

[TRANSLATION]

Implementation Guide for the Revised Articles Relating to Testing and Certification in the Second Agreement Concerning Amendment to the Mainland and Hong Kong Closer Economic Partnership Arrangement Agreement on Trade in Services

The Second Agreement Concerning Amendment to the Mainland and Hong Kong Closer Economic Partnership Arrangement (“CEPA”) Agreement on Trade in Services (hereinafter referred to as “Agreement II”) and its annexes, signed on 9 October 2024 between the Mainland and Hong Kong, contain a total of seven liberalisation measures relating to certification and accreditation. Among those, Item 1 covers the existing liberalisation measures in the Agreement Concerning Amendment to the CEPA Agreement on Trade in Services. Item 4 covers the existing liberalisation measures in the Guangdong Agreement of CEPA. Item 5 covers the existing liberalisation measures in the CEPA Agreement on Trade in Services. Items 6 and 7 cover the existing liberalisation measures in Supplement X to CEPA. The implementation rules for these measures remain unchanged. Items 2 and 3 are revised liberalisation measures. The implementation guide is as follows:

I. To allow certification bodies in Hong Kong to cooperate with Mainland China Compulsory Certification (“CCC”) certification bodies on CCC factory inspection through assigning inspectors to carry out such inspection of factories manufacturing CCC products. These certification bodies must be accredited by the accreditation body of the Government of the Hong Kong Special Administrative Region (“HKSAR Government”) to be competent to perform certification of relevant products under the CCC System.

(1) Coverage

1. Inspection targets

All factories manufacturing products as listed in the CCC Product Catalogue.

2. Scope of inspection

Initial factory inspection and post-certification follow-up inspection of factories manufacturing products as listed in the CCC Product Catalogue.

(2) Qualification Requirements for Factory Inspectors

Factory inspectors should meet the relevant requirements as stipulated in the Measures for Administration of CCC Inspectors (Certification and Accreditation Administration of the People’s Republic of China (“CNCA”) Notice No. 29/2004) and obtain registration as a national CCC inspector.

(3) Procedures

1. A certification body in Hong Kong shall seek collaboration

with a designated Mainland CCC certification body on the factory inspection activities concerned. Contact information of the designated Mainland CCC certification bodies and their scope of services are available on the CNCA website (<http://www.cnca.gov.cn/>).

2. The certification body in Hong Kong is required to achieve collaboration and establish an agreement with a designated Mainland CCC certification body to undertake CCC product factory inspection activities within the agreed scope of work. The designated Mainland CCC certification body shall submit the signed collaboration agreement to CNCA for record. CNCA will then announce on its official website a directory of Hong Kong certification bodies that have entered into collaboration agreements with the designated Mainland CCC certification bodies (including the scope of factory inspection activities that can be carried out), and notify the relevant market regulation authorities in the Mainland.

3. The certification body in Hong Kong shall recommend candidates for CCC inspectors to the designated Mainland CCC certification body, and submit applications for registration of CCC inspectors to the China Certification and Accreditation Association (“CCAA”) through the designated Mainland CCC certification body. The applicants shall submit application materials and participate in inspector training and qualification examinations according to the Measures for Administration of CCC Inspectors and relevant requirements of CCAA. Those who have met the requirements can obtain registration as CCC inspectors to perform CCC factory inspection activities. The list of inspectors will be announced to the

public on the CCAA website. The registration status of inspectors can be checked via the registration and administration system of certification personnel on the CCAA website.

4. If it is found by a Mainland market regulation authority that a Hong Kong CCC inspector undertaking CCC factory inspection activities has breached relevant laws, regulations or implementation rules of certification and accreditation, CNCA should be notified. CNCA will instruct CCAA to conduct an investigation, after which CNCA will decide whether the registration status of the inspector and the announced directory of Hong Kong certification bodies that have entered into collaboration agreements with the designated CCC certification bodies (including the scope of factory inspection activities that can be carried out) shall be revised, and notify the responsible department of the HKSAR Government.

II. 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. These certification bodies must be accredited by the accreditation body of the HKSAR Government to be competent to perform certification of relevant products under the CCC System.

(1) Coverage

1. Sampling targets

All factories manufacturing products as listed in the CCC Product Catalogue.

2. Sampling scope

Selection of post-certification test samples at factories during surveillance.

(2) Qualification Requirements for Samplers

Samplers shall meet the relevant requirements as stipulated in the Measures for Administration of CCC Inspectors (CNCA Notice No. 29/2004) and obtain registration as a national CCC inspector.

(3) Procedures

1. The requirements and procedures for the signing of agreements are same as those stated in Section I (3).

2. Tests on selected samples shall be carried out in accordance with the corresponding implementation rules of certification and the established agreements on factory inspection (including sampling).

III. The Mainland market regulation authorities administer activities conducted within the purview of this implementation guide

The Mainland market regulation authorities shall administer activities conducted by relevant certification and testing organisations in the Mainland according to Agreement II and this implementation guide.

IV. Contact information of relevant units

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