rules on Administration of Representative Offices of Foreign Accounting Firm 1996/1/4 Accounting System for Business Enterprises 2002/1/1 Accounting System for Financial Institutions 2002/1/1 Provisional Rules on the Registration and Supervision of CPA Firms 2005/1/18 2005/3/1 Rules on the Registration of CPAs 2005/1/22 2005/3/1 The Regulatory Rules on the Qualifications for Accounting Professionals 2005/1/22 2005/3/1 The Regulatory Rules on the Bookkeeping Service 2005/1/22 2005/3/1 Accounting Standards for Business Enterprises: Basic Standards 2006/2/15 2007/1/1 Accounting Standards for Business Enterprises 2007/1/1

	Services sector or sub-sector	Name of Relevant Laws, Regulations and/or Administrative Measures and Date of Publication or Entering into force
		CPA Auditing Standards 2007/1/1 Ordinance on the National Uniform Certified Public Accountant Examination of the People's Republic of China 2009/3/23
4	d. Architectural services (CPC 8671) e. Engineering services (CPC 8672) f. Integrated engineering services (CPC 8673) g. Urban planning services (CPC 8674)	Rules Governing the Foreign Invested Engineering Design Enterprises 2002/9/27 2002/12/1 Rules governing the Foreign Invested Urban Planning Service Enterprises 2003/2/13 2003/5/1 Provisions on the Administration of Foreign-invested Construction Engineering Service Enterprises 2007/1/22 2007/3/26 The Detailed Rules for the Implementation of the Provisions on the Administration of Foreign-funded Construction Engineering Design Enterprises 2007/1/5 Measures for the Administration of Construction Engineering Cost Consultancy Enterprises 2006/3/22 2006/7/1 Administrative Measures for Certified Cost Engineers 2006/12/25 2007/3/1 Measures for the Qualification Accreditation of the Bidding Agencies of Engineering Construction Projects 2007/1/11 2007/3/1 Administrative Provisions on the Qualifications of Project Supervising Enterprises 2007/6/26 2007/8/1 Regulations for Administration of the Qualification of Survey and Design of Construction Project 2007/6/26 2007/9/1 Provisions on the Administration of Certified Constructors 2006/12/28 2007/3/1
5	h. Medical and dental services (CPC 9312)	Interim Measures for Administration of Sino-Foreign Joint Venture and Cooperative Medical Institutions 2000/5/15 2000/7/1 Interim Measures on Administration of Foreign Physicians' Short-Term Practising in China 1992/10/7 1993/1/1 Supplementary Provisions to Interim Measures for Administration of Sino-Foreign Joint Venture and Cooperative Medical Institutions 2007/12/30 2008/1/1 Supplementary Provisions to Interim Measures for Administration of Sino-Foreign Joint Venture and Cooperative Medical Institutions 2008/12/7 2009/1/1

	<b>Services sector or sub-sector</b>	<b>Name of Relevant Laws, Regulations and/or Administrative Measures and Date of Publication or Entering into force</b>
6	D. Real Estate Services	Regulation on Property Management 2007/8/26 2007/10/1 Administrative Measures for the Qualification of Property Management Enterprises 2007/11/26 2007/11/26 Administrative Measures for Real Estate Evaluation Enterprises 2005/10/12 2005/12/1 Administrative Measures for Certified Real Estate Estimator 2006/12/25 2007/3/1
7	F. Other Business Services a. Advertising Services (CPC 871)	Regulations on Administration of Foreign-funded Advertising Enterprises 2008 revised 2008/8/22 2008/10/1
8	c. Management Consulting services (CPC 865)	Laws, regulations and administrative measures listed in the Horizontal Commitment part are followed
9	e. Technical testing and analysis services (CPC 8676) and freight inspection covered by CPC 749, excluding statutory inspection services for freight inspection services	Rules of Administration on the Import and Export Commodity Inspection and Accreditation Institutions 2004/03/01 Administrative Measures for Certification of Consultation Bodies 2005/9/29 2005/11/1 Administrative Measures for Certification of Training Bodies 2005/9/29 2005/11/1
10	f. Services incidental to agriculture, forestry, hunting and fishing (CPC 881 and 882)	Animal Husbandry Law of the People's Republic of China 2005/12/29 2006/7/1 Measures for the Examination and Approval of Entry & Exit and the Foreign Cooperative Research on the Application of Genetic Resources of Livestock and Poultry 2008/8/28 2008/10/1
11	m. Related scientific technical consulting services (CPC 8675) - Onshore oil-field services	Decision of the State Council on Amending the Regulations of the People's Republic of China on Sino-foreign Cooperation in the Exploitation of Continental Petroleum Resources 2007/9/18
12	- Offshore oil-field services, Geological, geophysical and other scientific prospecting services (CPC 86751) Sub-surface surveying service (CPC 86752)	Regulations on Exploitation of Offshore Petroleum Resources in Cooperation with Foreign Enterprises 2001/9/23 2001/9/23
13	p. Photographic services CPC 875	Laws, regulations and administrative measures listed in the Horizontal Commitment part are followed

	<b>Services sector or sub-sector</b>	<b>Name of Relevant Laws, Regulations and/or Administrative Measures and Date of Publication or Entering into force</b>
14	q. Packaging services CPC 876	Laws, regulations and administrative measures listed in the Horizontal Commitment part are followed
15	s. Convention services CPC 87909	Interim Rules on the Establishment of the Conference and Exhibition Companies with Foreign Investment 2004/1/13 2004/2/13 Supplementary Provisions for the Interim Rules on the Establishment of the Conference and Exhibition Companies with Foreign Investment 2007/5/17 2007/5/17
16	t. Translation and interpretation services (CPC 87905)	Laws, regulations and administrative measures listed in the Horizontal Commitment part are followed
17	- Maintenance and repair services (CPC 63, 6112 and 6122)  - Maintenance and repair services of office machinery and equipment including computers (CPC 845 and 886)	Provisions on Administration of Motor Vehicle Repairing 2005/6/24 2005/8/1
18	- Rental and leasing services (CPC 831, 832 excluding CPC 83202)	Administrative Measures on Foreign Investment in Lease Industry 2005/2/3 2005/3/5
19	2. COMMUNICATION SERVICES B. Courier Services (CPC 75121, except for those currently specifically reserved to Chinese postal authorities by law)	Postal Law of the People's Republic of China (2009 amended) 2009/4/24 2009/10/1 Express Delivery Service Standards YZ/T0128-2007 2007/9/12 2008/1/1 Measures for Administration of the Market of Express Delivery Service 2008/7/12 2008/7/12 Measures for the Supervision and Administration of Universal Postal Services 2008/7/12 2008/9/1
20	2. COMMUNICATION SERVICES C. Telecommunication Services	Circular of the Ministry of Information Industry of People's Republic of China, on Strengthening the Administration of Foreign Investment and Operation of Value-Added Telecommunication Businesses 2006/7/13 Regulations on Administration of Foreign Invested Telecommunications Enterprises 2008 revised 2008/9/10 The Administrative Measures for the Licensing of Telecommunication Business Operations 2009/3/5 2009/4/10

	<b>Services sector or sub-sector</b>	<b>Name of Relevant Laws, Regulations and/or Administrative Measures and Date of Publication or Entering into force</b>
21	D. Audiovisual Services - Cinema Theatre Services	Interim Provisions on Foreign Investment in Cinemas 2003/11/25 2004/1/1 Supplementary Provisions for the Interim Provisions on Foreign Investment in Cinemas 2005/4/8 2005/5/8 Supplementary Provisions for the Interim Provisions on Foreign Investment in Cinemas 2006/1/18 2006/2/20
22	3. CONSTRUCTION AND RELATED ENGINEERING SERVICES (CPC 511, 512, 513 <sup>1</sup> , 514, 515, 516, 517, 518 <sup>2</sup> )	Implementing Rules on the Qualification Management Contained in the Regulations on the Establishment of Foreign-Invested Construction Enterprises by the Ministry of Construction 2003/4/8 Port Law of the People's Republic of China 2003/6/28 2004/1/1 Provisions on Administration of Road Construction Market 2004/12/21 2005/3/1 Administrative Regulation on Contracting Foreign Projects 2008/7/21 2008/9/1 Provisions on the Administration of Qualifications of Enterprises in Construction Industry 2007/6/26 2007/9/1
23	4. DISTRIBUTION SERVICES A. Commission Agents' Services (excluding salt, tobacco) B. Wholesale Trade Services (excluding salt, tobacco) C. Retailing Services (excluding tobacco)	Regulation on the Administration of Commercial Franchises 2007/2/6 2007/5/1 Measures for Administration of the Market of Processed Oils 2006/12/4 2007/1/1 Measures for Administration of the Market of Crude Oil 2006/12/4 2007/1/1 Supplementary Provisions on the Measures for the Administration on Foreign Investment in Commercial Fields 2006/1/9 2006/1/9 Supplementary Provisions on the Measures for the Administration on Foreign Investment in Commercial Fields 2006/11/6 2006/12/1 Supplementary Provisions on the Measures for the Administration on Foreign Investment in Commercial Fields 2007/11/5 Rules on Administration of Foodstuff Circulation 2004/5/26 Measures on Administration of Foreign-funded Commercial Sectors 2004/4/16 2004/6/1

<sup>1</sup> Including dredging services relating to infrastructure construction.

<sup>2</sup> 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.

	Services sector or sub-sector	Name of Relevant Laws, Regulations and/or Administrative Measures and Date of Publication or Entering into force
		Implementing Measures on the Administration of Automobile Brand Sale 2005/2/21 2005/4/1 Regulations on Administration of Direct Sales 2005/8/23 2005/12/1 Regulations on Prohibition of Chuanxiao 2005/8/23 2005/11/1
24	5. EDUCATIONAL SERVICES	Regulations of the People's Republic of China on Chinese-Foreign Cooperation in Running Schools 2003/3/1 2003/9/1 Implementing Measures of the Regulations of the People's Republic of China on Chinese-Foreign Cooperation in Running Schools 2004/6/2 2004/7/1 Law of the People's Republic of China on Promotion of Privately-run Schools 2002/12/28 2003/9/1 Implementing Rules on Law of the People's Republic of China on Promotion of Privately-run Schools 2004/3/5 2004/4/1 Opinions of the Ministry of Education on Certain Current Issues Regarding Chinese-Foreign Cooperation in Running Schools 2006/2/7 2006/2/7 Circular of the Ministry of Education on Further Standardizing the Order of Chinese Foreign Cooperation in Running Schools 2007/4/6 2007/4/6
25	6. ENVIRONMENTAL SERVICES	Laws, regulations and administrative measures listed in the Horizontal Commitment part are followed
26	7. FINANCIAL SERVICES A. Insurance services	Insurance Law of the People's Republic of China 2009 amended 2009/2/28 2009/10/1 Regulations of People's Republic of China on Administration of Foreign-Funded Insurance Companies 2001/12/12 2002/2/1 Detailed Rules for Implementation of Regulations of the People's Republic of China on Administration of Foreign-funded Insurance Companies 2004/5/13 2004/6/15 Rules on Administration of Reinsurance Business 2005/10/14 2005/12/1 Rules on Administration of Representative Offices of Foreign Insurance Institutions 2006/7/12 2006/9/1 CIRC's Explanation on Several Related Questions of Implementation of Rules of Administration of Representative Offices of Foreign Insurance Institutions 2008/11/14 2008/12/1



	Services sector or sub-sector	Name of Relevant Laws, Regulations and/or Administrative Measures and Date of Publication or Entering into force
		<p>Measures for Administration of Chief Actuary of Insurance Companies 2007/9/28 2008/1/1</p> <p>Temporary Measures on Overseas Investment of Insurance Funds 2008/7/26 2008/7/26</p> <p>Measures for Administration of Insurance Companies' Pension Operations 2007/9/30 2008/1/1</p> <p>Measures for Administration of Insurance License 2007/6/22 2007/9/1</p> <p>Measures for Administration of Financial Institution Clients Status Identification and Storage of Clients Status Data and Business Records 2007/6/21 2007/8/1</p> <p>Regulations of Administration of Insurance Companies Solvency 2008/7/1 2008/9/1</p> <p>Measures of Administration of Insurance Guarantee Fund 2008/9/11</p> <p>Measures of Administration for the Qualification of Financial Principals of Insurance Companies 2008/12/11 2009/2/1</p>
27	B. Banking Services	<p>Law on People's Bank of China of People's Republic of China 2003/12/27 2004/2/1</p> <p>Law of the People's Republic of China on Commercial Banks 2003/12/27 2004/2/1</p> <p>Banking Supervision Law of the People's Republic of China (2006 amended) 2006/10/31 2007/1/1</p> <p>Measures for Administration of Representative Offices of Foreign-Capital Financial Institutions in China 2002/6/13 2002/7/18</p> <p>Decisions by the China Banking Supervision and Administration Commission on the Adjustments to the Administrative Modes and Procedures of Banking Market Access 2003/5/29</p> <p>Measures on Administration of Foreign Banking Institutions' Investing in Chinese-funded Financial Institutions 2003/12/8 2003/12/31</p> <p>Administrative Measures on Supervision of Consolidated Financial Statements of Foreign-invested Banks 2004/3/1 2004/4/1</p> <p>Administrative Rules Governing Foreign Debts of Foreign Banks in China 2004/5/27</p> <p>Administrative Rules for the Financial License (2007 amended) 2007/7/3</p> <p>Provisional Rules on the Pricing of Services by Commercial Banks 2003/10/1</p>

	Services sector or sub-sector	Name of Relevant Laws, Regulations and/or Administrative Measures and Date of Publication or Entering into force
		<p>Provisional Administrative Rules on International Development Institutions' Issuance of RMB Bonds 2005/2/18</p> <p>Administrative Rules for the Issuance of Financial Bonds in the National Inter-bank Bond Market 2005/4/27 2005/6/1</p> <p>Provisional Administrative Rules for the Issuance of RMB Bonds in Hong Kong SAR by Financial Institutions in China 2007/6/8</p> <p>Provisional Administrative Rules Governing Derivatives Activities of Financial Institutions 2007/7/3</p> <p>Regulations Governing Capital Adequacy of Commercial Banks 2007/7/3</p> <p>Administrative Rules for Inter-bank Borrowing 2007/7/3 2007/8/6</p> <p>Provisional Rules on the Monitoring and Assessment of NPLs at Commercial Banks 2004/3/25</p> <p>Administrative Rules on Commercial Banks' Connected Transactions with Insiders and Shareholders 2004/4/2 2004/5/1</p> <p>Administrative Rules on the Issuance of Subordinated Debts by Commercial Banks 2004/6/17</p> <p>Guidelines on Commercial Banks' Due Diligence in Credit Business 2004/7/25 2004/7/26</p> <p>Administrative Rules for the Short-Term Financing Bills of Securities Firms 2004/10/18 2004/11/1</p> <p>Administrative Rules for Pilot Incorporation of Fund Management Companies by Commercial Banks 2005/2/20</p> <p>Administrative Rules for Pilot Securitization of Credit Assets 2005/4/20</p> <p>Administrative Rules for the Issuance of Financial Bonds in the National Inter-Bank Bond Market 2005/4/27 2005/6/1</p> <p>Administrative Rules on Forward Bond Transactions in the National Inter-Bank Bond Market 2005/5/11 2005/6/15</p> <p>Provisional Rules Governing the Money Brokers 2005/8/8 2005/9/1</p> <p>Immunity Law of the People's Republic of China on Judicial Compulsory Measures for Property of Foreign Central Banks 2005/10/25</p> <p>Provisional Rules Governing Private Banking Services by Commercial Banks 2005/11/1</p> <p>Administrative Rules Governing Securitization of Credit Assets by Financial Institutions 2005/12/1</p>

	Services sector or sub-sector	Name of Relevant Laws, Regulations and/or Administrative Measures and Date of Publication or Entering into force
		<p>Rules on Implementation of Administrative Licensing Items for Foreign-funded Financial Institutions 2006/1/12 2006/2/1</p> <p>Administrative Rules for Electronic Banking Services 2006/1/26 2006/3/1</p> <p>Provisional Rules for Commercial Banks to Provide Overseas Wealth Management Services for Clients 2006/4/17</p> <p>Regulations of the People's Republic of China on Administration of foreign-funded Banks 2006/11/11 2006/12/11</p> <p>Implementing Rules on the Regulations of the People's Republic of China on Administration of foreign-funded Banks 2006/11/24 2006/12/11</p> <p>Administrative Rules Governing Finance Companies of Enterprise Groups 2006/12/28</p> <p>Administrative Rules on Market Makers in the National Inter-Bank Bond Market 2007/1/9 2007/2/1</p> <p>Administrative Rules on Forward Rate Agreement Business 2007/9/29 2007/11/1</p> <p>Administrative Rules on Debt Financing Instruments for Non-financial Enterprises in the Inter-bank Bond Market 2008/4/9 2008/4/15</p> <p>Regulations of People's Republic of China on Foreign Exchange Administration 2008/8/5</p> <p>Administrative Rules on the Registration, Depository and Settlement of Bonds in the Inter-bank Bond Market 2009/3/26 2009/5/4</p> <p>Administrative Rules on Pilot Program of RMB Settlement of Cross-Border Trade Transactions 2009/7/1</p> <p>Rules on Calculation of Operating Balance Declared by Operators in the Financial Industry 2009/7/15 2009/8/15</p>
28	- Motor vehicle financing by non-bank financial institutions	<p>Rules Governing Auto Financing Companies 2008/1/24 2008/1/24</p> <p>Administrative Rules for Automotive Loans 2004/10/1</p>
29	- Securities	<p>Regulation on the Administration of Futures Trading 2007/3/6 2007/4/15</p> <p>Provisional Rules for Foreign Securities Institutions to Apply for B-share Trading Seats at Shanghai Stock Exchange 2002/6/19</p> <p>Rules on Foreign Institutions' B-share Trading Seats at Shenzhen Stock Exchange 2002/6/19</p>

	Services sector or sub-sector	Name of Relevant Laws, Regulations and/or Administrative Measures and Date of Publication or Entering into force
		Provisional Rules on Special Foreign Membership of Shanghai Stock Exchange 2002/7/24 Rules on Special Foreign Membership of Shenzhen Stock Exchange 2002/7/24 Rules on Administration of Securities Investment Fund Management Corporations 2004/10/1 Law of the People's Republic of China on Funds for Investment in Securities 2003/10/28 2004/6/1 Regulations on the Supervision and Administration of Securities Companies 2008/4/23 2008/6/1 The Securities Law of the People's Republic of China 2005/10/27 2006/1/1 Rules for Establishing joint Venture Securities Investment Funds 2007 revised 2007/12/28 2008/1/1 Administrative Rules for Qualified Foreign Institutional Investors' Investment in Domestic Securities Market 2006/8/14 2006/9/1 Administrative Rules for Foreign Stock Exchange's Representative Office in China 2007/5/20 2007/7/1 Several Opinions of the State Council General Office on Supporting Economic Development via the Financial Sector 2008/12/8 Administrative Measures for Sponsorship of Securities Offering and Listing 2008/10/17 2008/12/1 Tentative Provisions on Approving the Business Scope of Securities Firms 2008/10/30 2008/12/1 Guidelines on the QFII Ombudsman Scheme 2008/10/17 2008/10/20 Provisional Rules for Foreign Investors' Merge and Acquisition of Domestic Enterprises 2009 amended 2009/6/22
30	9. TOURISM AND TRAVEL RELATED SERVICES A. Hotels	Laws, regulations and administrative measures listed in the Horizontal Commitment part are followed
31	B. Travel Agency and Tour Operator (CPC 7471)	Regulations on Travel Agencies 2009/2/20 2009/5/1 Implementing Rules for Regulations on Travel Agencies 2009/4/3 2009/5/3

	<b>Services sector or sub-sector</b>	<b>Name of Relevant Laws, Regulations and/or Administrative Measures and Date of Publication or Entering into force</b>
32	11. TRANSPORT SERVICES A. Maritime Transport Services - International transport (CPC 7211 and 7212 less cabotage transport services) H. Auxiliary Services a. Maritime cargo-handling services (CPC 741) d. Container station and depot services e. Maritime agency services B. Internal Waterways Transport b. Freight transport (CPC 7222)	Regulations on International Maritime Transportation 2001/12/11 2002/1/1 Implementing Rules for the Regulations on International Maritime Transportation 2003/1/20 2003/3/1 Provisional Rules on the Approval and Administration of Vessel Companies with Solely Foreign Investment 2000/1/28 Rules on the Administration of Foreign Investment in the International Maritime Transportation Industry 2004/2/25 2004/6/1 Port Law of the People's Republic of China 2003/6/28 2004/1/1 Provisions on Administration of Port Management 2004/4/15 2004/6/1 Regulations of the People's Republic of China on Waterways Transportation Administration (amended) 2008/12/27 2009/1/1 Implementing Rules for Regulations of the People's Republic of China on Waterways Transportation Administration (amended) 2009/6/4
33	C. Air Transport Services d. Aircraft repair and maintenance services (CPC 8868)	Rules on the Foreign Investment to the Civil Aviation Industry 2002/6/21 2002/8/1 The Supplementary Regulations to the Regulations on Foreign Investment in Civil Aviation Industry 2005/1/24 2005/2/24 Supplementary Provisions on the Measures for the Administration on Foreign Investment in Commercial Fields 2007/1/4 2007/1/4 Management Rules of Civil Aircraft Maintenance Personnel License 2005/9/27 2005/12/31 Civil Aircraft Maintenance Organization Certification Regulations 2005/9/27 2005/12/31 Civil Aircraft Maintenance Training Organization Certificate Regulations 2005/9/27 2005/12/31
34	- Computer Reservation System services	Provisional Administrative Measures on the Usage of Computer (Passenger) Reservation System by Chinese Air Transport Enterprises and their Sales Agents within the Territory of China 1995/3/20
35	E. Rail Transport Services - Freight transportation by rail (CPC 7112)	Provisional Measures on Examination, Approval and Administration of Railway Freight Transport Industry Invested by Foreigners (under modification) 2000/8/29

	<b>Services sector or sub-sector</b>	<b>Name of Relevant Laws, Regulations and/or Administrative Measures and Date of Publication or Entering into force</b>
36	F. Road Transport Services - Freight transportation by road in trucks or cars (CPC 7123)	Regulations of the People's Republic of China on Road Transport 2004/4/30 2004/7/1 Provisions on Administration of International Road Transport 2005/4/13 2005/6/1 Provisions on Administration of Foreign Investment in Road Transport Sector 2001/11/20 Supplementary Provision of "Provisions on Administration of Foreign Investment in Road Transport Sector" 2003/12/31 2004/1/1 Supplementary Provision II of "Provisions on Administration of Foreign Investment in Road Transport Sector" 2004/12/28 Supplementary Provision III of "Provisions on Administration of Foreign Investment in Road Transport Sector" 2009/1/9
37	H. Services Auxiliary to all Modes of Transport d. Storage and warehousing services (CPC 742)	Provisions on Administration of Road Cargo Transport and Depots 2005/6/16 2006/8/1 Provisions on Administration of Road Passenger Transport and Stations 2005/7/13 2005/8/1
38	- Freight forwarding agency services (CPC 748 and 749 excluding freight inspection)	Rules on Administration of International Freight Forwarding Agency Enterprises with Foreign Investment (revised) 2005/12/1 2005/12/11 (Interim) Measures for the Archival Filing of International Freight Forwarders 2005/3/7 2005/4/1

(b) **China's licensing procedures and conditions, if any, between domestic and foreign service suppliers, measures implementing the free choice of partner and list of transport agreements covered by MFN exceptions**

Licensing procedures and conditions and measures implementing the free choice of partner for the sectors and sub-sectors included in the Schedule of Specific Commitment on Services of China are provided in the corresponding laws, regulations and administrative measures as listed under item (a). These laws, regulations and administrative measures have been notified in full text English translation to the Council for Trade in Services pursuant to Article 3 of the General Agreement on Trade in Services.

List of transport agreements covered by MFN exemption

Sector or sub-sector	List of transport agreements covered by MFN exemption	Countries to which the measures applies	Current state of play
Maritime Transport International Transport Freight and Passengers	The parties concerned may, through bilateral agreement, establish entities to engage in usual business in China either as joint ventures or wholly-owned subsidiaries subject to the Chinese laws on joint ventures and on foreign capital enterprises for ships owned or operated by carriers of the parties concerned.	Unspecified	
	Agreements of cargo sharing	Algeria, Argentina, Bangladesh, Brazil, Zaire	Still valid
		Argentina	Terminated on 5 October 1995
		Thailand	Terminated on 30 May 1995
		USA	Terminated in 1998

- (c) Regularly updated lists of the authorities, at all levels of government (including organizations with delegated authority) which are responsible for the adoption, implementation and reception of appeals for laws, regulations, administrative guidelines and other measures affecting trade in services

	Services sector or sub-sector	Authorities responsible
	II. SPECIFIC COMMITMENTS	
2	1. BUSINESS SERVICES A. Professional Services a. Legal Services (CPC 861, excluding Chinese law practices)	Ministry of Justice, and Judiciary government department at the provincial (city, district) level
3	b. Accounting, auditing and bookkeeping services (CPC 862) c. Taxation services (CPC 8630)	Ministry of Finance Ministry of Commerce
4	d. Architectural services (CPC 8671) e. Engineering services (CPC 8672) f. Integrated engineering services (CPC 8673) g. Urban planning services (CPC 8674)	Ministry of Housing and Urban-Rural Development Ministry of Commerce
5	h. Medical and dental services (CPC 9312)	Ministry of Health Ministry of Commerce
6	B. Computer and Related Services	Ministry of Commerce, and its subordinate bodies Ministry of Industry and Information Technology
7	D. Real Estate Services	Ministry of Housing and Urban-Rural Development, and its subordinate bodies Ministry of Commerce, and its subordinate bodies
8	F. Other Business Services a. Advertising Services (CPC 871)	State Administration for Industry and Commerce Ministry of Commerce
9	c. Management Consulting services (CPC865)	Ministry of Commerce, and its subordinate bodies
10	e. Technical testing and analysis services (CPC 8676) and freight inspection covered by CPC 749, excluding statutory inspection services for freight inspection services	State Administration for Quality Supervision and Inspection and Quarantine Ministry of Commerce Ministry of Transport



	<b>Services sector or sub-sector</b>	<b>Authorities responsible</b>
11	e. Services incidental to agriculture, forestry, hunting and fishing (CPC 881 and 882)	Ministry of Commerce, and its subordinate bodies
12	m. Related scientific technical consulting services (CPC 8675) - Onshore oil-field services	Ministry of Commerce
13	- Offshore oil-field services, Geological, geophysical and other scientific prospecting services (CPC 86751) Sub-surface surveying service (CPC 86752)	Ministry of Commerce
14	p. Photographic services (CPC 875)	Ministry of Commerce, and its subordinate bodies
15	q. Packaging services (CPC 876)	Ministry of Commerce, and its subordinate bodies
16	s. Convention services (CPC 87909)	Ministry of Commerce
17	t. Translation and interpretation services (CPC 87905)	Ministry of Commerce, and its subordinate bodies
18	- Maintenance and repair services (CPC63, 6112 and 6122) - Maintenance and repair services of office machinery and equipment including computers (CPC845 and 886)	Ministry of Commerce, and its subordinate bodies Ministry of Transport
19	- Rental and leasing services (CPC 831, 832 excluding CPC 83202)	Ministry of Commerce
20	2. COMMUNICATION SERVICES B. Courier Services (CPC 75121, except for those currently specifically reserved to Chinese postal authorities by law)	State Post Bureau Ministry of Commerce
21	A. Telecommunication Services	Ministry of Industry and Information Technology Ministry of Commerce

	<b>Services sector or sub-sector</b>	<b>Authorities responsible</b>
22	D. Audiovisual Services - Video, including entertainment software and (CPC 83202), distribution services Sound recording distribution services	Ministry of Culture Ministry of Commerce State Administration of Radio, Film and Television
23	- Cinema Theatre Services	State Administration of radio, Film and Television Ministry of Commerce
24	3. CONSTRUCTION AND RELATED ENGINEERING SERVICES (CPC 511, 512, 513 <sup>3</sup> , 514, 515, 516, 517, 518 <sup>4</sup> )	Ministry of Housing and Urban-Rural Development, Ministry of Communication Ministry of Commerce
25	4. DISTRIBUTION SERVICES A. Commission Agents' Services (excluding salt, tobacco) B. Wholesale Trade Services (excluding salt, tobacco) C. Retailing Services (excluding tobacco)	Ministry of Commerce For those phase-in products specifically provided for in the Market Access Column of the distribution sector of the Schedule, other relevant government authorities may also be involved.
26	5. EDUCATIONAL SERVICES	Ministry of Education
27	6. ENVIRONMENTAL SERVICES	Ministry of Commerce, and its subordinate bodies
28	7. FINANCIAL SERVICES A. Insurance services	China Insurance Regulatory Commission
29	B. Banking Services	China Banking Regulatory Commission and its sub-national missions The People's Bank of China and its sub-national missions
30	- Motor vehicle financing by non-bank financial institutions	China Banking Regulatory Commission and its sub-national missions
31	- Securities	China Securities Regulatory Commission

<sup>3</sup> Including dredging services relating to infrastructure construction.

<sup>4</sup> 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.

	<b>Services sector or sub-sector</b>	<b>Authorities responsible</b>
32	9. TOURISM AND TRAVEL RELATED SERVICES A. Hotels	Ministry of Commerce, and its subordinate bodies
33	B. Travel Agency and Tour Operator (CPC 7471)	National Tourism Administration Ministry of Commerce
34	11. TRANSPORT SERVICES A. Maritime Transport Services - International transport (CPC 7211 and 7212 less cabotage transport services) H. Auxiliary Services a. Maritime cargo-handling services (CPC 741) d. Container station and depot services e. Maritime agency services B. Internal Waterways Transport b. Freight transport (CPC 7222)	Ministry of Transport Ministry of Commerce
35	C. Air Transport Services d. Aircraft repair and maintenance services (CPC 8868)	Administration of Civil Aviation of China Ministry of Commerce
36	- Computer Reservation System services	General Administration of Civil Aviation of China
37	E. Rail Transport Services F. Freight transportation by rail (CPC 7112)	Ministry of Railways Ministry of Commerce
38	G. Road Transport Services - Freight transportation by road in trucks or cars (CPC 7123)	Ministry of Transport Ministry of Commerce
39	H. Services Auxiliary to all Modes of Transport Storage and warehousing services (CPC 742)	Ministry of Commerce, and its subordinate bodies Ministry of Transports
40	- Freight forwarding agency services (CPC 748 and 749 excluding freight inspection)	Ministry of Commerce

**(d) Independence of the regulatory authorities from the service suppliers**

With regard to the independence of the regulatory authorities from the service suppliers, China fully complies with its commitment of independent regulation described in paragraph 309 of the Working Party Report on the accession of China.

**(e) Foreign and domestic suppliers in sectors where specific commitments have been undertaken indicating the state of play of licensing applications on sector and sub-sector levels (accepted, pending, rejected)**

	Services sector or sub-sector	State of play of licensing applications of foreign services supplier <sup>1</sup>		
		Approved	Pending	Rejected
	II. SPECIFIC COMMITMENTS			
2	1. BUSINESS SERVICES A. Professional Services a. Legal Services (CPC861, excluding Chinese law practices)	178 21*	1	n.a
3	b. Accounting, auditing and bookkeeping services (CPC 862) c. Taxation services (CPC 8630)	6	0	0
4	d. Architectural services (CPC 8671) e. Engineering services (CPC 8672) f. Integrated engineering services (CPC 8673) g. Urban planning services (CPC 8674)	226*	n.a	n.a
5	h. Medical and dental services (CPC 9312)	1*	4*	n.a.
6	B. Computer and Related Services	1056*	n.a.	n.a.
7	D. Real Estate Services	363*	n.a	n.a
8	F. Other Business Services a. Advertising Services (CPC 871)	49*	n.a	n.a
9	c. Management Consulting services (CPC865)	n.a.	n.a.	n.a.
10	e. Technical testing and analysis services (CPC 8676) and freight inspection covered by CPC 749, excluding statutory inspection services for freight inspection services	14*	3	2
11	f. Services incidental to agriculture, forestry, hunting and fishing (CPC 881 and 882)	n.a.	n.a.	n.a.
12	m. Related scientific technical consulting services (CPC 8675) Onshore oil-field services	22	2	n.a
13	- Offshore oil-field services, Geological, geophysical and other scientific prospecting services (CPC 86751) Sub-surface surveying service (CPC 86752)	19* 104*	12	n.a
14	p. Photographic services (CPC 875)	6*	n.a.	n.a.
15	q. Packaging services (CPC 876)	n.a.	n.a.	n.a.
16	s. Convention services (CPC 87909)	n.a	n.a	n.a

	Services sector or sub-sector	State of play of licensing applications of foreign services supplier <sup>1</sup>		
		Approved	Pending	Rejected
17	t. Translation and interpretation services (CPC 87905)	n.a.	n.a.	n.a.
18	- Maintenance and repair services (CPC63, 6112 and 6122) - Maintenance and repair services of office machinery and equipment including computers (CPC 845 and 886)	19*	n.a.	n.a.
19	- Rental and leasing services (CPC 831, 832 excluding CPC 83202)	12*	n.a.	n.a.
20	2. COMMUNICATION SERVICES B. Courier Services (CPC 75121, except for those currently specifically reserved to Chinese postal authorities by law)	167 (372 branches)	n.a.	42 <sup>3</sup>
21	C. Telecommunication Services	16	0	0
22	D. Audiovisual Services - Video, including entertainment software and (CPC 83202), distribution services - Sound recording distribution services	6*	1	0
23	- Cinema Theatre Services	n.a.	n.a.	n.a.
24	5. CONSTRUCTION AND RELATED ENGINEERING SERVICES (CPC 511, 512, 513 <sup>6</sup> , 514, 515, 516, 517, 518 <sup>7</sup> )	n.a.	n.a.	n.a.
25	6. DISTRIBUTION SERVICES A. Commission Agents' Services (excluding salt, tobacco) B. Wholesale Trade Services (excluding salt, tobacco) C. Retailing Services (excluding tobacco)	5983*	n.a.	n.a.
26	5. EDUCATIONAL SERVICES			
	A. Department <sup>8</sup>	148	0	5
	B. Item <sup>9</sup>	1101	0	137
27	6. ENVIRONMENTAL SERVICES <sup>10</sup>	37*	n.a.	n.a.
28	7. FINANCIAL SERVICES A. Insurance services	52	n.a.	n.a.
29	B. Banking Services	597 <sup>#</sup>	n.a.	n.a.
30	- Motor vehicle financing by non-bank financial institutions	9 <sup>#</sup>	n.a.	n.a.
31	- Securities	45 <sup>#</sup>	4	n.a.

<sup>5</sup> The total number of enterprises and branch organizations including both domestic and foreign-invested.

<sup>6</sup> Including dredging services relating to infrastructure construction.

<sup>7</sup> 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.

<sup>8</sup> The quantity approved or denied by the educational administrative department of provincial level is not included.

<sup>9</sup> The quantity approved or denied by the educational administrative department of provincial level is not included.

<sup>10</sup> Sanitation and similar services are not included.

	Services sector or sub-sector	State of play of licensing applications of foreign services supplier <sup>1</sup>		
		Approved	Pending	Rejected
32	9. TOURISM AND TRAVEL RELATED SERVICES A. Hotels	7*	n.a.	n.a.
33	B. Travel Agency and Tour Operator (CPC 7471)	39	0	1
34	11. TRANSPORT SERVICES A. Maritime Transport Services - International transport (CPC 7211 and 7212 less cabotage transport services) H. Auxiliary Services a. Maritime cargo-handling services (CPC 741) d. Container station and depot services e. Maritime agency services B. Internal Waterways Transport b. Freight transport (CPC 7222)	695	n.a.	n.a.
35	C. Air Transport Services d. Aircraft repair and maintenance services (CPC 8868)	8*	0	0*
36	- Computer Reservation System services	0*	0	0
37	E. Rail Transport Services - Freight transportation by rail (CPC 7112)	0	0	0
38	F. Road Transport Services - Freight transportation by road in trucks or cars (CPC 7123)	20*	0	n.a.
39	H. Services Auxiliary to all Modes of Transport - Storage and warehousing services (CPC 742)	178*	n.a.	n.a.
40	- Freight forwarding agency services (CPC 748 and 749 excluding freight inspection)	183*	n.a.	n.a.

Note:

This table gives the state of play of applications of foreign services suppliers from the date of China's accession to the WTO till August 31, 2009.

n.a. = not available, due to lack of efficient statistics collection channel or capacity.

# refers that this particular number is the total approvals granted for foreign services suppliers in this sector, instead of since China's WTO accession.

\* refers that the data is the number of newly approved applicants between October 2008 and August 31, 2009.