

CEPA Clauses Relating to Testing and Certification

Agreement Concerning Amendment to the Agreement on Trade in Services

- Signed on 21 November 2019, for implementation on 1 June 2020

Liberalisation of Trade in Services (extracted from Table 2 of Annex 1 of the Agreement on Trade in Services)

Sectors or sub-sectors	1. Business services
	F. Other business services
	e. Technical testing and analysis services (CPC8676) and Product testing services (CPC749)
Specific commitments ➤ See Implementation Guide for items 1-3	<p>1. To allow testing organisations in Hong Kong to cooperate with designated Mainland organisations to undertake testing of products for the China Compulsory Certification (CCC) System on all products that require CCC. These testing organisations have to be accredited by the accreditation body of the Government of the Hong Kong Special Administrative Region to be competent of performing testing of the relevant products under the CCC System. Cooperation arrangements should comply with relevant requirements in the Regulations on Certification and Accreditation of the People's Republic of China.</p> <p>2. To allow certification bodies in Hong Kong to cooperate with Mainland CCC certification bodies on CCC factory inspection through assigning inspectors to carry out such inspection of factories manufacturing CCC products in the whole Mainland. These certification bodies have to be accredited by the accreditation body of the Government of the Hong Kong Special Administrative Region to be competent of performing certification of relevant products under the CCC System.</p> <p>3. To allow certification bodies in Hong Kong to cooperate with Mainland CCC certification bodies to select post-certification test samples at factories manufacturing CCC products in the whole Mainland. These certification bodies have to be accredited by the accreditation body of the Government of the Hong Kong Special Administrative Region to be competent</p>

of performing certification of relevant products under the CCC System.

4. In the area of voluntary certification, to allow testing organisations in Hong Kong to cooperate with Mainland certification bodies to undertake testing of products manufactured or processed in Hong Kong or the Mainland. These testing organisations have to be accredited by the accreditation body of the Government of the Hong Kong Special Administrative Region to be competent in performing testing of the relevant products.

5. To implement, on a pilot basis, a mutual recognition arrangement of certification and relevant testing business among Guangdong, Hong Kong and Macao in the China (Guangdong) Pilot Free Trade Zone, with a view to carry out "certified once, tested once, and results accepted by three places".

6. On the basis of mutual trust and mutual benefit, to allow testing and certification organisations in Hong Kong to cooperate with the Mainland testing and certification organisations in respect of acceptance of testing data (results). Specific cooperation arrangements are subject to further discussion.

7. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector on the Mainland.

Agreement on Trade in Goods

- Signed on 14 December 2018

Article 58 – Conformity Assessment Procedures

1. The two sides shall seek to facilitate the acceptance of the results of conformity assessment procedures conducted in the other side, with a view to increasing efficiency and ensuring cost effectiveness of conformity assessments.
2. In the fields of electronic and electrical products, the two sides shall explore and promote mutual recognition of the certification results of originating electronic and electrical products between the Mainland and Hong Kong in order to facilitate trade.
3. The two sides agree to encourage their conformity assessment bodies to work more closely with a view to facilitating the mutual acceptance of conformity assessment results.

Article 59 – Technical Cooperation

3. With a view to increasing their mutual understanding of their respective systems, enhancing capacity building and facilitating trade, the two sides shall strengthen their technical cooperation in the following areas:

(ii) encouraging cooperation between conformity assessment bodies of the two sides

Article 68 – Trade Facilitation Measures in the Guangdong-Hong Kong-Macao Greater Bay Area

The two sides agree, on the principles of mutually beneficial cooperation and facilitation of coordinated development, that the nine Pearl River Delta municipalities (^{Note}) and Hong Kong shall implement the following measures:

(v) To promote the mutual recognition of inspection and quarantine results on low risk goods, except for plants and animals and products from plants and animals, food and medicines, between the two sides.

(vi) To explore the expansion of the scope of acceptance of third party inspection, testing and certification results with respect to commodities and institutions, and provide expedited customs clearance treatment.

Note: The nine Pearl River Delta municipalities refer to Guangzhou, Shenzhen, Zhuhai, Foshan, Huizhou, Dongguan, Zhongshan, Jiangmen and Zhaoqing in Guangdong Province.

Agreement on Economic and Technical Cooperation

- *Signed on 28 June 2017*

Article 23(4) -

Relevant authorities of the two sides will make use of existing cooperation channels to strengthen cooperation in the innovation of certification and accreditation systems, and support the certification, accreditation, inspection and testing organisations to conduct technical exchanges and cooperation.

Article 23(6) -

Actively promote cooperation between Hong Kong's testing laboratories and Mainland's certification bodies which are members of international multilateral systems on mutual recognition of testing and certification that are open to national member bodies (such as the IECEE/CB system), so that Hong Kong's testing laboratories can be recognised under these multilateral systems.

Article 23(7) -

Actively consider recommending an eligible certification body located in Hong Kong to join the International Electrotechnical Commission System of Conformity Assessment Schemes for Electrotechnical Equipment and Components (IECEE) as a National Certification Body (NCB) of China.

Article 23(8) -

Consider applications of eligible certification bodies set up by Hong Kong enterprises in the Mainland to become designated certification bodies under the China Compulsory Certification (CCC) System.

Agreement on Trade in Services

- *Signed on 27 November 2015, amended by way of Exchange of Letters on 11 December 2018, further amended on 21 November 2019 with the signing of the Agreement Concerning Amendment to the Agreement on Trade in Services (see pages 1-2 above)*

Liberalisation of Trade in Services (extracted from Table 2 of Annex 1 of the Agreement on Trade in Services)

Sectors or sub-sectors	1. Business services F. Other business services e. Technical testing and analysis services (CPC8676) and Product testing services (CPC749)
Specific commitments	<p>1. To allow testing organisations in Hong Kong to cooperate with designated Mainland organisations to undertake testing of products for the China Compulsory Certification (CCC) System on all existing products processed in Hong Kong (i.e. the processing facilities are located in Hong Kong) that require CCC. These testing organisations have to be accredited by the accreditation body of the Government of Hong Kong Special Administrative Region (i.e. the Hong Kong Accreditation Service (HKAS)) to be capable of performing testing of the relevant products under the CCC System. Cooperation arrangements should comply with relevant requirements in the Regulations on Certification and Accreditation of the People's Republic of China.</p> <p>2. To allow testing organisations in Hong Kong to cooperate with designated Mainland organisations to undertake testing of products for the China Compulsory Certification (CCC) System. The on all products are under the "audio and visual apparatus" category of the CCC System, and have to be designed and prototyped in Hong Kong, as well as processed or manufactured in the Mainland that require CCC Guangdong Province. These testing organisations have to be accredited by the accreditation body of the Government of the Hong Kong Special Administrative Region (i.e. the Hong Kong Accreditation Service) to be competent in performing testing of the relevant products under the CCC System. (See Implementation Guide for details.)</p>

3. In the area of voluntary certification, to allow testing organisations in Hong Kong to cooperate with Mainland certification bodies to undertake testing of products manufactured or processed in Hong Kong or on the Mainland. These testing organisations have to be accredited by the accreditation body of the Government of the Hong Kong Special Administrative Region (i.e. the Hong Kong Accreditation Service) to be competent in performing testing of the relevant products.
4. To implement, on a pilot basis, a mutual recognition arrangement of certification and relevant testing business among Guangdong, Hong Kong and Macao in the China (Guangdong) Pilot Free Trade Zone, with a view to carry out "certified once, tested once, and results accepted by three places". (See [Implementation Guide](#) for details.)
5. On the basis of mutual trust and mutual benefit, to allow testing and certification organisations in Hong Kong to cooperate with the Mainland testing and certification organisations in respect of acceptance of testing data (results). Specific cooperation arrangements are subject to further discussion.
6. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector on the Mainland.

** Details of the amendments made on 11 December 2018 are marked in tracking mode.*

Agreement between the Mainland and Hong Kong on Achieving Basic Liberalisation of Trade in Services in Guangdong (Guangdong Agreement)

- Signed on 18 December 2014

Liberalisation of Trade in Services (extracted from Table 2 of Annex 1 of the Guangdong Agreement)

Sectors or sub-sectors	1. Business services
	F. Other business services
	e. Technical testing and analysis services (CPC8676)
Specific commitments	<p>1. In the area of voluntary certification, to allow testing organizations in Hong Kong to cooperate with Mainland certification bodies to undertake testing of products manufactured or processed in Hong Kong or in the Mainland. These testing organizations have to be accredited by the accreditation body of the Government of the Hong Kong Special Administrative Region (i.e. the Hong Kong Accreditation Service) to be competent in performing testing for the relevant products.</p> <p>2. To allow testing organizations in Hong Kong to cooperate with designated Mainland organizations to undertake testing of products for the China Compulsory Certification (CCC) System. The products are under the "audio and visual apparatus" category of the CCC System, and have to be designed and prototyped in Hong Kong, as well as processed or manufactured in Guangdong Province. These testing organizations have to be accredited by the accreditation body of the Government of the Hong Kong Special Administrative Region (i.e. the Hong Kong Accreditation Service) to be competent in performing testing for the relevant products under the CCC System.</p>

An [Implementation Guide](#) was promulgated to provide details for the implementation of the two testing and certification related liberalisation measures in Table 2 of Annex 1.

Supplement X to CEPA

- Signed on 29 August 2013

Liberalisation of Trade in Services (extracted from the Annex of Supplement X to CEPA) –

Sectors or sub-sectors	1. Business services F. Other business services e. Technical testing and analysis services (CPC8676) and freight inspection (CPC749), excluding statutory inspection services for freight inspection services
Specific commitments	<p>1. To expand, on a pilot basis in Guangdong Province, the scope of testing services for the purpose of certification that can be undertaken by Hong Kong testing organizations from food to other areas of voluntary product certification.</p> <p>2. To accord to certification bodies, inspection bodies and laboratories jointly or solely set up in the Mainland by Hong Kong service suppliers, when participating in testing and certification activities, the same treatment as is accorded to Mainland certification bodies, inspection bodies and laboratories.</p> <p>(For implementation details of commitments “1” and “2”, see Implementation Guide.)</p> <p>3. On the basis of mutual trust and mutual benefit, to allow testing and certification organizations in Hong Kong to cooperate with the Mainland testing and certification organizations in respect of acceptance of testing data (results). Specific cooperation arrangements are subject to further discussion.</p> <p>4. To allow contractual service providers employed by Hong Kong service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland. (See Implementation Guide for details.)</p>

Measures in Facilitating Trade and Investment (extracted from the main text of Supplement X to CEPA) –

III. Trade and Investment Facilitation

1. The two sides agreed to further strengthen cooperation in the areas of commodity inspection and quarantine, food safety and quality and standardization. Accordingly, the following is added to Article 5.2.4 of Annex 6 to "CEPA" - Certification, accreditation and standardization Management:

"(1) promote Guangdong and Hong Kong mutual recognition of testing and certification results in respect of third-party testing and certification services;

(2) in accordance with specific certification requirements, promote Guangdong and Hong Kong mutual recognition of testing and certification results in respect of voluntary certification;

(3) with regard to promoting mutual recognition of testing and certification results under the China Compulsory Certification (CCC) System, the two sides agree to observe the relevant requirements of the related national laws, rules, regulations and treaties, including the Regulations on Certification and Accreditation of the People's Republic of China and CEPA."

Supplement IX to CEPA

- Signed on 29 June 2012

Liberalisation of Trade in Services (extracted from the Annex of Supplement IX to CEPA) –

Sectors or sub-sectors	1. Business services
	F. Other business services
	e. Technical testing and analysis services (CPC8676) Product testing services (CPC7490)
Specific commitments	To expand, on a pilot basis in Guangdong Province, the scope of certification services that can be undertaken by Hong Kong testing organizations to cover food. (See Implementation Guide for details.)

Supplement VIII to CEPA

- Signed on 13 December 2011

Liberalisation of Trade in Services (extracted from the Annex to Supplement VIII to CEPA) –

Sectors or sub-sectors	1. Business services
	F. Other business services
	e. Technical testing and analysis services (CPC8676) Product testing services (CPC7490)
Specific commitments	To expand, on the basis of Supplement VII to the CEPA, the scope of product testing that can be undertaken by testing organizations in Hong Kong for the China Compulsory Certification (CCC) System to all existing products processed in Hong Kong that require CCC. These testing organizations have to be accredited by the accreditation body of the Government of Hong Kong Special Administrative Region (i.e. the Hong Kong Accreditation Service) to be capable of performing testing for the relevant products under the CCC System.

Supplement VII to CEPA

- Signed on 27 May 2010

Liberalisation of Trade in Services (extracted from the Annex of Supplement VII to CEPA) –

Sectors or sub-sectors	1. Business services
	F. Other business services
	e. Technical testing and analysis services (CPC8676) Product testing services (CPC7490)
Specific commitments	To allow testing organizations in Hong Kong to cooperate with designated Mainland organizations to undertake testing of products for the China Compulsory Certification (CCC) System on a pilot basis, for selected products listed in the CCC Catalogue and processed in Hong Kong (i.e. the processing facilities are located in Hong Kong). These testing organizations have to be accredited by the accreditation body of the Government of Hong Kong Special Administrative Region (i.e. the Hong Kong Accreditation Service) to be capable of performing testing for the relevant products under the CCC System. Cooperation arrangements should comply with relevant requirements in the “Regulations of the People’s Republic of China on Certification and Accreditation”.

Measures in Facilitating Trade and Investment (extracted from the main text of Supplement VII to CEPA) –

III. Trade and Investment Facilitation

2. Both sides agree to further strengthen their cooperation in the area of commodity inspection and quarantine, food safety, quality and standardisation. Accordingly, the following subparagraphs 5.2.5 and 5.2.6 are added to Article 5.2 of Annex 6 to “CEPA”:

“5.2.6 To actively promote cooperation between Hong Kong’s testing laboratories and Mainland’s certification bodies which are members of international multilateral systems on mutual recognition of testing and certification that are open to national member bodies (such as the IECEE/CB system), so that Hong Kong’s testing laboratories can be recognized under these multilateral systems.”