

Preface

To promote towards the achievement of basic liberalization of trade in services between the Mainland China and Macao Special Administrative Region, to gradually reduce the actual discriminatory measures on trade in services imposed between the two sides, as well as to further enhance the level of bilateral economic and trade exchanges and cooperation, the two sides signed the Agreement on Trade in Services under the framework of CEPA (hereinafter referred to as the "Agreement"). The Agreement is the first free trade agreement which liberalizes trade in services to the whole Mainland with market access provisions for national treatment and the management approach of negative listings. It also re-states the existing liberalization content under CEPA and its Supplements, signifying the basic liberalization of trade in services between the whole Mainland and Macao.

Liberalization of trade in services extended to the whole Mainland

The two sides signed the Agreement based on the existing liberalization content under CEPA and its Supplements, as well as the Agreement between the Mainland and Macao on Achieving Basic Liberalization of Trade in Services in Guangdong (hereinafter referred to as the "Guangdong Agreement"), in order to realize further liberalization of trade in services for Macao in the whole Mainland.

Liberalization enhanced in both breadth and depth

Under the Agreement, national treatment will be applied to Macao in 62 services sub-sectors, in which 4 new liberalized sectors are

added, the negative list of the Agreement eliminates 12 less restrictive measures, reserving 120 restrictive measures. Among them, 28 measures are under further relaxed market access condition, including legal services, accounting services, professional architectural services, veterinary services, distribution services, education services, insurance services, banking services, social services and freight forwarding services.

Upon implementation of the Agreement, the Mainland has opened up 153 services sub-sectors to the Macao services industry, accounting for 95.6 % of the 160 sub-sectors under WTO Services Sectoral Classification System. According to the standards of WTO services classification, a basic liberalization of trade in services has been achieved between the two places.

Most preferential treatment is ensured

The Agreement sets out provisions for the most-favoured treatment, stating precisely that if the free trade agreement signed between the Mainland and the other country/area is more favourable than the market access measures under CEPA, it will be extended to Macao, ensuring that Macao can keep on enjoying the most preferential liberalization measures through CEPA.

Implementation of filing administration in the whole Mainland

In addition, for the purpose of investment in the liberalized services sectors by Macao Service Suppliers, the establishment of a company and the change of contract/articles of association of a company will be subject to filing administration, which improves the efficiency of administration and management, as well as facilitates Macao Service Suppliers to enter the Mainland market. With respect to the reserved restrictive measures, as well as , the establishment and change of a company in the telecommunications and cultural sectors or of a financial institution will be subject to the existing foreign investment laws and regulations and relevant formalities. Besides, the establishment and change of commercial presence other than in the form of a company will be subject to the existing regulations and formalities.

- 20 more liberalization measures are added to expand the positive list

Under the Agreement, the positive lists covering cross-border services as well as the sectors of telecommunications and cultural services have newly-added 20 liberalization measures.

- Further expansion of the scope of business operated by individually owned stores

According to the Agreement, Macao residents are allowed to register, in accordance with the relevant laws and regulations in the Mainland, as operators of individually owned stores. Based on the existing liberalization sectors, as compared with that of the Guangdong Agreement, the Agreement liberalizes 5 additional services sectors to reach 135 sectors, the newly added services sectors include: wholesale of food and beverage; general guesthouses; other accommodation services; intermediary services; and operation of activities with individually owned real estates.

Information and comments

For more information and presenting opinions, please contact the CEPA Information Center of DSE.

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《〈內地與澳門關於建立更緊密經貿關係的安排〉服務貿易協議》

Agreement on Trade in Services under the framework of CEPA



前言

為推動內地與澳門特別行政區基本實現服務貿易自由化，逐步減少或取消雙方之間服務貿易實質上所有歧視性措施，進一步提高雙方經貿交流與合作的水平，雙方簽署了《〈內地與澳門關於建立更緊密經貿關係的安排〉服務貿易協議》（以下簡稱《協議》）。《協議》是首個內地全境以准入前國民待遇加負面清單方式全面開放服務貿易領域的自由貿易協議，也是對《安排》以往協議內容的重述，將標誌著內地全境與澳門基本實現服務貿易自由化。

全地域開放

雙方在《安排》及其多個補充協議、《〈安排〉關於內地在廣東與澳門基本實現服務貿易自由化的協議》

（以下簡稱《廣東協議》）已實施開放措施的基礎上簽署了本《協議》，實現內地全境進一步擴大對澳門服務業的開放。

開放力度大、水平高

《協議》中實行國民待遇的服務領域有62個，其中新開放服務領域有4個，《協議》以負面清單保留的限制性措施較《廣東協議》減少12項至120項，當中進一步放寬准入條件的有28項，包括：法律服務、會計服務、建築專業服務、獸醫服務、分銷服務、教育服務、保險服務、銀行服務、社會服務及貨運代理服務等。

《協議》實施後，內地對澳門開放的服務部門多達153個，涉及世界貿易組織服務貿易分類標準160個部門的95.6%。按照世界貿易組織服務貿易分類標準要求，已達致兩地服務貿易自由化。

確保最高優惠

《協議》引入最惠待遇條款，明確內地與其他國家和地區簽署的自由貿易協定若優於《安排》的市場准入措施的，也會延伸至澳門，以保證澳門通過《協議》繼續享受內地最優惠的開放措施。

全境實施備案制

此外，《協議》對澳門服務提供者在內地投資對澳門開放的服務貿易領域，在設立公司及變更公司合同、章程審批均改為備案管理，加快行政管理效率，便利澳門服務提供者進入內地市場。但涉及保留限制性措施以及電信、文化領域公司、金融機構的設立和變更，按現行外商投資法律法規以及相關規定辦理，另外，公司以外其他形式的商業存在的設立及變更按現行有關規定辦理。

• 擴大正面清單的開放措施20項

《協議》中內地對澳門在跨境服務、電信

及文化領域繼續以正面清單方式新增開放措施20項。

• 個體工商戶可經營範圍進一步擴大

根據《協議》，澳門永久性居民中的中國公民可以按照內地有關法律、法規和行政規章的要求登記成為個體工商戶經營者，《協議》在原來已開放領域的基礎上進一步提升，較現時《廣東協議》已開放基礎上再增加5個至135個，新增範圍包括食品、飲料批發；一般旅館；其他住宿業；房地產中介服務；以及自有房地產經營活動。

查詢或意見反饋

如欲了解《安排》內容或提出意見，歡迎與經濟局《安排》資訊中心聯絡。

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