

中国加入世界贸易组织谈判文件资料选编

Basic Instruments and Selected Documents
on the Negotiations for China's Accession to
the World Trade Organization

多边卷 ⑨

（总第14册·全20册）

中国商务出版社
CHINA COMMERCE AND TRADE PRESS

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2001年

第17次

世界贸易组织

中国工作组第 17 次会议

(2001 年 7 月 16 日至 7 月 20 日)

WTO中国工作组第17次会议

2001年7月16日至7月20日，WTO中国工作组第17次会议在日内瓦举行，外经贸部首席谈判代表龙永图率中国代表团出席，中国常驻日内瓦代表团大使乔宗淮担任副团长，代表团由外经贸部、外交部、海关总署、国务院法制办、外汇局、保监会等部门的官员组成。7月16日至24日期间工作组非正式会议和诸边磋商交叉进行，7月20日下午举行了正式会议。

这次会议对中国加入WTO法律文件中非诸边问题进行了磋商，最后各方就全部遗留问题达成一致，基本完成了法律文件的起草工作，为下次会议结束工作组全部工作和在2001年11月多哈WTO第四届部长级会议上完成中国加入WTO程序打下了基础。

会议解决了议定书和工作组报告书的非诸边问题。

1.外汇管制：美方不再坚持要求中国在WTO中作出有关经常项目可兑换的承诺，而只作为中国代表的情况介绍和陈述，提及中国在国际货币基金组织中所做的承诺，还同意删除了要求写入报告书中的资本项目。

2.《政府采购协定》：经过谈判，美方不再坚持中方加入WTO后2年内即开始加入这一协定谈判的要求，同意中方提出的“尽快开始加入该协定谈判”的建议。

3.《海关估价协定》项下的两个决定：经过谈判，美方不再坚持中国加入时即接受这两个决定，同意在加入WTO后经过2年的过渡期后再接受。

4.关于取消对钨精矿的出口限制：美方同意放弃要求中方取消对钨精矿的出口限制。

5.与贸易有关的投资措施：美方同意在案文中增加“中方尊重企业合同自由”的文字，这样有利于保障投资双方谈判合同条款的权利。

6.货物贸易市场准入的实施期问题：中方在此次会议上同意按照双边谈判中已达成的日历年实施货物贸易市场准入承诺。

7.化肥关税配额管理机构：化肥关税配额的管理机构确定为国家经贸委。

中方向会议提交了更新和修改的议定书附件，会议对这些附件进行了讨论。

附件1－中国经济贸易体制统计数据与信息：各方接受了中方提出的修改意见，就该附件达成了共识。中方表示，如有条件则提供4位税号的信息。经常项目和资本项目只提供与向国际货币基金组织所提信息一致的信息。

附件2a1、2a2－国营贸易产品清单[1]：各方同意将以往未列入《烟草专卖法》规定的四类产品增列入了国营贸易产品清单。

各方对附件2b－指定经营产品清单[2]和附件3－非关税措施取消时间表[3]达成一致。

附件4－国家定价的产品和服务清单[4]：中方根据国家计

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[1] WTO文件WT/ACC/CHN/34/Rev.1，2001年7月18日；WT/ACC/CHN/41/Rev.1，2001年7月18日。

[2] WTO文件WT/ACC/CHN/47，2001年7月18日。

[3] WTO文件WT/ACC/CHN/36/Rev.1，2001年7月18日；WTO文件WT/ACC/CHN/36/Rev.2，2001年7月20日。

[4] WTO文件WT/ACC/CHN/26/Rev.1，2001年7月18日；WTO文件WT/ACC/CHN/26/Rev.2，2001年7月24日。

委最新公布的《中央定价目录》，对这一附件进行了修改，各方就该附件达成一致。

附件5a、5b－根据WTO《补贴协定》第25条作出的通知和需取消的补贴：各方同意在中国加入WTO前，不需再对这两个附件进行修改。

附件6－出口税产品清单[5]：欧盟在磋商中要求中方取消包括铜和铜产品以及锑在内的多种产品出口税，经过磋商，欧盟放弃了这一要求，改为要求在该附件中加注，承诺不提高其中所列产品的实施税率(即暂定税率)，如遇特殊情况需要提高，则需与受影响成员进行磋商，以期找到各方均可接受的解决办法。各方最终就该附件达成一致。

附件7a、7b－进出口法定检验产品清单：考虑到2001年4月技术监督局与出入境检验检疫总局已经合并，且中方承诺确保对进口和国产品的检验实行国民待遇，各方同意将这两个附件作为中方向工作组提交的信息清单，不再作为议定书附件。

附件8－WTO成员的保留：会议期间，中方与欧盟、泰国、土耳其、波兰、阿根廷、斯洛伐克、匈牙利等进行了磋商，与大多数成员就取消这些成员对华维持的限制性措施达成了一致。只余土耳其和泰国等未决。

附件9－过渡性审议机制审议提纲：各方已就该附件达成一致。

附件10－货物贸易减让表：中方正在与秘书处加紧工作，争取在8月初完成货物贸易减让表的制作，并散发工作组成员进行核对。

附件11和12－服务贸易减让表：中方已将修改后的服务贸易减让表提交秘书处，秘书处将在7月底前散发工作组

[5] WTO文件WT/ACC/CHN/46，2001年7月18日。

成员进行核对。

在7月20日下午召开的正式会议上，工作组主席吉拉德对会议按计划完成了中国加入WTO一揽子法律文件的起草工作表示祝贺，并高度赞赏中国代表团坚韧不拔的工作精神。工作组成员在会上纷纷表示，WTO已作好准备，在2001年11月举行的第四届部长级会议上正式欢迎中国加入WTO。

2001年暑期，中国与工作组成员对秘书处散发的法律文件更新草案[6,7,8]进行了核对。中国代表团按照国内业务分工，将法律文件的每一部分分配给国务院各有关部委审核并提出意见，汇总后准备提交工作组第18次会议。

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[6] 工作组报告书、议定书草案及附件1至7载于WTO文件WT/ACC/SPEC/CHN/1/REV.8，2001年7月31日。

[7] 货物贸易减让表，即议定书附件8载于WTO文件WT/ACC/SPEC/CHN/1/REV.8/ADD.1，2001年7月31日。

[8] 服务贸易减让表，即议定书附件9载于WTO文件WT/ACC/SPEC/CHN/1/REV.8/ADD.2，2001年7月31日。

WTO中国工作组第 17 次会议

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AIRGRAM **AÉROGRAMME** **AEROGRAMA**

WTO OMC

WTO/AIR/1593 11 JULY 2001

SUBJECT: WORKING PARTY ON THE ACCESSION OF CHINA

1. THE WORKING PARTY ON THE ACCESSION OF CHINA WILL MEET ON FRIDAY, 20 JULY 2001, BEGINNING AT 4 P.M. IN THE CENTRE WILLIAM RAPPARD, 154 RUE DE LAUSANNE, GENEVA.

2. THE PURPOSE OF THE MEETING IS TO:

A. TAKE STOCK OF DEVELOPMENTS IN THE ACCESSION PROCESS; AND

B. DECIDE ON NEXT STEPS.

3. MEMBERS OF THE WTO, OTHER GOVERNMENTS WITH OBSERVER STATUS AND INTERNATIONAL ORGANIZATIONS GRANTED OBSERVER STATUS FOR THIS MEETING OF THE WORKING PARTY ON THE ACCESSION OF CHINA ARE REQUESTED TO INFORM THE SECRETARIAT OF THE NAMES OF THEIR REPRESENTATIVES AS SOON AS POSSIBLE.

MIKE MOORE

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出席中国工作组第 17 次会议中国代表团名单

团　　长：	龙永图	对外贸易经济合作部首席谈判代表
副 团 长：	乔宗淮	常驻日内瓦代表团大使
成　　员：		
外经贸部：		
	王世春	外贸司副司长
	张向晨	国际司副司长
	俞建华	国际司处长
	李成钢	条法司处长
	索必成	国际司副处长
	洪晓东	国际司官员
外交部：		
	王新霞（女）	国际司副处长
海关总署：		
	周冠山	国际司副司长
	王延春	关税司处长
	练　兵	深圳海关副科长
	邬文献（女）	拱北海关副科长
国务院法制办：		
	冯雪薇（女）	外事司处长
国家外汇管理局：		
	温建东	综合司官员
中国保险监督管理委员会：		
	孟昭亿	国际部副主任

常驻日内瓦代表团：

李恩恒	副代表
徐慧筠（女）	经贸处二秘
杨　静（女）	经贸处三秘
胡盈之	经贸处三秘
王晓东	经贸处三秘

出席中国工作组第 17 次会议中国代表团日程

日期	时间	内容	地点
7月16日(一)	09:15-10:00	龙部长会见吉拉德	WTO会议室1021
	09:40	与斯洛伐克双边磋商(附件8)	
	10:00-12:30	与美国双边磋商	WTO会议室C
	10:00	与匈牙利双边磋商(附件8)	
	10:15	与土耳其双边磋商(附件8)	
	10:30	与泰国双边磋商(附件8)	
	11:00	与阿根廷双边磋商(附件8)	
	14:00-15:00	向日本澄清有关法律修改	WTO会议室C
	14:50	与波兰双边磋商(附件8)	
	15:00-18:00	工作组非正式会议	WTO会议室CRII
	15:00	与欧盟双边磋商(附件8)	
	18:30	与欧盟双边磋商	WTO会议室CRII
7月17日(二)	09:30	与美国双边磋商	WTO会议室C
	09:30	与日本双边磋商	WTO会议室
	11:00	龙部长会见塔吉克斯坦副部长	WTO会议室64
	15:00	与秘书处校对关税减让表	WTO
	15:45	与印度双边磋商	WTO会议室PCR
	16:00	与美国双边磋商	WTO会议室C
	16:00	与挪威双边磋商(关税)	WTO会议室
	17:15	与欧盟双边磋商	WTO会议室C
	18:00	与日本双边磋商	
7月18日(三)	09:30	与加拿大双边磋商	WTO会议室A
	10:00	工作组非正式会议	WTO会议室W
	15:45	附件3诸边会	WTO会议室A
	16:30	中美欧磋商(台湾问题)	WTO会议室B
	17:30	与加拿大双边磋商	WTO会议室A
7月19日(四)	09:30	与日本双边磋商(TRIMs)	
	09:30	与美国双边磋商(服务定价)	
	10:00	与澳大利亚双边磋商(关税)	WTO会议室B
	10:00	工作组非正式会议	WTO会议室W
	15:00	与加拿大双边磋商	WTO会议室X
	17:00	与欧盟双边磋商	WTO会议室X

日期	时间	内容	地点
7月20日(五)	09:00	工作组非正式会议	WTO会议室W
	11:00	中美欧磋商(台湾问题)	WTO会议室X
	12:00	关税配额诸边会议	WTO会议室X
	12:00	龙部长会见古巴部长	WTO会议室A
	15:00	工作组非正式会议	WTO会议室W
	16:00	工作组正式会议	WTO会议室W
7月23日(一)	09:30	与墨西哥双边磋商(关税)	

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

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FAX

To:	Members of the Working Party on the Accession of China Delegation of China	Fax No:	
From:	Jeffrey L. Gertler Secretary Working Party on the Accession of China	Date:	9 July 2001
Number of pages (including this one): 1		Ref:	

Subject: Planning for the 17th Meeting of the Working Party on the Accession of China

The following arrangements are foreseen for the upcoming meeting of the China Working Party:

(1) The Working Party will meet in informal sessions from Monday, 16 July 2001 to Friday, 20 July 2001, beginning at 3 pm. on Monday, 16 July, with the following programme of work:

(a) take stock of (i) developments in bilateral discussions since the last meeting of the Working Party; and (ii) any other new inputs to the Working Party from China or members of the Working Party; and

(b) continue examination of the Draft Report of the Working Party, based on the revision circulated on 10 July 2001 (WT/ACC/SPEC/CHN/1/Rev.7), as well as the Draft Protocol and annexes thereto, based on the revision of the Draft Protocol circulated on 10 July 2001, with a view to completing substantive work on these documents.

(2) The Working Party will then convene in formal session at 4 pm. on Friday, 20 July 2001 to take stock of developments and to plan next steps.

中国代表团团长龙永图副部长
在中国工作组第17次会议上的发言

2001年7月20日

主席先生:

在各方的共同努力下，本次工作组会议完成了中国加入WTO多边法律文件的准备工作，为在第18次工作组会议上最终通过这些文件，从而结束中国工作组长达14年零4个月漫长而艰苦的谈判奠定了基础。使中国入世进程又迈出了重要而坚实的一步。中国代表团对所有成员的共同努力的成果表示满意。

就实质问题达成协议不是一件容易的事情，要准确地反映我们15年来的谈判结果同样不容易。在审议议定书、工作组报告书和议定书的各个附件的过程中，各方都采取了认真和合作的态度，秘书处也做了大量的工作。我赞赏各方表现出的务实和专业的精神。

主席先生，

我认为在谈判的最后阶段，我们最需要的就是合作和相互信任的精神。对于目前仅余的个别问题，只要按照WTO公认的原则和通行做法，本着互谅互让的合作精神，并不难找到解决的办法。对此，我们充满信心。

主席先生，

此次工作组会后，我们将把已经达成共识的厚达千页的加入文件带回去，并据此加紧做好各项实施这些承诺的准备工作。我们再次重申，中国加入WTO之后将履行所作出

的承诺，因为这些承诺符合我们谈判的结果，符合多边贸易体制的原则和精神，符合中国改革开放的需要。

主席先生，

目前，中国代表团正在与秘书处密切合作，加紧制作货物贸易和服务贸易减让表，这些减让表将于本月底前散发。我希望工作组成员能够充分利用8月份的时间，加紧核对减让表。

我们期待着在9月上旬召开的第18次工作组会议上，与大家一起最终完成我们为之艰苦努力的事业。

谢谢主席先生。

Statement by Vice Minister Long Yongtu, Head of the Chinese Delegation, at the Seventeenth Session of the Working Party on China

20 July 2001

Mr. Chairman,

With the joint efforts made by the Working Party Members, we have concluded our preparations of the multilateral legal documents on China's accession to the WTO, which has established the foundation for the final approval of these documents at the 18th Session so as to conclude the protracted and painstaking negotiations of the Working Party on China in the past 14 years and four months. The completion of these documents marks yet another major and solid step in the process of China's WTO accession. We are satisfied with the outcome which has been a joint effort of all of us.

To reach agreement on substantive issues has never been an easy task. Neither is it easy to reflect the results of our negotiations in the past 15 years. In the review of the Draft Protocol, the Working Party Report as well as the annexes to the Draft Protocol, members of the Working Party have taken a conscientious and cooperative approach and the Secretariat has undertaken large amount of work. I appreciate the pragmatic and professional spirit of all the parties concerned.

Mr. Chairman,

I believe, at the final stage of the negotiations, what we need most is the spirit of cooperation and mutual trust. With regard to the individual remaining issue, it won't be difficult for us to find solutions if we could work in line with the commonly recognized WTO principles and practices. We are fully confident in this regard.

Mr. Chairman,

After this Session, we will bring back home the agreed documents up to almost 1,000 pages and will speed up our preparations on the implementation of the commitments therein. We would like to reiterate again that China will honor its commitments, since they are consistent with the results of our negotiations, consistent with the principles and sprits of the multilateral trading

system and consistent with the need of China's reform and opening-up.

Mr. Chairman,

The Chinese delegation is now working closely with the Secretariat for the preparation of the draft goods and services schedules, which would be distributed by the end of this month. I hope that the Working Party members could make full use their time in the coming August to verify these documents.

We are looking forward to working with all of you at the 18th Session in September in a bid to finally accomplish the work to which we have devoted ourselves throughout these years.

Thank you, Mr. Chairman.

MEETING OF THE WORKING PARTY ON THE ACCESSION OF CHINA

20 July 2001

Summing Up by the Chairman

I would like to take this opportunity to welcome the Delegation of China and Members of the Working Party to this 17th Meeting of the Working Party on the Accession of China.

In the course of informal meetings this week, we have been able to conclude work on almost all elements of China's accession package. This is indeed welcome news and all concerned are to be heartily congratulated for their untiring efforts and resulting success.

Let me briefly summarize what we have achieved.

First, in regard to the Draft Working Party Report, we have reached agreement on a final, comprehensive text, ready for adoption. Only one point, in the area of services, remains.

Turning to the Draft Protocol of Accession, here, too, we have completed our work. In addition, newly revised and updated annexes were submitted to the Working Party by China, and these in the areas of State Trading, Non-Tariff Measures, Price Controls and Export Duties. After multilateral examination, these revised annexes were approved by the Working Party. Consensus was also reached on a revised annex dealing with Information for the Transitional Review Mechanism. The only annex on which a small amount of work remains to be done is that dealing with Reservations by WTO Members. It is my expectation that this annex will be completed in the coming days.

Finally, there is the issue of China's Goods and Services Schedules. With the background work done this week, the Secretariat will now be in a position to circulate both

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draft Schedules, in accordance with normal accession procedures, by the end of this month. These Schedules should be examined by Members of the Working Party and China for technical verification. Proposals for technical corrections, if any, should be received by the Secretariat no later than 10 August for onward transmission to Members of the Working Party and China.

To conclude, this 17th Working Party has allowed us to virtually complete our consideration and approval of all aspects of China's accession package. It is clear that this outcome could not have occurred without your tremendous efforts and unwavering dedication to this process.

The Secretariat will shortly issue revised drafts of the Working Party Report and Protocol of Accession, including all Annexes. We should then plan to come back to Geneva for a final session of the Working Party in September. At this stage, I can already confirm that we will meet in the week of 10 September. Nearer the time, I will inform you of the precise arrangements for the meeting. If we can keep to this tight schedule, and I certainly hope that we can, Ministers should then be able to gavel the terms of China's entry into the WTO at Doha this coming November.

Revised Chairman's Draft
18 July 2001

Annex 1

INFORMATION[1] TO BE PROVIDED BY CHINA IN THE CONTEXT OF THE TRANSITIONAL REVIEW MECHANISM

China is requested to provide information on the following in accordance with Article 18.1 of the Draft Protocol of Accession. The requested information should be provided annually, except in those cases where China and the Members agree that it is no longer required for the review.

ECONOMIC DATA

- most recently available import and export statistics by value and volume, by supplier country at the HS 8-digit level
- current account data on services, by source and destination in line with the statistical requirements of the IMF
- capital account data for inward- and outward-realized foreign direct investment by source and destination in line with the statistical requirements of the IMF
- the value of tariff revenues, non-tariff taxes, and other border charges levied exclusively on imports by product or at the highest level of detail possible, but at least by HS heading (4-digit) at the beginning of the review mechanism
- the value of export duties/taxes by product
- the volume of trade subject to tariff exemptions by product or at the highest level of detail possible, but at least by HS heading (4-digit) at the beginning of the review mechanism
- the value of commissions, mark ups and other fees charged on imports subject to state trading or designated trading imposed through government regulation or guidance, if any
- the shares of imports and exports accounted for by the trading activities of state-owned enterprises
- annual economic development programmes, China's five-year programmes and any industrial or sectoral programmes or policies (including programmes relating to investment, export, import, productions, pricing or other targets, if any) promulgated by central and sub-central government entities
- annual receipts under the Value-Added Tax (VAT), with separate information for imports and domestic products as well as information on VAT rebates

ECONOMIC POLICIES

Non-Discrimination (to be notified to the Council for Trade in Goods)

- the repeal and cessation of all WTO inconsistent laws, regulations and other measures on national treatment
- the repeal or modification to provide full GATT national treatment in respect of laws, regulations and other measures applying to internal sale, offering for sale, purchase, transportation, distribution or use of: after sales service, pharmaceutical products, cigarettes, spirits, chemicals and boiler and pressure vessels (for pharmaceutical products, chemicals and spirits there is a reservation of the right to use a transitional period of one year from the date of accession in order to amend or repeal relevant legislation)

[1] This "information" refers to information other than that required by the general notification requirements for WTO Members. To avoid duplication, it is understood that Members will accept information provided on an annual basis by China to other WTO bodies as satisfying the information requirements in Annex 1.

ANNEX 2a1

PRODUCTS SUBJECT TO STATE TRADING (IMPORT)

July 13, 2001

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
GRAIN	1	10011000	Durum wheat	China National Cereals, Oil & Foodstuff Import and Export Co.
	2	10019010	Seeds of Spelt, common wheat & meslin	
	3	10019090	Spelt, common wheat & meslin(excl. seed)	
	4	11010000	Wheat or meslin flour	
	5	11031100	Groats & meal of wheat	
	6	11032100	Wheat pellets	
	7	10051000	Maize seeds	
	8	10059000	Maize (excl. seed)	
	9	11022000	Maize (corn) flour	
	10	11031300	Groats & meal of maize (corn)	
	11	11042300	Other worked grains of maize (corn), nes	
	12	10061010	Rice seeds	
	13	10061090	Rice in the husk (paddy or rough)(excl. seed)	
	14	10062000	Husked (brown) rice	
	15	10063000	Semi-milled or wholly milled rice	
	16	10064000	Broken rice	
	17	11023000	Rice flour	
	18	11031400	Groats & meal of rice	
VEGETABLE OIL	19	15071000	Crude soya-bean oil	1. China National Cereals, Oil & Foodstuff Import and Export Co. 2. China National Native Products and Animal By-products Import & Export Co. 3. China Resources Co. 4. China Nam Kwong National Import & Export Co. 5. China Liangfeng Cereals Import & Export Co. 6. China Cereals, Oil & Foodstuff Co.(Group)
	20	15079000	Soya-bean oil (excl. crude) & fractions	
	21	15111000	Crude palm oil	
	22	15119000	Palm oil (excl. crude) & liquid fractions	
	23	15141010	Crude rape, colza oil & fractions thereof	
	24	15149000	Rape, colza or mustard oil (excl. crude) & fractions thereof	
SUGAR	25	17011100	Raw cane sugar, in solid form	1. China National Cereals, Oil & Foodstuff Import and Export Co. 2. China Export Commodities Base Construction Co. 3. China Overseas Trade Co. 4. China Sugar & Wine Co. (Group) 5. China Commerce Foreign Trade Co.
	26	17011200	Raw beet sugar, in solid form	
	27	17019100	Cane or beet sugar, containing added flavouring or colouring	
	28	17019910	Granulated sugar	
	29	17019920	Superfine sugar	
	30	17019990	Other cane or beet sugar, in solid form, nes	
TOBACCO	31	24011010	Flue-cured tobacco, not stemmed/stripped	China National Tobacco Import & Export Co.
	32	24011090	Tobacco other than flue-cured, not stemmed/stripped	
	33	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	
	34	24012090	Tobacco o/t flue-cured, partly or wholly stemmed/stripped	
	35	24013000	Tobacco refuse	
	36	24021000	Cigars, cheroots & cigarillos containing tobacco	
	37	24022000	Cigarettes containing tobacco	
	38	24029000	Cigars, cigarillos, cigarettes, etc, not containing tobacco	
	39	24031000	Smoking tobacco with or without tobacco substitutes	
	40	24039100	Homogenized or reconstituted tobacco	
	41	24039900	Other manufactured tobacco, nes	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
TOBACCO	42	48131000	Cigarette paper in the form of booklets or tubes	China National Tobacco Import & Export Co.
	43	48132000	Cigarette paper in rolls of a width≤5cm	
	44	48139000	Cigarette paper, nes	
	45	55020010	Cellulose diacetate filament tow	
	46	56012210	Cigarette filter tips	
	47	84781000	Machinery for preparing'making up tobacco nes	
	48	84789000	Parts of machinery for preparing'making up tobacco nes	
CRUDE OIL	49	27090000	Petroleum oils & oils obtained from bituminous minerals, crude	. China National Chemical Import & Export Co. . China International United Petroleum & Chemicals Co. . China National United Oil Co. . Zhuhai Zhenrong Company
PROCESSED OIL	50	27100011	Gasoline, incl. aviation spirit	
	51	27100013	Naphtha	
	52	27100023	Kerosenes	
	53	27100024	Normal paraffin	
	54	27100031	Light diesel oil	
	55	27100033	Fuel oil No.5-No.7	
	56	27100039	Other feul oils	
CHEMICAL FERTILIZER	57	31021000	Urea	. China National Chemical Import & Export Co. . China National Agricultural Means of Production Group Co.
	58	31022100	Ammonium sulphate	
	59	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	
	60	31023000	Ammonium nitrate	
	61	31024000	Mixtures of ammonium nitrate with inorg non-fertilizing substances	
	62	31025000	Sodium nitrate	
	63	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	
	64	31027000	Calcium cyanamide	
	65	31028000	Mixturs of urea & ammonium nitrate in aqueous or ammoniacl solution	
	66	31029000	Mineral or chemical fertilizers, nitrogenous , nes	
	67	31031000	Superphosphates	
	68	31032000	Basic slag	
	69	31039000	Mineral or chemical fertilizers, phosphatic, nes	
	70	31041000	Carnallite, sylvite & other Crude natural potassium salts	
	71	31042000	Potassium chloride	
	72	31043000	Potassium sulphate	
	73	31049000	Mineral or chemical fertilizers, potassic, nes	
	74	31051000	Fertilizers... in packages of a gross weight=10kg	
	75	31052000	Mineral/chemical fertilizers with nitrogen, phosphorus & potassium	
	76	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	
	77	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate)	
	78	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	
	79	31055900	Mineral or chemical fertilizers with nitrogen & phosphorus, nes	
	80	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	
	81	31059000	Other fertilizers, nes	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
COTTON	82	52010000	Cotton, not carded or combed	. China National Textiles Import & Export Co. . Beijing Jiuda Textiles Group Co. . Tianjing Textiles Industry Supply and Marketing Co. . Shanghai Textiles Raw Materials Co.
	83	52030000	Cotton, carded or combed	

Product & HSNO	Volume to non-state traders on accession[2)]	Annual growth in non-state trade volume[3)]
Oil--processed[1)] (HS 27.10)	4 million tonnes	15 %
Oil--crude (HS 27.09)	7.2 million tonnes	15 %

1) Excludes LPG, which falls under HS 27 11, and has not been notified by China as subject to state trading. The present import quota (16.58 million tonnes rising by 15% per year) will be removed on 1 January 2004.

2) Imports to be effected pursuant to the provisions of the WTO Agreement on Import Licensing Procedures.

3) This growth rate shall be applied for a period of 10 years following accession, after which time it shall be reviewed. Pending conclusion of the review talks, the volume available to non-state importers on that date shall be increased annually in line with the average growth in overall imports of the product concerned over the preceding 10 year period.

However, for processed oil, a review shall be carried out by 2004 to establish whether the growth rate should be adjusted in the light of the evolution of trade volumes.

Joint Canada-China Proposal

20 July 2001

Footnote to Annex 2a1

Coverage is limited to cellulose diacetate filament tow used in the production of cigarettes.

ANNEX 2a2

PRODUCTS SUBJECT TO STATE TRADING (EXPORT)

July 13, 2001

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
TEA	1	09021010	Flavoured green tea in packings≤3kg	China National Native Products and Animal By-Products Import & Export Co
	2	09021090	Unflavoured green tea in packings≤3kg	
	3	09022010	Flavoured green tea in packings > 3kg	
	4	09022090	Unflavoured green tea in packings > 3kg	
RICE	5	10061010	Rice seeds	1. China National Cereals Oil and Foodstuffs Import & Export Co. 2. Jilin Grain Import & Export Co. Ltd.
	6	10061090	Rice in the husk (paddy or rough)(excl. seed)	
	7	10062000	Husked (brown) rice	
	8	10063000	Semi-milled or wholly milled rice	
	9	10064000	Broken rice	
CORN	10	10051000	Maize seeds	
	11	10059000	Maize (excl. seed)	
	12	11042300	Other worked grains of maize (corn), nes	
SOY BEAN	13	12010010	seeds of soya bean	
	14	12010091	Yellow soya beans(excl.seed)	
	15	12010092	Black soya beans(excl.seed)	
	16	12010093	Green soya beans(excl.seed)	
	17	12010099	Other soya beans (excl.seed),nes	
TUSGSTEN ORE	18	26110000	Tungsten ores & concentrates	1. China National Metals and Minerals Import & Export Co. 2. China National Non-ferrous Import & Export Co. 3. China Rare Earth and Metal Group Co. 4. China National Chemical Import & Export Co.
	19	26209010	Ash & residues containng mainly tungsten	
	20	26209090	Ash & residues containng other metals or metallic compound	
AMMONIUM PARATUNGSTATES	21	28418010	Ammonium paratungstate	
	22	28418040	Ammonium tungstates	
TUNGSTATE PRODUCTS	23	28259011	Tungstic acid	
	24	28259012	Tungsten trioxides	
	25	28259019	Other tungsten oxides & hydroxides, nes	
	26	28418020	Sodium tungstate	
	27	28418030	Calcium tungstate	
	28	28499020	Carbides of tungsten	
	29	81011000	Tungsten powders	
	30	81019100	Tungsten unwrought,incl bars/rods simply sintered; waste/scrap	
COAL	31	27011100	Anthracite, not agglomerated	1. China National Coal Industry Import & Export Co. 2. China National Metals and Minerals Import & Export Co. 3. Shanxi Coal Import & Export Group Co. 4. Shenhua Group Ltd.
	32	27011210	Bituminous coking coal, not agglomerated	
	33	27011290	Other bituminous coal, not agglomerated	
	34	27011900	Other coal, not agglomerated, nes	
	35	27021000	Lignite, not agglomerated	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
CRUDE OIL	36	27090000	Petroleum oils & oils obtained from bituminous minerals, crude	1. China National Chemical Import & Export Co.; 2. China International United Petroleum $ Chemicals Co. 3. China National United Oil Co.
PROCESSED OIL	37	27100011	Gasoline, incl. aviation spirit	
	38	27100013	Naphtha	
	39	27100019	Other light oils, nes	
	40	27100023	Kerosenes	
	41	27100024	Normal paraffin	
	42	27100029	Other medium oils, nes	
	43	27100031	Light diesel oil	
	44	27100033	Fuel oil No.5-No.7	
	45	27100039	Other feul oils	
	46	27100053	Lubricating greases	
	47	27100054	Lubricating oils	
	48	27100059	Other heavy oils & prep.s thereof, nes	
	49	27111100	Natural gas, liquefied	
SILK	50	50010010	Mulberry feeding silk-worm cocoons	China National Silk Import & Export Co.
	51	50010090	Other silk-worn cocoons suitable for reeling	
	52	50020011	Plant reeled (filature silk)	
	53	50020012	Steam filature silk,home reeled	
	54	50020013	Steam filature silk, doupion	
	55	50020019	Other steam filature silk	
	56	50020020	Tussah silk	
	57	50020090	Other raw silk, nes	
	58	50031000	Silk waste, not carded or combed	
	59	50039000	Silk waste, carded or combed	
	60	50040000	Silk yarn (excl. spun from silk waste), not put up for retail sale	
	61	50050010	Yarn spun from noil, not put up for retail sale	
	62	50050090	Yarn spun from other silk waste, not put up for retail sale	
UN-BLEACHED SILK	63	50071010	Unbleached or bleached woven fabrics of noil silk	
	64	50072011	Unbleachd or bleachd woven fabrics of mulberry silk, ≥85% silk	
	65	50072021	Unbleached or bleached woven fabrics of tussah silk, ≥85% silk	
	66	50072031	Unbleached or bleached woven fabrics of spun silk, ≥85% silk	
COTTON	67	52010000	Cotton, not carded or combed	1. China National Textiles Import & Export Co.
	68	52030000	Cotton, carded or combed	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
COTTON YARN, containing 85% or more by weight of cotton	69	52041100	Cotton sewing thread, with≥85% cotton, not put up for retail sale	. Qingdao Textiles United Import & Export Co. . Beijing No.2 Cotton Mill . Beijing No.3 Cotton Mill . Tianjin No.1 Cotton Mill . Shanghai Shenda Co. Ltd . Shanghai Huashen Textiles and Dying Co. (Group) . Dalian Huanqiu Textiles Group Co. . Shijiazhuang Changshan Textiles Group 0. Luoyang Cotton Mill, Henan Province 1. Songyue Textiles Industry Group, Henan Province 2. Dezhou Cotton Mill,
	70	52051100	Uncombed single cotton yarn, with≥85% cotton, nprs,≤14mn	
	71	52051200	Uncombed single cotton yarn, with≥85% cotton, nprs,>14mn but≤43mn	
	72	52051300	Uncombed single cotton yarn, with≥85% cotton, nprs,>43mn but≤52mn	
	73	52051400	Uncombed single cotton yarn, with≥85% cotton, nprs,>52mn but≤80mn	
	74	52051500	Uncombed single cotton yarn, with≥85% cotton, nprs,>80mn	
	75	52052100	Combed single cotton yarn, with≥85% cotton, nprs, ≤14mn	
	76	52052200	Combed single cotton yarn, with≥85% cotton, nprs,>14mn but≤43mn	
	77	52052300	Combed single cotton yarn, with≥85% cotton, nprs,>43mn but≤52mn	
	78	52052400	Combed single cotton yarn, with≥85% cotton, nprs,>52mn but≤80mn	
	79	52052600	Combed single cotton yarn, with≥85% cotton, nprs,>80mn but≤94mn	
	80	52053100	Uncombed cabled cotton yarn, with≥85% cotton, nprs, ≤14mn	
	81	52053200	Uncombed cabled cotton yarn, with≥85% cotton, nprs,>14mn but≤43mn	
	82	52053300	Uncombed cabled cotton yarn, with≥85% cotton, nprs,>43mn but≤52mn	
	83	52053400	Uncombed cabled cotton yarn, with≥85% cotton, nprs,>52mn but≤80mn	
	84	52053500	Uncombed cabled cotton yarn, with≥85% cotton, nprs,>80mn	
	85	52054100	Combed cabled cotton yarn, with≥85% cotton, nprs, ≤14mn	
	86	52054200	Combed cabled cotton yarn, with≥85% cotton, nprs,>14mn but≤43mn	
	87	52054300	Combed cabled cotton yarn, with≥85% cotton, nprs,>43mn but≤52mn	
	88	52054400	Combed cabled cotton yarn, with≥85% cotton, nprs,>52mn but≤80mn	
	89	52054600	Combed cabled cotton yarn, with≥85% cotton, nprs,>80mn but≤94mn	
	90	52071000	Cotton yarn (excl. sewing), put up for retail sale, with≥85% cotton	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
COTTON YARN, containing less than 85% by weight of cotton	91	52041900	Cotton sewing thread, with<85% cotton, not put up for retail sale	13. Wuxi No.1 Cotton Mill 14. Puxin Textiles Mill, Hubei Province 15. Northwest No.1 Cotton Mill 16. Chengdu Jiuxing Textiles Group Co. 17. Suzhou Sulun Textiles Joint Company (Group) 18. Northwest No.7 Cotton Mill 19. Xiangmian Group Co., Hubei Province 20. Handan Lihua Textiles Group Co. 21. Xinjiang Textiles Industry Co. (Group)
	92	52061100	Uncombed single cotton yarn, with<85% cotton, nprs, ≤14mn	
	93	52061200	Uncombed single cotton yarn, with<85% cotton, nprs,>14mn but≤43mn	

94	52061300	Uncombed single cotton yarn, with<85% cotton, nprs,>43mn but≤52mn	
95	52061400	Uncombed single cotton yarn, with<85% cotton, nprs,>52mn but≤80mn	
96	52061500	Uncombed single cotton yarn, with<85% cotton, nprs,>80mn	
97	52062100	Combed single cotton yarn, with<85% cotton, nprs, ≤14mn	
98	52062200	Combed single cotton yarn, with<85% cotton, nprs,>14mn but≤43mn	
99	52062300	Combed single cotton yarn, with<85% cotton, nprs,>43mn but≤52mn	
100	52062400	Combed single cotton yarn, with<85% cotton, nprs,>52mn but≤80mn	
101	52062500	Combed single cotton yarn, with<85% cotton, nprs,>80mn	
102	52063100	Uncombed cabled cotton yarn, with<85% cotton, nprs, ≤14mn	
103	52063200	Uncombed cabled cotton yarn, with<85% cotton, nprs,>14mn but≤43mn	
104	52063300	Uncombed cabled cotton yarn, with<85% cotton, nprs,>43mn but≤52mn	
105	52063400	Uncombed cabled cotton yarn, with<85% cotton, nprs,>52mn but≤80mn	
106	52063500	Uncombed cabled cotton yarn, with<85% cotton, nprs,>80mn	
107	52064100	Combed cabled cotton yarn, with<85% cotton, nprs, ≤14mn	
108	52064200	Combed cabled cotton yarn, with<85% cotton, nprs,>14mn but≤43mn	
109	52064300	Combed cabled cotton yarn, with<85% cotton, nprs,>43mn but≤52mn	
110	52064400	Combed cabled cotton yarn, with<85% cotton, nprs,>52mn but≤80mn	
111	52064500	Combed cabled cotton yarn, with<85% cotton, nprs,>80mn	
112	52079000	Cotton yarn (excl. sewing), put up for retail sale, with<85% cotton	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
WOVEN FABRICS OF COTTON, containing 85% or more by weight of cotton	113	52081100	Unbleached plain cotton weave, with≥85% cotton, ≤100g/m2	25. Jinhua Textiles Mill, Shanxi Province 26. Jinwei Group Co., Zhejiang Province 27. Northwest No.5 Cotton Mill 28. Baoding No.1 Cotton Mill 29. Liaoyang Textiles Mill 30. Changchun textiles Mill 31. Huaxin Cotton Mill, Henan Province 32. Baotou Textiles Mill 33. Ninbo Hefeng textiles Group Co. 34. Northwest No.4 Cotton Mill 35. Xinjiang Shihezi Bayi Cotton Mill
	114	52081200	Unbleached plain cotton weave, ≥85% cotton, >100g/m2, but≤200g/m2	
	115	52081300	Unbleached 3 or 4-thread twill, with≥85% cotton, ≤200g/m2	
	116	52081900	Unbleached woven cotton fabrics, nes, with≥85% cotton	
	117	52091100	Unbleached plain cotton weave, with≥85% cotton,>200g/m2	
	118	52091200	Unbleached 3 or 4-thread twill, with≥85% cotton	
	119	52091900	Unbleached cotton fabrics, with≥85% cotton,>200g/m2, nes	
WOVEN FABRICS OF COTTON, containing less than 85% by weight of cotton	120	52101100	Unbleached plain cotton weave, with<85% cotton, ≤200g/m2	
	121	52101200	Unbleached 3 or 4-thread twill, with<85% cotton, ≤200g/m2	
	122	52101900	Unbleached woven cotton fabrics, nes, with<85% cotton, ≤200g/m2	
	123	52111100	Unbleached plain cotton weave, with<85% cotton,>200g/m2	
	124	52111200	Unbleached 3 or 4-thread twill, with<85% cotton,>200g/m2	
	125	52111900	Unbleached woven cotton fabrics, nes, with<85% cotton,>200g/m2	
ANTIMONY ORES	126	26171010	Crude antimony	1. China National Metals and Minerals Import & Export Co. 2. China National Non-ferrous Import & Export Co. 3. China Rare Earth and Metal Group Co.
	127	26171090	Other antimony ores & concentrates, nes	
ANTIMONY OXIDE	128	28258000	Antimony oxides	
ANTIMONY PRODUCTS	129	81100020	Antimony unwrought	
	130	81100030	Antimony waste & scrap; powders	
	131	81100090	Antimony wrought & articles thereof	
SILVER	132	71061000	Silver powder	. China Banknote Printing and Minting Corporation . China Cooper Lead Zinc Group
	133	71069100	Silver in unwrought forms	
	134	71069200	Silver in oth semi-manufactured forms	

ANNEX 2b

PRODUCTS SUBJECT TO DESIGNATED TRADING

July 13, 2001

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
NATURAL RUBBER	1	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	Liberalized within 3 years after the entry into force of this Protocol.
	2	40012100	Smoked sheets of natural rubber	
	3	40012200	Technically specified natural rubber, in primary forms/plates, etc	
	4	40012900	Other natural rubber, in primary forms or in plates, etc, nes	
TIMBER	5	44020000	Wood charcoal	Liberalized within 3 years after the entry into force of this Protocol.
	6	44031000	Wood in the rough..., treated with paint, stains, creosote, etc	
	7	44032000	Untreated coniferous wood in the rough...	
	8	44034910	Teak wood in the rough	
	9	44034990	Other specified tropical wood in the rough	
	10	44039100	Oak (Quercus spp.) wood in the rough, (excl. treated)	
	11	44039200	Beech (Fagus spp.) wood in the rough, (excl. treated)	
	12	44039910	Nan Mu (Phoebe) wood in the rough, (excl. treated)	
	13	44039920	Camphor wood in the rough, (excl. treated)	
	14	44039930	Padauk in the rough, (excl. treated)	
	15	44039940	Paulownia wood in the rough, (excl. treated)	
	16	44039990	Other wood, nes, in the rough, (excl. treated)	
	17	44041000	Coniferous hoopwood; split poles, etc; wooden sticks, etc; chipwood	
	18	44042000	Non-conifrous hoopwood; split poles, wooden sticks, etc; chipwood	
	19	44050000	Wood wool; wood flour	
	20	44061000	Railway or tramway sleepers (cross-ties) of wood, not impregnated	
	21	44069000	Railway or tramway sleepers (cross-ties) of wood, impregnated	
	22	44071000	Conifers wood sawn or chipped lengthwise, sliced or peeled,thick>6mm	
	23	44072400	Baboen, Mahogany, Imbuia & Balsa wood, sawn lengthwise...,thick>6mm	
	24	44072500	Dark/light Red Meranti & Meranti Bakau, sawn lengthwise...,thick>6mm	
	25	44072600	White Lauan/Meranti/Seraya, Yelw Meranti&Alan,sawn lengthws, thick>6mm	
	26	44072910	Teak wood, sawn lengthwise...,thick>6mm	
	27	44072990	Other specified tropical woods, sawn lengthwise...,thick>6mm	
	28	44079100	Oak wood,sawn/chipped lengthwise,sliced/peeled, thick>6mm	
	29	44079200	Beech wood,sawn/chipped lengthwise,sliced/peeled,thick>6mm	
	30	44079910	Nan Mu,Camphor or Padauk wood,sawn lengthwise..,thick>6mm	
	31	44079920	Paulownia wood sawn lengthwise.., thick >6mm	
	32	44079990	Other wood, nes, sawn lengthwise..., thick>6mm	
PLYWOOD	33	44121300	Plywood with≥1 outer ply of tropical wood, each ply≤6mm thick	Liberalized within 3 years after the entry into force of this Protocol.
	34	44121400	Plywood with≥1 outer ply of non-coniferous wood, nes, each ply≤6mm	
	35	44121900	Plywood, each ply≤6mm thick, nes	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
WOOL	36	51011100	Greasy shorn wool, not carded or combed	Liberalized within 3 years after the entry into force of this Protocol.
	37	51011900	Greasy wool (excl. shorn), not carded or combed	
	38	51012100	Degreased shorn wool, not carbonised, not carded or combed	
	39	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	
	40	51013000	Carbonised wool, not carded or combed	
	41	51031010	Noils of wool, not garnetted stock	
	42	51051000	Carded wool	
	43	51052100	Combed wool in fragments	
	44	51052900	Wool tops & combed wool (excl. in fragments)	
ACRYLIC	45	54023910	Synthetic filament textured yarn of polypropylene, not for re	Liberalized within 3 years after the entry into force of this Protocol.
	46	54023990	Other synthetic filament textured yarn, nes, not for retai	
	47	54024910	Single synthetic yarn of polypropylrnr, with≤50turns/m, nprs	
	48	54024920	Single synthetic yarn of polyurethane, with≤50turns/m, nprs	
	49	54024990	Single synthetic yarn, nes, with≤50turns/m, nprs	
	50	54025910	Single synthetic yarn of polypropylrne, with>50turns/m, nprs	
	51	54025990	Single synthetic yarn, nes, with>50turns/m, nprs	
	52	54026910	Multiple or cabled yarn of polypropylene nprs	
	53	54026920	Multiple or cabled yarn of polyurethane,nprs	
	54	54026990	Multiple or cabled yarn, nes, nprs	
	55	55013000	Synthetic filament tow, acrylic or modacrylic	
	56	55033000	Acrylic or modacrylic synthetic staple fibres, not carded, etc	
	57	55063000	Acrylic or modacrylic synthetic staple fibres, carded, etc	
	58	55093100	Single yarn, with≥85% acrylic or modacrylic staple fibres, nprs	
	59	55093200	Multiple or cabled yarn, ≥85% acrylic/modacrylic staple fibres, nprs	
	60	55096100	Yarn,<85% acrylic or modacrylic staple fibres, with wool..., nprs	
	61	55096200	Yarn,<85% acrylic or modacrylic staple fibres, with cotton, nprs	
	62	55096900	Yarn,<85% acrylic or modacrylic staple fibres, nes, nprs	
STEEL	63	72081000	Flat rlld prod, i/nas, in coil, hr,w≥600mm, patterns in relief	Liberalized within 3 years after the entry into force of this Protocol.
	64	72082500	Flat rlld prod, i/nas, in coil, hr,w≥600mm, pickled, thick≥4.75mm	
	65	72082600	Flat rlld prod, i/nas, in coil, hr,w≥600mm, pickld, 3mm≤thick<4.75mm	
	66	72082700	Flat rlld prod, i/nas, in coil, hr,w≥600mm, pickled, thick< 3mm	
	67	72083600	Flat rlld prod, i/nas, in coil, hr,w≥600mm, thick>10mm	
	68	72083700	Flat rlld prod, i/nas, in coil, hr,w≥600mm, 4.75mm≤thick<10mm	
	69	72083800	Flat rlld prod, i/nas,in coil, hr,w≥600mm, 3mm≤thick<4.75mm	
	70	72083900	Flat rlld prod, i/nas, in coil, hr,w≥600mm,thick<3mm	
	71	72084000	Flat rlld prod, i/nas, not in coil, hr,w≥600mm, patterns in relief	
	72	72085100	Flat rlld prod, i/nas, not in coil, hr,w≥600mm, thick>10mm	
	73	72085200	Flat rlld prod, i/nas, not in coil, hr,w≥600mm, 4.75mm≤thick<10mm	
	74	72085300	Flat rlld prod, i/nas,not in coil, hr,w≥600mm, 3mm≤thick<4.75mm	
	75	72085400	Flat rlld prod, i/nas, not in coil, hr,w≥600mm,thick<3mm	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
STEEL	76	72089000	Flat rlld prod, i/nas, not further worked than hot rlld, nes	Liberalized within 3 years after the entry into force of this Protocol.
	77	72091500	Flat rlld prod, i/nas, in coil, cr,w≥600mm,thick≥3mm	
	78	72091600	Flat rlld prod, i/nas,in coil, cr,w≥600mm, 1mm<thick<3mm	
	79	72091700	Flat rlld prod,i/nas,in coil,cr,w≥600mm,0.5mm≤thick≤1mm	
	80	72091800	Flat rlld prod, i/nas, in coil, cr,w≥600mm,thick<0.5mm	
	81	72092500	Flat rlld prod, i/nas, not in coil, cr,w≥600mm,thick≥3mm	
	82	72092600	Flat rlld prod, i/nas, not in coil,cr,w≥600mm,1mm<thick<3mm	
	83	72092700	Flat rlld prod,i/nas,nt in coil,cr,w≥600mm,0.5mm≤thick≤1mm	
	84	72092800	Flat rlld prod, i/nas, nt in coil, cr,w≥600mm,thick<0.5mm	
	85	72099000	Flat rlld prod, i/nas, not in coil, cr,w≥600mm, nes	
	86	72101100	Flat rlld prod,i/nas, plated/coated with tin,w≥600mm,thick≥0.5mm	
	87	72101200	Flat rlld prod, i/nas, plated or coated with tin,w≥600mm,thick<0.5mm	
	88	72102000	Flat rlld prod,i/nas,platd/coatd with lead,w≥600mm,incl terne-plate	
	89	72103000	Flat rlld prod, i/nas, electrocly platd/coatd with zinc,w≥600mm	
	90	72104100	Flat rlld prod, i/nas, pltd or ctd w zinc, corrugated,w≥600mm, nes	
	91	72104900	Flat rlld prod, i/nas, plated or coated with zinc,w≥600mm, nes	
	92	72105000	Flat rld prod,i/nas,pltd/ctd w chrm oxids/chrom w chrm oxide,w≥600mm	
	93	72106100	Flat rlld prod, i/nas, platd/coatd wth aluminium-zinc alloy,w≥600mm	
	94	72106900	Flat rlld prod, i/nas, plated or coated with aluminium,w≥600mm, nes	
	95	72107000	Flat rlld prod,i/nas,painted, varnish./coated with plastics,w≥600mm	
	96	72109000	Flat rlld prod, i/nas, clad, plated or coated,w≥600mm, nes	
	97	72111300	Flat rlld prod,i/nas,hr,rlld on 4 face,150mm<w<600mm,thick≥4mm	
	98	72111400	Flat rlld prod, i/nas, hr,w<600mm,thick=4.75mm	
	99	72111900	Flat rlld prod,i/nas,hr,w<600mm,thick<3mm, myp 275/thick>3mm	
	100	72112300	Flat rld prod,i/nas,cr,w<600mm,containg<0.25% carbon	
	101	72112900	Flat rlld prod,i/nas,cr,w<600mm, containg≥ 0.25% carbon	
	102	72119000	Flat rlld prod, i/nas,w<600mm, not clad, plated/coated, nes	
	103	72121000	Flat rlld prod, i/nas,w<600mm, plated/coated with tin, nes	
	104	72122000	Flat rlld prod, i/nas,w<600mm, electrolically platd/coatd with zinc	
	105	72123000	Flat rlld prod, i/nas,w<600mm, otherwise platd/coated with zinc	
	106	72124000	Flat rlld prod,i/nas,w<600mm,painted,varnished/coated with plastics	
	107	72125000	Flat rlld prod, i/nas,w<600mm, plated or coated, nes	
	108	72126000	Flat rlld prod, i/nas,w<600mm, clad	
	109	72131000	Bars & rods, i/nas, hr,in irreg wound coils,cntg indent,ribs,etc prod d	
	110	72132000	Bars & rods, i/nas, hr, in irreg wound coils, of free cutting steel	
	111	72139100	Bars/rods,i/nas,hr,in irreg wnd coils of circ cross sect,dia<14mm	
	112	72139900	Bars/rods,i/nas,hr,in irreg wound coils of circular cross sect, nes	
	113	72141000	Bars & rods, iron or non-alloy steel forged	
	114	72142000	Bars&rods,i/nas,hr,hd or he,cntg indent,ribs,etc,prod dur rp/tar,nes	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
STEEL	115	72143000	Bars&rods, i/nas, hot rlld drawn/extruded of free cutting steel, nes	Liberalized within 3 years after the entry into force of this Protocol.
	116	72149100	Bars&rods,i/nas,hot rlld,drawn/extruded of rectangular cross sectn	
	117	72149900	Bars&rods,i/nas,hot rolld,drawn/extruded, nes	
	118	72151000	Bars & rods,i/nas,nfw than cold formed/finished of free cutting steel	
	119	72155000	Bars & rods, i/nas, nfw than cold formd/finishd	
	120	72159000	Bars & rods, i/nas, nes	
	121	72161010	H sectons, i/nas,nfw than hot rlld/drawn /extruded,hei	
	122	72161090	U,I sectons, i/nas,nfw than hot rlld/drawn /extruded,hei	
	123	72162100	L sections,i/nas,nfw than hot rlld,drawn/extruded,of a height<80mm	
	124	72162200	T sections,i/nas,nfw than hot rlld,drawn/extruded,of a height<80mm	
	125	72163100	U sections,i/nas,nfw than hot rlld,drawn/extruded,ht 80mm or more	
	126	72163200	I sections,i/nas,nfw than hot rlld,drawn/extruded,ht 80mm or more	
	127	72163300	H sections,i/nas,nfw than hot rlld,drawn/extruded,ht 80mm or more	
	128	72164010	L sections,i/non-al s, nfw than hot rlld,drawn/extruded, H≥80mm	
	129	72164020	T sections,i/non-al s, nfw than hot rlld,drawn or extruded, H≥80mm	
	130	72165010	Z sections,i/non-al s, nfw than hot rlld/drawn/extruded	
	131	72165090	Angle/shape/section,i/nas, nfw than hot rlld/drawn/extrud, nes	
	132	72166100	Angle/shape/sectns,i/nas,nfw thn cld formd, from flat-rlld prodts	
	133	72166900	Angles/shapes/sections, i/nas, nfw than cld formd/finished, nes	
	134	72169100	Angles/shapes/sections, i/nas, cold formd from flat-rld products	
	135	72169900	Angles/shapes/sections, i/nas, nes	
	136	72171000	Wire,iron or non alloy steel, not plated or coated	
	137	72172000	Wire,i/nas,plated or coated with zinc	
	138	72173000	Wire,i/nas,plated or coated with other base metals nes	
	139	72179000	Wire, iron or non alloy steel, nes	
	140	72181000	Ingots & other primary forms of stainless steel	
	141	72189100	Semi-finished products of stainless steel, rectangular cros section	
	142	72189900	Other semi-finished products of stainless steel, nes	
	143	72191100	Flat rlld prod,stainless steel,hr,in coil,w≥600mm,exce 10mm thick	
	144	72191200	Flat rlld prod, stainls steel, hr, in coil,w≥600mm, 4.75mm≤th≤10mm	
	145	72191300	Flat rlld prod, stainls steel, hr in coil,w≥600mm, 3mm≤thick<4.75mm	
	146	72191400	Flat rlld prod, stainls steel, hr in coil,w≥600mm,thick<3mm	
	147	72192100	Flat rlld prod, stainless steel, hr, nic,w≥600mm, exce 10mm thick	
	148	72192200	Flat rlld prod, stainless steel, hr, nic,w≥600mm, 4.75mm≤thick≤10mm	
	149	72192300	Flat rlld prod, stainless steel, hr, nic,w≥600mm, 3mm≤thick <4.75mm	
	150	72192400	Flat rlld prod, stainless steel, hr, nic,w≥600mm, thick<3mm	
	151	72193100	Flat rlld prod, stainless steel, cr,w≥600mm, 4.75mm or more thick	
	152	72193200	Flat rlld prod, stainless steel, cr,w≥600mm, 3mm≤thick<4.75mm	
	153	72193300	Flat rlld prod, stainless steel, cr,w≥600mm, 1mm<thick<3mm	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
STEEL	154	72193400	Flat rlld prod, stainless steel, cr,w≥600mm, 0.5mm≤thick<1mm	Liberalized within 3 years after the entry into force of this Protocol.
	155	72193500	Flat rlld prod, stainless steel, cr,w≥600mm, thick<0.5mm	
	156	72199000	Flat rlld prod, stainless steel, 600mm or more wide, nes	
	157	72201100	Flat rlld prod, stainless steel, hr,w<600mm, exce 4.75mm thick	
	158	72201200	Flat rlld prod, stainless steel, hr,w<600mm, less than 4.75mm thick	
	159	72202000	Flat rlld prod, stainless steel,w<600mm, cold rlld or reduced	
	160	72209000	Flat rlld prod, stainless steel, cr,w<600mm, nes	
	161	72210000	Bars/rods, stainless steel, hot rlld in irregularly wound coils	
	162	72221100	Bars/rods, stainls stl, nfw th ht rl/drwn/extrud, of circ cros sectn	
	163	72221900	Bars/rods, stainless steel, nfw than hot rld/drawn/extrud, nes	
	164	72222000	Bars/rods, stainless steel, nfw than cold formed/cold finished	
	165	72223000	Bars/rods, stainless steel, nes	
	166	72224000	Angles, shapes & sections, stainless steel	
	167	72230000	Wire of stainless steel	
	168	72241000	Ingots & other primary forms of alloy steel, o/t stainless	
	169	72249010	Blooms/pieces roughly shapd by forgng, ≥10 t, alloy stl o/t stainls	
	170	72249090	Semi-finished products of alloy steel o/t stainless, nes	
	171	72251100	Flat rlld prd of Si-electricl steel,w≥600mm, grain-orient	
	172	72251900	Flat rlld prd of sillicon-electricl steel,w≥600mm, nes	
	173	72252000	Flat rlld products of high speed steel,w≥600mm	
	174	72253000	Flat rlld prod, as, o/t stainls, in coils, nfw than hr,w≥600mm,nes	
	175	72254000	Flat rlld prod, as, o/t stainls, nic nfw than hr,w≥600mm, nes	
	176	72255000	Flat rlld prod, as, o/t stainls, nfw than cold rlld,w≥600mm, nes	
	177	72259100	Flat rlld prod, as, o/t stainls,w≥600mm,electrly coatd with zinc	
	178	72259200	Flat rlld prod, as, o/t stainls,w≥600mm,otherwise coatd with zinc	
	179	72259900	Flat rlld prod, as, o/t stainls,w≥600mm, nes	
	180	72261100	Flat rlld prd, Si-electricl steel,w<,grain-orientd,nes	
	181	72261900	Flat rlld prd, silicon-electrical steel,w<600mm, nes	
	182	72262000	Flat rlld prod, of high speed steel,w<600mm	
	183	72269100	Flat rlld prod, as, o/t stainless, nfw than hot rlld,w<600mm, nes	
	184	72269200	Flat rlld prod, as, o/t stainless, nfw than cold rlld,w<600mm	
	185	72269300	Flat rlld prod, as, o/t stainls,w<600mm,electrly coatd with zinc	
	186	72269400	Flat rlld prod, as, o/t stainls,w<600mm,otherwise coatd with zinc	
	187	72269900	Flat rlld prod, as, o/t stainless,w<600mm, nes	
	188	72271000	Bars & rods, of high speed steel, hr, in irregularly wound coils	
	189	72272000	Bars & rods, of silico-manganese steel, hr, in irregular wound coils	
	190	72279000	Bars & rods,alloy s,o/t stainless hr,in irregularly wound coils,nes	
	191	72281000	Bars & rods of high speed steel, nes	
	192	72282000	Bars & rods of silico-manganese steel nes	
	193	72283000	Bars & rods,alloy s,o/t stainls nfw than hot rld/drawn/extrud, nes	
	194	72284000	Bars & rods, as, o/t stainless, not further worked than forged	
	195	72285000	Bars & rods, as, o/t stainless, not further wkd than cld formed/fin	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
STEEL	196	72286000	Bars & rods, as, o/t stainless, nes	Liberalized within 3 years after the entry into force of this Protocol.
	197	72287010	Section steel or caterpillar block, as, o/t stainless	
	198	72287090	Angles, shapes & sections, as, o/t stainless, nes	
	199	72288000	Bars & rods, hollow drill, alloy or non-alloy steel	
	200	72291000	Wire of high speed steel	
	201	72292000	Wire of silico-manganese steel	
	202	72299000	Wire of alloy steel, o/t stainless	
	203	73011000	Sheet piling,i/s w/n drilled/punched'made from assem elem	
	204	73012000	Angles, shapes & sections, welded, iron'steel	
	205	73021000	Rails, iron'steel	
	206	73022000	Sleepers (cross-ties), iron'steel	
	207	73023000	Switch blades/crossng frogs/point rods/oth crossng pieces,iron/stl	
	208	73024000	Fish plates & sole plates, iron'steel	
	209	73029000	Rail'tramway construction material of iron'steel, nes	
	210	73030010	Tube../hollw profile of cast irn, circul cros sec, inside dia.≥500mm	
	211	73030090	Tubes, pipes & hollow profiles of cast iron, nes	
	212	73041000	Pipes, line, i/s, smls, of a kind used for oil'gas pipelines	
	213	73042100	Drill pipe,i/s,smls,for use in drilling for oil'gas	
	214	73042900	Casings/tubing pipe,i/s,smls,for use in drilling for oil'gas	
	215	73043110	Boiler tube/pipe, i/non alloy s, smls, circular cs, cold drw/rld	
	216	73043120	Geo casng/drill pipe, i/non alloy s, smls,circul cs, cold drw/rld	
	217	73043190	Tubes, pipe..., i/non alloy s, smls, circular cs,cold dr/rl, nes	
	218	73043910	Boiler tube/pipe, i/non alloy s, smls, circular cs, not cld dr/rl	
	219	73043920	Geo casin/drill pipe, i/non alloy s, smls, circ cs, not cld dr/rl	
	220	73043990	Tubes, pipe..., i/non alloy s, smls, circular cs, not cld dr/rl,nes	
	221	73044190	Tubes, pipe, stainls steel, smls, circ cros sec , cold d/r, nes	
	222	73044910	Boiler tube/pipe, stnls s, smls,circular cs, not cold draw/rold	
	223	73044990	Tubes, pipe.., stnls s, smls,circular cs,not cold dr/rl, nes	
	224	73045110	Boiler tube/pipe, alloy s o/t stnls, smls,circ cros sec, cold dr/rl	
	225	73045120	Geo casing/drill pipe, alloy s o/t stnls,smls, circ cs, cold dr/rl	
	226	73045190	Tube/pipe., alloy s o/t stnls, smls, circ cs, cold d/r, nes	
	227	73045910	Boiler tube/pipe, alloy s o/t stnls, smls, circ cs, not cld d/r, nes	
	228	73045920	Geo casng/drill pipe, alloy s o/t stnls,smls, circ cs,nt cld d/r, nes	
	229	73045990	Tube/pipe., alloy s o/t stnls,smls, circ cs, not cold dr/rl, nes	
	230	73049000	Tubes, pipe & hollow profiles, i's, smls, nes	
	231	73051100	Pipe,line,i/s,longitudinally subm arc wld,int/ext cs,dia>406.4mm	
	232	73051200	Pipe,line,i/s,longitudinally wld w int/ext circ cs,ext dia>406.4mm	
	233	73051900	Pipe, line,i/s, int/ext circ cross sect, wld, ext dia>406.4mm, nes	
	234	73052000	Casings,i/s,int/ext circ c sect,wld ext dia>406.4mm,o/g drill,nes	
	235	73053100	Tubes & pipe, i/s, longitudinally welded, external dia>406.4mm, nes	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
STEEL	236	73053900	Tubes & pipe,i/s,welded,riveted'sim closed,ext dia>406.4mm,nes	Liberalized within 3 years after the entry into force of this Protocol.
	237	73059000	Tubes & pipe, i/s, riveted'sim closed, ext dia>406.4mm, nes	
	238	73061000	Pipe,line,i/s,welded,riveted'sim closed,nes,for o/g pipeline	
	239	73062000	Casing/tubing,i/s,welded,riveted'sim clsd,nes,for o/g drilling	
	240	73063000	Tubes,pipe & hollow profiles,iron'nas,welded,of circ cs,nes	
	241	73064000	Tubes,pipe & hollow profiles,stnls steel,welded,of circ cs,nes	
	242	73065000	Tubes, pipe & hollow profiles,al/s,(o/t stain) wld,of circ cs, nes	
	243	73066000	Tubes, pipe & hollow profiles, i/s, welded, of non circ cs, nes	
	244	73069000	Tubes, pipe & hollow profiles, i/s, welded, nes	
	245	73121000	Stranded wire,ropes & cables of i's,not electrically insulated	

One Table A Products subject to L.

Annex 3

NON-TARIFF MEASURES SUBJECT TO PHASED ELIMINATION

July 13, 2001

Serial NO

NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
1	17011100	Raw cane sugar, in solid form	L	Q		upon accession	
2	17011200	Raw beet sugar, in solid form	L	Q		upon accession	
3	17019910	Granulated sugar	L	Q		upon accession	
4	17019920	Superfine sugar	L	Q		upon accession	
5	24011010	Flue-cured tobacco, not stemmed/stripped	L	Q		upon accession	
6	24011090	Tobacco other than flue-cured, not stemmed/stripped	L	Q		upon accession	
7	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	L	Q		upon accession	
8	24012090	Tobacco o/t flue-cured, partly or wholly stemmed/stripped	L	Q		upon accession	
9	24013000	Tobacco refuse	L	Q		upon accession	
10	24029000	Cigars, cigarillos, cigarettes, etc, not containing tobacco	L	Q		upon accession	
11	24039100	Homogenized or reconstituted tobacco	L	Q		upon accession	
12	27100011	Gasoline, incl. aviation spirit	L	Q		2004	1
13	27100019	Other light oils, nes	L	Q		2004	1
14	27100013	Naphtha	L	Q		2004	1
15	27100023	Kerosenes	L	Q		2004	1
16	27100024	Normal paraffin	L	Q		2004	1
17	27100031	Light diesel oil	L	Q		2004	1
18	27100033	Fuel oil No.5-No.7	L	Q		2004	1
19	27100039	Other feul oils	L	Q		2004	1
20	28371110	Sodium cyanide	L	Q		2002	2
21	31021000	Urea	L	Q		upon accession	
22	31022100	Ammonium sulphate	L	Q		2002	3
23	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	L	Q		2002	3
24	31023000	Ammonium nitrate	L	Q		2002	3
25	31024000	Mixtures of ammonium nitrate with inorg non-fertilizing substances	L	Q		2002	3
26	31025000	Sodium nitrate	L	Q		2001	3
27	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	L	Q		2001	3
28	31027000	Calcium cyanamide	L	Q		2001	3
29	31028000	Mixturs of urea & ammonium nitrate in aqueous or ammoniacl solution	L	Q		2002	3
30	31029000	Mineral or chemical fertilizers, nitrogenous , nes	L	Q		2002	3
31	31031000	Superphosphates	L	Q		2002	3
32	31032000	Basic slag	L	Q		2002	3
33	31039000	Mineral or chemical fertilizers, phosphatic, nes	L	Q		2002	3
34	31041000	Carnallite, sylvite & other Crude natural potassium salts	L	Q		2001	3
35	31042000	Potassium chloride	L	Q		upon accession	
36	31043000	Potassium sulphate	L	Q		2002	3
37	31049000	Mineral or chemical fertilizers, potassic, nes	L	Q		2001	3
38	31051000	Fertilizers... in packages of a gross weight=10kg	L	Q		2002	3
39	31052000	Mineral/chemical fertilizers with nitrogen, phosphorus & potassium	L	Q		upon accession	
40	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	L	Q		upon accession	
41	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate)	L	Q		2002	3
42	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	L	Q		2002	3
43	31055900	Mineral or chemical fertilizers with nitrogen & phosphorus, nes	L	Q		2002	3
44	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	L	Q		2002	3
45	31059000	Other fertilizers, nes	L	Q		2002	3
46	39076011	Polyethylene terephthalate slices or chips,high viscosity	L	Q		2001	4
47	39076019	Other Polyethylene terephthalate slices or chips,nes	L	Q		2001	4
48	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	L	Q		2004	5
49	40012100	Smoked sheets of natural rubber	L	Q		2004	5
50	40012200	Technically specified natural rubber, in primary forms/plates, etc	L	Q		2004	5
51	40012900	Other natural rubber, in primary forms or in plates, etc, nes	L	Q		2004	5
52	40111000	New pneumatic tyres, of rubber of a kind used on motor cars	L	Q		2004	6
53	40112000	New pneumatic tyres, of rubber of a kind used on buses or lorries	L	Q		2004	6
54	40119100	New pneumatic tyres, of rubber, nes, of herring-bone or similar trea	L	Q		2002	6
55	40121010	Retreaded tyres of rubber used on automobiles	L	Q		2002	6

Quota category

upon accession

NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
56	40122010	Used pneumatic tyres of rubber used on automobiles	L	Q		2002	6
57	40129020	Solid/cushion rubber tyres, etc, used on automobiles	L	Q		2001	6
58	40131000	Inner tubes, of rubber of a kind used on motor cars, buses or lorrie	L	Q		2001	6
59	51011100	Greasy shorn wool, not carded or combed	L	Q		upon accession	
60	51011900	Greasy wool (excl. shorn), not carded or combed	L	Q		upon accession	
61	51012100	Degreased shorn wool, not carbonised, not carded or combed	L	Q		upon accession	
62	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	L	Q		upon accession	
63	51013000	Carbonised wool, not carded or combed	L	Q		upon accession	
64	51031010	Noils of wool, not garnetted stock	L	Q		upon accession	
65	51051000	Carded wool	L	Q		upon accession	
66	51052100	Combed wool in fragments	L	Q		upon accession	
67	51052900	Wool tops & combed wool (excl. in fragments)	L	Q		upon accession	
68	52010000	Cotton, not carded or combed	L	Q		upon accession	
69	52030000	Cotton, carded or combed	L	Q		upon accession	
70	54022000	High tenacity yarn of polyesters, nprs	L	Q		2001	7
71	54023310	Elastic filament of polyesters, not for retail sale	L	Q		2000	7
72	54023390	Other textured yarn of polyesters, not for retail sale	L	Q		2000	7
73	54023990	Other synthetic filament textured yarn, nes, not for retai	L	Q		2000	9
74	54024200	Single yarn of partially oriented polyesters, with.50turns/m, nprs	L	Q		2001	7
75	54024300	Single yarn of polyesters, nes, with.50turns/m, nprs	L	Q		2001	7
76	54024990	Single synthetic yarn, nes, with.50turns/m, nprs	L	Q		2001	9
77	54025200	Single yarn of polyesters, with>50turns/m, nprs	L	Q		2001	7
78	54025990	Single synthetic yarn, nes, with>50turns/m, nprs	L	Q		2001	9
79	54026200	Multiple or cabled yarn of polyesters, nprs	L	Q		2001	7
80	54026990	Multiple or cabled yarn, nes, nprs	L	Q		2001	9
81	54033310	Single yarn of cellulose diacetate, not for retail sale	L	Q		2001	8
82	54041000	Synthetic monofilament of.67decitex	L	Q		2001	7
83	55012000	Synthetic filament tow of polyesters	L	Q		2001	7
84	55013000	Synthetic filament tow, acrylic or modacrylic	L	Q		2001	9
85	55020010	Cellulose diacetate filament tow	L	Q		2001	8
86	55032000	Synthetic staple fibres, of polyesters, not carded, etc	L	Q		2001	7
87	55033000	Acrylic or modacrylic synthetic staple fibres, not carded, etc	L	Q		2000	9
88	55062000	Synthetic staple fibres, of polyesters, carded, etc	L	Q		2001	7
89	55063000	Acrylic or modacrylic synthetic staple fibres, carded, etc	L	Q		2001	9
90	55092100	Single yarn, with.85% polyester staple fibres, nprs	L	Q		2001	7
91	55092200	Multiple or cabled yarn, with.85% polyester staple fibres, nprs	L	Q		2001	7
92	55093100	Single yarn, with.85% acrylic or modacrylic staple fibres, nprs	L	Q		2001	9
93	55093200	Multiple or cabled yarn,.85% acrylic/modacrylic staple fibres, nprs	L	Q		2001	9
94	55095100	Yarn,<85% polyester staple fibres, with artificl staple fibres, nprs	L	Q		2001	7
95	55095200	Yarn,<85% polyester staple fibres, with wool/fine animal hair, nprs	L	Q		2001	7
96	55095300	Yarn,<85% polyester staple fibres, mixed with cotton, nprs	L	Q		2001	7
97	55095900	Yarn,<85% polyester staple fibres, nes, nprs	L	Q		2001	7
98	55096100	Yarn,<85% acrylic or modacrylic staple fibres, with wool..., nprs	L	Q		2001	9
99	55096200	Yarn,<85% acrylic or modacrylic staple fibres, with cotton, nprs	L	Q		2001	9
100	55096900	Yarn,<85% acrylic or modacrylic staple fibres, nes, nprs	L	Q		2001	9
101	84073100	Engines, spark-igni reciprocatng, f vehcl Ch 87, . 50cc	L	Q		2003	11
102	84073200	Engines, spark-igni reciprocatng, for vehcl Ch 87,>50cc but.250cc	L	Q		2003	11
103	84073300	Engines, spark-igni reciprocatng,f vehcl Ch 87,>250cc to 1000cc	L	Q		2003	11
104	84079090	Other engines, spark-ignition type, nes	L	Q		2003	10
105	84082010	Engines, diesel, output.132.39kw, for vehicles of Ch. 87	L	Q		2003	10
106	84082090	Engines, diesel, of an output<132.39kw, for vehicles of Ch 87	L	Q		2003	10
107	84089092	Engines, diesel, nes, 14kw<output<132.39kw			T	2004	
108	84143011	Compressors for refrige/freezer,motor power.0.4kw	L	Q		2001	14
109	84143012	Compressors for refrige'freezer, 0.4kw< motor power.5 kw	L	Q		2001	14
110	84143013	Compressors for airconditioner, 0.4kw < motor power .5kw	L	Q		2001	19
111	84143019	Compressors driven by a motor, nes	L	Q		2001	14
112	84143090	Compressors driven by a non-motor	L	Q		2001	10
113	84145930	Centrifugal ventilators			T	2000	
114	84151000	Air conditioning machines window'wall types, self-contained	L	Q		2002	19

NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
115	84152000	Air conditioning machines used for persons in motor vehicles	L	Q		2002	10
116	84158110	Air-conditioner nes,with refr.4000 Kcal/h &cool/heat cycle rev valve	L	Q		2001	19
117	84158210	Air-conditioner nes, with refrigerating unit, .4000 Kcal/h	L	Q		2001	19
118	84181010	Combined refri-freezers, with separate external doors, capacity>500L	L	Q		2000	14
119	84181020	Combined refri-freezers, with separate expernal doors, 200L<capacity .150L	L	Q		2001	14
120	84181030	Combined refri-freezers, with separate expernal doors, capacity.200L	L	Q		2001	14
121	84182110	Refrigerators, household type, compression-type,>150L	L	Q		2001	14
122	84182120	Refrigerators, household type, compression-type,50L<capacity .150L	L	Q		2001	14
123	84182130	Refrigerators, household type, compression-type,capacity.50L	L	Q		2001	14
124	84182200	Refrigerators, household type, absorption-type, electrical	L	Q		2001	14
125	84183010	Freezers of chest type, capacity.800L, T.-40.	L	Q		2000	14
126	84183021	Freezers of chest type, 500L<capacity.800 L, T>-40.	L	Q		2000	14
127	84183029	Freezers of chest type,capacity.500L, T>-40.	L	Q		2001	14
128	84184010	Freezers of upright type,capacity.900L, T.-40.	L	Q		2000	14
129	84184021	Freezers of upright type, 500 L<capacity.900L, T> -40.	L	Q		2000	14
130	84184029	Freezers of upright type,capacity.500L, T> -40.	L	Q		2001	14
131	84185000	Other refrigerating'freezing chests,cabinets,display counters,etc	L	Q		2001	14
132	84254990	Other hoists, nes			T	2001	
133	84261910	Ship loading cranes			T	2001	
134	84261921	Grab ship unloading cranes			T	2001	
135	84261929	Other ship unloading cranes			T	2001	
136	84263000	Portal'pedestal jib cranes			T	2001	
137	84264110	Self-propelled cranes on tyres			T	2001	
138	84264190	Other self-propelled machinery with a crane on tyres, nes			T	2001	
139	84281010	Lifts and skip hoists for the transport of persons			T	2002	
140	84284000	Escalators & moving walkways			T	2001	
141	84291110	Bulldozers/angledozers,tracked,with engine output>235.36 kw			T	2004	
142	84294011	Vibratory road rollers, self-propelled, dead weight.18 t			T	2002	
143	84294019	Other road rollers, self-propelled			T	2004	
144	84305020	Mining shovels, self-propelled			T	2001	
145	84381000	Bakery mach & machy for the mfg of macaroni, spaghetti'sim prods			T	2001	
146	84391000	Machinery for making pulp of fibrous cellulosic material			T	2002	
147	84392000	Machinery for making paper'paperboard			T	2002	
148	84393000	Machinery for finishing paper'paperboard			T	2002	
149	84413090	Mach f make boxes/sim cont,of paper/pboard o/t by moulding, nes			T	2001	
150	84414000	Machines for moulding articles in paper pulp, paper'paperboard			T	2001	
151	84431910	Offset printing machinery,sheet fed			T	2004	
152	84431990	Offset printing machinery nes			T	2004	
153	84435912	Screen printing machinery,platen screen press			T	2001	
154	84451110	Textile carding machines,for cotton type fibres			T	2001	
155	84451120	Textile carding machines,for wool type fibres			T	2001	
156	84451200	Textile combing machines			T	2001	
157	84452020	Rotor spinning frames	L	Q		2001	23
158	84454010	Automatic bobbin textile winders			T	2001	
159	84459010	Warping machines			T	2001	
160	84463020	Rapier looms for weaving fabrics of a width>30cm, shuttless			T	2001	
161	84463030	Carrier looms for weaving fabrics of width>30 cm, shuttless			T	2001	
162	84501200	Other washing mach, dry linen capacity.10kg, with built-in dryer	L	Q		2000	15
163	84501900	Other washing machines of a dry linen capacity.10kg, nes	L	Q		2001	15
164	84522110	Automatic sewing machines, flat-seam type ,other than book-sewing machines			T	2001	
165	84522190	Automatic sewing machines, other than book-sewing machines			T	2001	
166	84542010	Out furnace refining equipment			T	2000	
167	84543010	Cold chamber die-casting machines			T	2001	
168	84563010	Machine-tools operatd by electro-discharge processe,numerically controlled			T	2004	
169	84569910	Plasma cutting machines			T	2004	
170	84569990	Machine-tools operatd by electro-chem, plasma arc..., nes			T	2004	
171	84571010	Machining centres,vertical type			T	2004	
172	84571020	Machining centres,horizontal type			T	2004	
173	84571030	Machining centres,plano type			T	2004	

NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
174	84571090	Machining centres,other type			T	2004	
175	84581100	Horizontal lathes numerically controlled			T	2004	
176	84621090	Forging'die-stamping mach & hammers, not numerically contrld			T	2002	
177	84659600	Splitting/slicing'paring mach for wood/cork/bne/hrd rubber etc			T	2001	
178	84714991	Distributed control systems			T	2004	
179	84742010	Crushing/grinding mach for earth/ stone/ores.oth minerals,to			T	2001	
180	84742090	Crushing/grinding mach for earth/ stone/ores.oth minerals			T	2001	
181	84743100	Concrete'mortar mixers			T	2004	
182	84775900	Mach for moulding.otherwise forming rubber.plastics nes			T	2002	
183	84781000	Machinery for preparing'making up tobacco nes			T	2002	
184	84789000	Parts of machinery for preparing'making up tobacco nes			T	2001	
185	84791021	Machines for spreading bituminous concrete			T	2002	
186	84791022	Stabilizer spreading machines			T	2002	
187	84804100	Moulds, injection'compression types, for metal'metal carbides			T	2002	
188	84807100	Moulds, injection'compression types, for rubber'plastics			T	2002	
189	84834020	Planet decelerators			T	2001	
190	85042320	Liquid dielectric transformers, handling capacity.400 MVA			T	2004	
191	85172100	Facsimile machines			T	2002	
192	85175090	Other apparatus for carrier-current line systems, nes			T	2001	
193	85184000	Audio-frequency electric amplifiers			T	2002	
194	85199910	Compact disc players, sound	L	Q		2001	13
195	85203210	Magtic tape recorder-sound player, digital audio & cassette-type	L	Q		2001	13
196	85203290	Magtic tape recorder-sound player, digital audio type, nes	L	Q		2001	13
197	85203300	Magtic tape recorder-sound player, cassette-type, nes	L	Q		2001	13
198	85203910	Magtic open-disk recorder-sound player	L	Q		2001	13
199	85203990	Magtic tape recorder-sound reproducing apparatus, nes	L	Q		2001	13
200	85209000	Magnetic tape recorders & other sound recording apparatus, nes	L	Q		2001	20
201	85211011	Magnetic video tape recorders,broadcast quality	L	Q		2002	16
202	85211019	Magnetic video tape recorders,nes	L	Q		2002	16
203	85211020	Magnetic video tape reproducers	L	Q		2002	16
204	85219010	Laser video compact disk player	L	Q		2002	20
205	85219090	Video recording or reproducing apparatus nes	L	Q		2002	20
206	85229021	Transport mechanisms of cassett sound recorders/reproducers	L	Q		2002	13
207	85229030	Parts/accessories of video recordg/reproducg apparatus	L	Q		2002	16
208	85252011	Satellite earth station for television			T	2004	
209	85252019	Satellite earth station other than for television			T	2001	
210	85252022	Portable radio telephone			T	2002	
211	85252029	Other mobile communication equipment, nes			T	2002	
212	85252092	Mobile communication base station			T	2002	
213	85252093	Wireless subscriber communicating equipments			T	2002	
214	85173013	Digital mobile communication switching systems			T	2002	
215	85173091	Anological mobile communication switching systems			T	2002	
216	85253010	Television cameras, for special purposes	L	Q		2002	16
217	85253091	Television cameras broadcast quality	L	Q		2002	16
218	85253099	Television cameras, nes	L	Q		2002	16
219	85254010	Still image video camera/oth video camera recorder, f special purpos	L	Q		2002	16
220	85254020	Still image video camera with a built-in video recorder, household	L	Q		2002	16
221	85254030	Still image video cameras/oth video camera recorders with digital image stor	L	Q		2002	16
222	85254090	Still image video cameras/oth video camera recorders, nes	L	Q		2002	16
223	85271200	Pocket-size radio cassette-players, no need externl power	L	Q		2000	13
224	85271300	Oth combined radio/sound recorder-player, no need extnl power	L	Q		2000	13
225	85271900	Other radio broad receiver operatng without external power, nes	L	Q		2000	13
226	85272100	Combnd radio/sound recorder-player, need extnl power for motor vehcl	L	Q		2000	13
227	85272900	Other radio broad receiver need extnl power for motor vehicles, nes	L	Q		2000	13
228	85273100	Other combined radio/sound recorder-player nes	L	Q		2000	13
229	85273200	Radio broad receiver combined with a clock, nes	L	Q		2000	13
230	85273900	Radio-broadcast receivers nes	L	Q		2000	13
231	85279010	Radio paging receivers			T	2002	

NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
232	85281210	Colour satellite TV receivers			T	2004	
233	85281291	Colour TV set, screen diagnal. 42 cm	L	Q		2001	12
234	85281292	Colour TV set, 42 cm<screen diagnal.52cm	L	Q		2001	12
235	85281293	Colour TV set, screen diagnal> 52 cm	L	Q		2002	12
236	85282100	Colour video monitors	L	Q		2002	12
237	85283010	Colour video projectors	L	Q		2002	12
238	85291020	Aerials & the parts, for radio or television receivers			T	2002	
239	85291090	Aerials & the parts, for other apparatus of headng 85.25 to 85.28			T	2004	
240	85299091	High frequency tuners			T	2004	
241	85311090	Burglar or fire alarms & similar apparatus			T	2002	
242	85352900	Automatic circuit breakers, for a voltage.72.5KV, nes			T	2004	
243	85401100	Cathode-ray TV picture tubes,including video monitor tubes,colour	L	Q		2002	12
244	85404000	Color data/graphic display tubes of phosphor dot scrn pitch < 0.4mm	L	Q		2002	12
245	85445910	Electric cable without connectors, 80V<volt.1,000 V			T	2001	
246	85447000	Optical fibre cables, made up of individually sheathed fibres			T	2000	
247	86040099	Railway/tram maintenance or service vehicles, nes			T	2001	
248	87012000	Road tractors for semi-trailers (truck tractors)	L	Q		2004	10
249	87019000	Wheeled tractors nes			T	2001	
250	87021020	Coaches for transport of passengers at aerodrome, diesel	L	Q		2004	10
251	87021091	Buses with seats.30, diesel	L	Q		2004	10
252	87021092	Buses with 20.seats<30, diesel	L	Q		2005	10
253	87021093	Buses with 10.seats<20, diesel	L	Q		2005	10
254	87029010	Other buses with seats.30, nes	L	Q		2004	10
255	87029020	Other buses with 20.seats<30, nes	L	Q		2005	10
256	87029030	Other buses with 10.seats<20, nes	L	Q		2005	10
257	87031000	Snowmobiles, golf cars & similar vehicles	L	Q		2001	10
258	87032130	Saloon cars, .1000 cc, spark-igni reciprocatng	L	Q		2005	10
259	87032190	Cars nes, .1000 cc, spark-igni reciprocatng	L	Q		2005	10
260	87032230	Saloon cars, >1000cc but.1500 cc, spark-igni recip	L	Q		2005	10
261	87032240	Cross-country cars(4WD), >1000cc but.1500cc, spark-igni recip	L	Q		2005	10
262	87032250	Minibuses (seats.9), >1000cc but.1500cc,spark-igni recip	L	Q		2005	10
263	87032290	Cars nes, >1000cc but.1500 cc, spark-igni recip	L	Q		2005	10
264	87032314	Saloon cars, >1500cc but .2500 cc,spark-igni recip	L	Q		2005	10
265	87032315	Cross-country cars(4WD),>1500cc but.2500 cc,spark-igni recip	L	Q		2005	10
266	87032316	Minibuses(seats.9), >1500cc but.2500 cc,spark-igni recip	L	Q		2005	10
267	87032319	Cars nes, >1500cc but.2500 cc,spark-igni recip	L	Q		2005	10
268	87032334	Saloon cars >2500cc but.3000 cc, spark-igni recip	L	Q		2005	10
269	87032335	Cross-country cars(4WD), >2500cc but.3000 cc, spark-igni recip	L	Q		2005	10
270	87032336	Minibuses(seats.9), >2500cc but.3000 cc, spark-igni recip	L	Q		2005	10
271	87032339	Cars nes, >2500cc but.3000 cc, spark-igni recip	L	Q		2005	10
272	87032430	Saloon cars, >3000 cc, spark-igni recip	L	Q		2005	10
273	87032440	Cross-country cars(4WD), >3000 cc, spark-igni recip	L	Q		2005	10
274	87032450	Minibuses (seats.9), >3000 cc, spark-igni recip	L	Q		2005	10
275	87032490	Cars nes, >3000 cc, spark-igni recip	L	Q		2005	10
276	87033130	Saloon cars, .500 cc, diesel	L	Q		2005	10
277	87033140	Cross country cars(4WD), .1500cc, diesel	L	Q		2005	10
278	87033150	Minibuses (seats.9), .1500cc, diesel	L	Q		2005	10
279	87033190	Cars nes, .1500cc, diesel	L	Q		2005	10
280	87033230	Saloon cars, >1500cc but.2500 cc, diesel	L	Q		2005	10
281	87033240	Cross country cars(4WD), >1500cc but.2500 cc, diesel	L	Q		2005	10
282	87033250	Minibuses (seats.9), >1500cc but.2500 cc, diesel	L	Q		2005	10
283	87033290	Cars nes, >1500cc but.2500 cc, diesel	L	Q		2005	10
284	87033330	Saloon cars, >2500 cc, diesel	L	Q		2005	10
285	87033340	Cross country cars(4WD), >2500 cc, diesel	L	Q		2005	10
286	87033350	Minibuses (seats.9), >2500 cc, diesel	L	Q		2005	10
287	87033390	Cars nes, >2500 cc, diesel	L	Q		2005	10
288	87039000	Motor cars with seats.9, nes	L	Q		2005	10
289	87041030	Dumpers designed for off-highway use, with motor-driven wheel			T	2004	
290	87042100	Trucks diesel, g.v.w. .5 t	L	Q		2004	10

NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
291	87042230	Trucks diesel, 5 t < g.v.w.<14 t	L	Q		2004	10
292	87042240	Trucks diesel, 14 t. g.v.w..20 t	L	Q		2004	10
293	87042300	Trucks diesel, g.v.w. >20 t	L	Q		2004	10
294	87043100	Trucks spark-igni, g.v.w..5 t	L	Q		2004	10
295	87043230	Trucks spark-igni, 5 t<g.v.w..8 t	L	Q		2002	10
296	87043240	Trucks spark-igni, g.v.w. > 8 t	L	Q		2002	10
297	87049000	Trucks nes	L	Q		2002	10
298	87051021	All-road Crane lorries with a lifting capacity .50t	L	Q		2004	21
299	87051022	All-road Crane lorries with a lifting capacity >50t, but .100t	L	Q		2004	21
300	87051023	All-road Crane lorries with a lifting capacity >100t	L	Q		2004	21
301	87051091	Other Crane lorries with a lifting capacity .50t	L	Q		2004	21
302	87051092	Other Crane lorries with a lifting capacity >50t, but .100t	L	Q		2004	21
303	87051093	Other Crane lorries with a lifting capacity >100t	L	Q		2004	21
304	87052000	Mobile drilling derricks	L	Q		2002	10
305	87053010	Fire fighting vehicles,mounted with scaling ladder	L	Q		2002	10
306	87053090	Other fire fighting vehicles	L	Q		2002	10
307	87054000	Mobile concrete mixers	L	Q		2002	10
308	87059020	Mobile radiological units	L	Q		2002	10
309	87059030	Mobile environmental monitoring units	L	Q		2002	10
310	87059040	Mobile clinics	L	Q		2002	10
311	87059051	Airplane charging vehicles(frequency= 400Hz)	L	Q		2002	10
312	87059059	Other mobile electric generation sets	L	Q		2002	10
313	87059060	Mobile refuellers/air-conditioners/deicers used for aircraft	L	Q		2002	10
314	87059070	Snow-clearance vehicles used for road or airfiel runways	L	Q		2002	10
315	87059080	Oil-well measuring carts, crushing mill carts and sand	L	Q		2002	10
316	87059090	Special purpose motor vehicles nes	L	Q		2002	10
317	87060040	Chassis fit with engines for crane lorries	L	Q		2004	21
318	87071000	Bodies for passenger carrying vehicles	L	Q		2004	10
319	87111000	Motorcycles with reciprocating piston engine .50 cc	L	Q		2004	11
320	87112000	Motorcycles with, 50 cc< piston engine .250 cc	L	Q		2004	11
321	87113010	Motorcycles with, 250 cc< piston engine .400cc	L	Q		2004	11
322	87113020	Motorcycles with, 400 cc< piston engine .500cc	L	Q		2004	11
323	87114000	Motorcycles with, 500 cc< piston engine .800cc	L	Q		2004	11
324	87115000	Motorcycles with piston engine >800 cc	L	Q		2004	11
325	87119000	Motorcycles with other than a reciprocating piston engine	L	Q		2004	11
326	87141900	Motorcycle parts nes	L	Q		2004	11
327	89012011	Finished oil tankers, loading not exceeding 100000t			T	2004	
328	89012012	Finished oil tankers, loading exceeding 100000t,not exceeding 300000t			T	2004	
329	89012013	Finished oil tankers, loading exceeding 300000t			T	2004	
330	89012021	Crude oil tankers, loading not exceeding 150000t			T	2004	
331	89012022	Crude oil tankers, loading exceeding 150000t,not exceeding 30000t			T	2004	
332	89012023	Crude oil tankers, loading exceeding 300000t			T	2004	
333	89012031	Liquified petroleun gas carriers, volume with 20000m^3 or less			T	2004	
334	89012032	Liquified petroleun gas carriers, volume more than 20000m^3			T	2004	
335	89012041	Liquified natural gas carriers, volume with 20000m^3 or less			T	2004	
336	89012042	Liquified natural gas carriers, volume more than 20000m^3			T	2004	
337	89012090	Other tankers,nes			T	2004	
338	89013000	Refrigerated vessels other than tankers			T	2001	
339	89019021	Motor container vessels, capable loading standard containers with 6000 or less			T	2004	
340	89019022	Motor container vessels, capable loading standard containers more than 6000			T	2004	
341	89019031	Motor Ro-Ro carriers, loading with 20000t or less			T	2004	
342	89019032	Motor Ro-Ro carriers, loading more than 20000t			T	2004	
343	89019041	Motor bulk carriers, loading not exceeding 150000t			T	2004	
344	89019042	Motor bulk carriers, loading exceeding 150000t,not exceeding 300000t			T	2004	
345	89019043	Motor bulk carriers, loading exceeding 300000t			T	2004	
346	89019050	Multi-purposes motor vessels			T	2004	
347	89019080	Other motor vessels,nes			T	2004	
348	89020010	Fishing vessels & factory ships, motorized			T	2001	

NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
349	89040000	Tugs & pusher craft			T	2004	
350	89051000	Dredgers			T	2004	
351	90061010	Electronic colour scanners used for prep printng plate/cylinder	L	Q		2001	24
352	90065100	SLR cameras for roll film of a width . 35mm	L	Q		2003	17
353	90065200	Other cameras for roll film of a width < 35 mm	L	Q		2003	17
354	90065300	Other cameras for roll film of a width of 35 mm	L	Q		2003	17
355	90065900	Photographic, other than cinematographic cameras nes	L	Q		2003	17
356	90083010	Orthographic image projectors			T	2001	
357	90121000	Microscopes other than optical microscopes & diffraction apparatus	L	Q		2000	22
358	90158000	Survey,hydro-/oceano-graphic,meteorological,geophysic instrumnt nes			T	2001	
359	90181210	B- ultrasonic diagnostic apparatus			T	2001	
360	90181291	Chromosocope ultrasonic diagnostic apparatus			T	2001	
361	90184910	Dentists' chairs with dental equipment			T	2001	
362	90189090	Medical/veterinary instruments & appliances, nes			T	2001	
363	90221300	X-ray apparatus for dental use			T	2001	
364	90221400	X-ray apparatus for medical, surgical or veterinary uses			T	2001	
365	90221990	X-ray apparatus for other uses			T	2001	
366	90222100	Alpha/beta/gamma radiation apparatus for medical/surg/dent/vet uses			T	2001	
367	90278090	Instruments & apparatus for physical or chemical analysis,			T	2001	
368	90301000	Instruments/apparatus for measur/detecting ionising radiations			T	2001	
369	90304010	Frequency meters, digital, measuring range<12.4GHz			T	2001	
370	90318010	Optical telecom. And optical fibre performance testing instru			T	2001	
371	90311000	Machines for balancing mechanical parts, nes			T	2004	
372	91011100	Electric wrist-watches mech display, with precious mtl case	L	Q		2003	18
373	91012100	Wrist-watches,with automatic winding with pecious mtl case,nes	L	Q		2003	18
374	91012900	Wrist-watches, with a case of precious metal, nes	L	Q		2003	18
375	91021100	Electric wrist-watches with mechanical display only	L	Q		2003	18
376	91022100	Wrist-watches with automatic winding nes	L	Q		2003	18
377	91022900	Wrist-watches, nes	L	Q		2003	18

Notes:

1. The phase-out periods are based on the assumption that China would accede to the WTO in 2000 and will be postponed accordingly should China accede at a later date.
2. The products covered by the Agreement on Trade in Civil Aircraft are not subject to any NTMs specified herein.

Table 8 & Three

Products Subject to Import License Only

NO	HSNO	DESCRIPTION OF PRODUCTS	L	Phasing-out Period
1	10011000	Durum wheat	L	upon accession
2	10019010	Seeds of Spelt, common wheat & meslin	L	upon accession
3	10019090	Spelt, common wheat & meslin(excl. seed)	L	upon accession
4	10059000	Maize (excl. seed)	L	upon accession
5	10061010	Rice seeds	L	upon accession
6	10061090	Rice in the husk (paddy or rough)(excl. seed)	L	upon accession
7	10062000	Husked (brown) rice	L	upon accession
8	10063000	Semi-milled or wholly milled rice	L	upon accession
9	10064000	Broken rice	L	upon accession
10	15071000	Crude soya-bean oil	L	upon accession
11	15079000	Soya-bean oil (excl. crude) & fractions	L	upon accession
12	15081000	Crude ground-nut oil	L	upon accession
13	15089000	Ground-nut oil (excl. crude) & fractions	L	upon accession
14	15111000	Crude palm oil	L	upon accession
15	15119000	Palm oil (excl. crude) & liquid fractions	L	upon accession
16	15121100	Crude sunflower-seed & safflower oil & fractions thereof	L	upon accession
17	15122100	Crude cotton-seed oil, whether or not gossypol has been moved	L	upon accession
18	15122900	Cotton-seed oil (excl. crude) & fractions thereof	L	upon accession
19	15141010	Crude rape, colza oil & fractions thereof	L	upon accession
20	15141090	Mustard oil & fractions thereof	L	upon accession
21	15149000	Rape, colza or mustard oil (excl. crude) & fractions thereof	L	upon accession
22	15152100	Crude maize (corn) oil	L	upon accession
23	15155000	Sesame oil & fractions	L	upon accession
24	22051000	Vermouth & other wine of fresh grapes, flavoured:<2l containers	L	upon accession
25	22059000	Vermouth & other wine of fresh grapes, flavoured:>2l containers	L	upon accession
26	22071000	Undenatured ethyl alcohol, of alcoholic strength.80%	L	upon accession
27	22082000	Spirits from distilled grape wine or marc	L	upon accession
28	22083000	Whiskeys	L	upon accession
29	22084000	Rum & ~~tafia~~	L	upon accession
30	22085000	Gin & Geneva	L	upon accession
31	22087000	Liqueurs and cordials	L	upon accession
32	22089000	Spirituous beverages, nes	L	upon accession
33	37013090	Photo plates, flat, unexposed,one side>255mm, nes	L	upon accession
34	37019100	Colour photo plates/film, flat, unexposed,nes	L	upon accession
35	37023100	Colour photo film rolls,unexpsd,unperforatd,w.105mm, nes	L	upon accession
36	37024100	Colour film rl, unexpsd/perfor, w>610mm,len>200m	L	upon accession
37	37024390	Monoch film rl, unexpsd/perfor, w>610mm, length.200m,nes	L	upon accession
38	37024490	Monoch film rl,unexpsd/perfor, 105mm<wid.610mm, nes	L	upon accession
39	37025100	Colour film in rolls, unexpsd, width.16mm,& length.14m,nes	L	upon accession
40	37025200	Colour film rolls,unexposed, width.16mm, length>14m, nes	L	upon accession
41	37025410	Colour film rl, unexpsd,width=35mm and length.2m,	L	upon accession
42	37025490	Colour film rl,unexpsd, width not.35mm, length.30m	L	upon accession
43	37025590	Colour film rl, unexpsd, 16mm<w.35mm, length>30m, nes	L	upon accession
44	37025690	Colour film in rolls, unexposed, width>35mm, nes	L	upon accession
45	37029100	Monoch film rl,unexpsd, w.16mm,l.14m, nes	L	upon accession
46	37031010	Photo paper & paperboard in rolls, unexposed, width>610mm	L	upon accession
47	37032010	Other colour photo paper and paperboard, unexposed	L	upon accession

NO.	Product Category	Product Coverage (Serial number)	Unit	Initial Quota Volume/Value	Annual Growth Rate
1	Processed oil	12-19	Million Metric Tons	16.58	15%
2	Sodium cyanide	21	Million Metric Tons	0.018	15%
3	Chemical fertilizer	22-34, 36-38, 41-45	Million Metric Tons	8.9	15%
4	Polyethylene terephthalate slices or chips	46, 47	Million Metric Tons	0.284	15%
5	Natural rubber	48-51	Million Metric Tons	0.429	15%
6	Tires of rubber used on automobiles	52-58	Million Metric Pieces	0.81	15%
7	Polyester yarn	70-72, 74, 75, 77, 79, 82, 83, 86, 88, 90, 91, 94-97	Million Metric Tons	0.95	15%
8	Synthetic filament tow	81, 85	Million Metric Tons	0.045	15%
9	Synthetic staple fibers	73, 76, 78, 80, 84, 87, 89, 92, 93, 98-100	Million Metric Tons	0.42	15%
10	Automobiles and key parts	104-106, 112, 115, 248, 250-288, 290-297, 304, 305, 310-316, 318	US$ Million	6000.	15%
11	Motorcycles and key parts	101-103, 319-326	US$ Million	286.	15%
12	Color TV set and TV	233-237, 243-244	US$ Million	325.	15%
13	Recorders and transport mechanisms	194-199, 206, 223-230	US$ Million	387.	15%
14	Refrigerators and compressors	108, 109, 111, 118-131	US$ Million	132.	15%
15	Washing machines	162, 163	US$ Million	7.	15%
16	Recording apparatus and key parts	201-203, 207, 216-222	US$ Million	293.	15%
17	Cameras	352-355	US$ Million	14.	15%
18	Wrist watches	372-377	US$ Million	33.	15%
19	Air conditioners and compressors	110, 114, 116, 117	US$ Million	286.	15%
20	Magnetic sound and video recording apparatus	200, 204, 205	US$ Million	38.	15%
21	Crane lorries and chassis	298, 301, 317	US$ Million	88.	15%
22	Microscopes	357	US$ Million	12.	15%
23	Rotor spinning frames	157	US$ Million	15.	15%
24	Electronic color scanners	351	US$ Million	10.	15%

Note on the Changes Made to Annex 3

July 18, 2001

1. Name the three tables:

Table One: Products Subject to Import License, Import Quota and Import Tendering

Table Two: Product Quota (Initial Quota Volume/Value and Annual Growth Rate)

Table Three: Products Subject to Import License Only

For Table One:

1. Change the title of the first column into "Serial No".
2. Change the title of the 8th column into "Quota Category".
3. Change 2000 and 2001 into "upon accession".
4. Delete the Quota Category numbers under the tariff lines where the NTMs will be eliminated upon accession.
5. Add two notes and renumber Note 2 as Note 3.

Notes:

1. "L" stands for "Import License";
   "Q" stands for "Import Quota"; and
   "T" stands for "Import Tendering".
2. The NTMs will be eliminated as of January 1 of the each calendar year specified in the column.
3. The products covered by the Agreement on Trade in Civil Aircraft are not subject to any NTMs specified herein.

For Table Two:

1. Merge the first and second cell of the first line into one and change the title into Quota Category.
2. Change the title of the third column into "Product Coverage (Serial No in Table One).
3. Delete Quota Category 4, 7, 8, 9, 14, 15, 22, 23 and 24.
4. Re-number Quota Categories.
5. Adjust the Serial Numbers.
6. Delete unnecessary zeros in the initial quota volume and value.

OLD NO	NEW NO	Quota Category	Product Coverage (Serial No in Table One)	Product Coverage (Serial No in Table One)
1	1	Processed oil	12-19	12-19
2	2	Sodium cyanide	20	20
3	3	Chemical fertilizer	22-34, 36-38, 41-45	22-25, 29-33, 36, 38, 41-45
4	*	Polyethylene terephthalate slices or chips	46, 47	deleted
5	4	Natural rubber	48-51	48-51
6	5	Tires of rubber used on automobiles	52-58	52-56
7	*	Polyester yarn	70-72, 74, 75, 77, 79, 82, 83, 86, 88, 90, 91, 94-97	deleted
8	*	Synthetic filament tow	81, 85	deleted
9	*	Synthetic staple fibers	73, 76, 78, 80, 84, 87, 89, 92, 93, 98-100	deleted
10	7	Automobiles and key parts	104-106, 112, 115, 248, 250-288, 290-297, 304-316, 318	104-106, 115, 248, 250-256, 258-288, 290-297, 304-316, 318
11	6	Motorcycles and key parts	101-103, 319-326	101-103, 319-326
12	12	Color TV set and TV tuners	233-237, 243-244	235-237, 243, 244
13	11	Recorders and transport mechanisms	194-199, 206, 223-230	206
14	*	Refrigerators and compressors	108, 109, 111, 118-131	deleted
15	*	Washing machines	162, 163	deleted
16	9	Recording apparatus and key parts	201-203, 207, 216-222	201-203, 207, 216-222
17	14	Cameras	352-355	352-355
18	15	Wrist watches	372-377	372-377
19	8	Air conditioners and compressors	110, 114, 116, 117	114
20	10	Magnetic sound and video recording apparatus	200, 204, 205	204, 205
21	13	Crane lorries and chassis	298-303, 317	298-303, 317
22	*	Microscopes	357	deleted
23	*	Rotor spinning frames	157	deleted
24	*	Electronic color scanners	351	deleted

Annex 3

NON-TARIFF MEASURES SUBJECT TO PHASED ELIMINATION

July 18, 2001

Table One

Products Subject to Import License, Import Quota and Import Tendering

Serial NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
1	17011100	Raw cane sugar, in solid form	L	Q		upon accession	
2	17011200	Raw beet sugar, in solid form	L	Q		upon accession	
3	17019910	Granulated sugar	L	Q		upon accession	
4	17019920	Superfine sugar	L	Q		upon accession	
5	24011010	Flue-cured tobacco, not stemmed/stripped	L	Q		upon accession	
6	24011090	Tobacco other than flue-cured, not stemmed/stripped	L	Q		upon accession	
7	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	L	Q		upon accession	
8	24012090	Tobacco o/t flue-cured, partly or wholly stemmed/stripped	L	Q		upon accession	
9	24013000	Tobacco refuse	L	Q		upon accession	
10	24029000	Cigars, cigarillos, cigarettes, etc, not containing tobacco	L	Q		upon accession	
11	24039100	Homogenized or reconstituted tobacco	L	Q		upon accession	
12	27100011	Gasoline, incl. aviation spirit	L	Q		2004	1
13	27100019	Other light oils, nes	L	Q		2004	1
14	27100013	Naphtha	L	Q		2004	1
15	27100023	Kerosenes	L	Q		2004	1
16	27100024	Normal paraffin	L	Q		2004	1
17	27100031	Light diesel oil	L	Q		2004	1
18	27100033	Fuel oil No.5-No.7	L	Q		2004	1
19	27100039	Other feul oils	L	Q		2004	1
20	28371110	Sodium cyanide	L	Q		2002	2
21	31021000	Urea	L	Q		upon accession	
22	31022100	Ammonium sulphate	L	Q		2002	3
23	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	L	Q		2002	3
24	31023000	Ammonium nitrate	L	Q		2002	3
25	31024000	Mixtures of ammonium nitrate with inorg non-fertilizing substances	L	Q		2002	3
26	31025000	Sodium nitrate	L	Q		upon accession	
27	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	L	Q		upon accession	
28	31027000	Calcium cyanamide	L	Q		upon accession	
29	31028000	Mixturs of urea & ammonium nitrate in aqueous or ammoniacl solution	L	Q		2002	3
30	31029000	Mineral or chemical fertilizers, nitrogenous , nes	L	Q		2002	3
31	31031000	Superphosphates	L	Q		2002	3
32	31032000	Basic slag	L	Q		2002	3
33	31039000	Mineral or chemical fertilizers, phosphatic, nes	L	Q		2002	3
34	31041000	Carnallite, sylvite & other Crude natural potassium salts	L	Q		upon accession	
35	31042000	Potassium chloride	L	Q		upon accession	
36	31043000	Potassium sulphate	L	Q		2002	3
37	31049000	Mineral or chemical fertilizers, potassic, nes	L	Q		upon accession	

Serial NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
38	31051000	Fertilizers... in packages of a gross weight=10kg	L	Q		2002	3
39	31052000	Mineral/chemical fertilizers with nitrogen, phosphorus & potassium	L	Q		upon accession	
40	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	L	Q		upon accession	
41	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate)	L	Q		2002	3
42	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	L	Q		2002	3
43	31055900	Mineral or chemical fertilizers with nitrogen & phosphorus, nes	L	Q		2002	3
44	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	L	Q		2002	3
45	31059000	Other fertilizers, nes	L	Q		2002	3
46	39076011	Polyethylene terephthalate slices or chips,high viscosity	L	Q		upon accession	
47	39076019	Other Polyethylene terephthalate slices or chips,nes	L	Q		upon accession	
48	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	L	Q		2004	4
49	40012100	Smoked sheets of natural rubber	L	Q		2004	4
50	40012200	Technically specified natural rubber, in primary forms/plates, etc	L	Q		2004	4
51	40012900	Other natural rubber, in primary forms or in plates, etc, nes	L	Q		2004	4
52	40111000	New pneumatic tyres, of rubber of a kind used on motor cars	L	Q		2004	5
53	40112000	New pneumatic tyres, of rubber of a kind used on buses or lorries	L	Q		2004	5
54	40119100	New pneumatic tyres, of rubber, nes, of herring-bone or similar trea	L	Q		2002	5
55	40121010	Retreaded tyres of rubber used on automobiles	L	Q		2002	5
56	40122010	Used pneumatic tyres of rubber used on automobiles	L	Q		2002	5
57	40129020	Solid/cushion rubber tyres, etc, used on automobiles	L	Q		upon accession	
58	40131000	Inner tubes, of rubber of a kind used on motor cars, buses or lorrie	L	Q		upon accession	
59	51011100	Greasy shorn wool, not carded or combed	L	Q		upon accession	
60	51011900	Greasy wool (excl. shorn), not carded or combed	L	Q		upon accession	
61	51012100	Degreased shorn wool, not carbonised, not carded or combed	L	Q		upon accession	
62	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	L	Q		upon accession	
63	51013000	Carbonised wool, not carded or combed	L	Q		upon accession	
64	51031010	Noils of wool, not garnetted stock	L	Q		upon accession	
65	51051000	Carded wool	L	Q		upon accession	
66	51052100	Combed wool in fragments	L	Q		upon accession	
67	51052900	Wool tops & combed wool (excl. in fragments)	L	Q		upon accession	
68	52010000	Cotton, not carded or combed	L	Q		upon accession	
69	52030000	Cotton, carded or combed	L	Q		upon accession	
70	54022000	High tenacity yarn of polyesters, nprs	L	Q		upon accession	
71	54023310	Elastic filament of polyesters, not for retail sale	L	Q		upon accession	
72	54023390	Other textured yarn of polyesters, not for retail sale	L	Q		upon accession	
73	54023990	Other synthetic filament textured yarn, nes, not for retai	L	Q		upon accession	
74	54024200	Single yarn of partially oriented polyesters, with 50turns/m, nprs	L	Q		upon accession	
75	54024300	Single yarn of polyesters, nes, with 50turns/m, nprs	L	Q		upon accession	
76	54024990	Single synthetic yarn, nes, with 50turns/m, nprs	L	Q		upon accession	
77	54025200	Single yarn of polyesters, with>50turns/m, nprs	L	Q		upon accession	
78	54025990	Single synthetic yarn, nes, with>50turns/m, nprs	L	Q		upon accession	
79	54026200	Multiple or cabled yarn of polyesters, nprs	L	Q		upon accession	
80	54026990	Multiple or cabled yarn, nes, nprs	L	Q		upon accession	

Serial NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
81	54033310	Single yarn of cellulose diacetate, not for retail sale	L	Q		upon accession	
82	54041000	Synthetic monofilament of 67decitex	L	Q		upon accession	
83	55012000	Synthetic filament tow of polyesters	L	Q		upon accession	
84	55013000	Synthetic filament tow, acrylic or modacrylic	L	Q		upon accession	
85	55020010	Cellulose diacetate filament tow	L	Q		upon accession	
86	55032000	Synthetic staple fibres, of polyesters, not carded, etc	L	Q		upon accession	
87	55033000	Acrylic or modacrylic synthetic staple fibres, not carded, etc	L	Q		upon accession	
88	55062000	Synthetic staple fibres, of polyesters, carded, etc	L	Q		upon accession	
89	55063000	Acrylic or modacrylic synthetic staple fibres, carded, etc	L	Q		upon accession	
90	55092100	Single yarn, with 85% polyester staple fibres, nprs	L	Q		upon accession	
91	55092200	Multiple or cabled yarn, with 85% polyester staple fibres, nprs	L	Q		upon accession	
92	55093100	Single yarn, with 85% acrylic or modacrylic staple fibres, nprs	L	Q		upon accession	
93	55093200	Multiple or cabled yarn, 85% acrylic/modacrylic staple fibres, nprs	L	Q		upon accession	
94	55095100	Yarn,<85% polyester staple fibres, with artificl staple fibres, nprs	L	Q		upon accession	
95	55095200	Yarn,<85% polyester staple fibres, with wool/fine animal hair, nprs	L	Q		upon accession	
96	55095300	Yarn,<85% polyester staple fibres, mixed with cotton, nprs	L	Q		upon accession	
97	55095900	Yarn,<85% polyester staple fibres, nes, nprs	L	Q		upon accession	
98	55096100	Yarn,<85% acrylic or modacrylic staple fibres, with wool..., nprs	L	Q		upon accession	
99	55096200	Yarn,<85% acrylic or modacrylic staple fibres, with cotton, nprs	L	Q		upon accession	
100	55096900	Yarn,<85% acrylic or modacrylic staple fibres, nes, nprs	L	Q		upon accession	
101	84073100	Engines, spark-igni reciprocatng, f vehcl Ch 87, . 50cc	L	Q		2003	6
102	84073200	Engines, spark-igni reciprocatng, for vehcl Ch 87,>50cc but 250cc	L	Q		2003	6
103	84073300	Engines, spark-igni reciprocatng,f vehcl Ch 87,>250cc to 1000cc	L	Q		2003	6
104	84079090	Other engines, spark-ignition type, nes	L	Q		2003	7
105	84082010	Engines, diesel, output 132.39kw, for vehicles of Ch. 87	L	Q		2003	7
106	84082090	Engines, diesel, of an output<132.39kw, for vehicles of Ch 87	L	Q		2003	7
107	84089092	Engines, diesel, nes, 14kw<output<132.39kw			T	2004	
108	84143011	Compressors for refrige/freezer,motor power 0.4kw	L	Q		upon accession	
109	84143012	Compressors for refrige'freezer, 0.4kw< motor power 5 kw	L	Q		upon accession	
110	84143013	Compressors for airconditioner, 0.4kw < motor power .5kw	L	Q		upon accession	
111	84143019	Compressors driven by a motor, nes	L	Q		upon accession	
112	84143090	Compressors driven by a non-motor	L	Q		upon accession	
113	84145930	Centrifugal ventilators			T	upon accession	
114	84151000	Air conditioning machines window'wall types, self-contained	L	Q		2002	8
115	84152000	Air conditioning machines used for persons in motor vehicles	L	Q		2002	7
116	84158110	Air-conditioner nes,with refr 4000 Kcal/h &cool/heat cycle rev valve	L	Q		upon accession	
117	84158210	Air-conditioner nes, with refrigerating unit, 4000 Kcal/h	L	Q		upon accession	
118	84181010	Combined refri-freezers, with separate external doors, capacity>500L	L	Q		upon accession	
119	84181020	Combined refri-freezers, with separate expernal doors, 200L<capacity .150L	L	Q		upon accession	
120	84181030	Combined refri-freezers, with separate expernal doors, capacity 200L	L	Q		upon accession	
121	84182110	Refrigerators, household type, compression-type,>150L	L	Q		upon accession	
122	84182120	Refrigerators, household type, compression-type,50L<capacity .150L	L	Q		upon accession	
123	84182130	Refrigerators, household type, compression-type,capacity 50L	L	Q		upon accession	

Serial NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
124	84182200	Refrigerators, household type, absorption-type, electrical	L	Q		upon accession	
125	84183010	Freezers of chest type, capacity 800L, T -40	L	Q		upon accession	
126	84183021	Freezers of chest type, 500L<capacity 800 L, T>-40	L	Q		upon accession	
127	84183029	Freezers of chest type,capacity 500L, T>-40	L	Q		upon accession	
128	84184010	Freezers of upright type,capacity 900L, T -40	L	Q		upon accession	
129	84184021	Freezers of upright type, 500 L<capacity 900L, T> -40	L	Q		upon accession	
130	84184029	Freezers of upright type,capacity 500L, T> -40	L	Q		upon accession	
131	84185000	Other refrigerating'freezing chests,cabinets,display counters,etc	L	Q		upon accession	
132	84254990	Other hoists, nes			T	upon accession	
133	84261910	Ship loading cranes			T	upon accession	
134	84261921	Grab ship unloading cranes			T	upon accession	
135	84261929	Other ship unloading cranes			T	upon accession	
136	84263000	Portal'pedestal jib cranes			T	upon accession	
137	84264110	Self-propelled cranes on tyres			T	upon accession	
138	84264190	Other self-propelled machinery with a crane on tyres, nes			T	upon accession	
139	84281010	Lifts and skip hoists for the transport of persons			T	2002	
140	84284000	Escalators & moving walkways			T	upon accession	
141	84291110	Bulldozers/angledozers,tracked,with engine output>235.36 kw			T	2004	
142	84294011	Vibratory road rollers, self-propelled, dead weight 18 t			T	2002	
143	84294019	Other road rollers, self-propelled			T	2004	
144	84305020	Mining shovels, self-propelled			T	upon accession	
145	84381000	Bakery mach & machy for the mfg of macaroni, spaghetti'sim prods			T	upon accession	
146	84391000	Machinery for making pulp of fibrous cellulosic material			T	2002	
147	84392000	Machinery for making paper'paperboard			T	2002	
148	84393000	Machinery for finishing paper'paperboard			T	2002	
149	84413090	Mach f make boxes/sim cont,of paper/pboard o/t by moulding, nes			T	upon accession	
150	84414000	Machines for moulding articles in paper pulp, paper'paperboard			T	upon accession	
151	84431910	Offset printing machinery,sheet fed			T	2004	
152	84431990	Offset printing machinery nes			T	2004	
153	84435912	Screen printing machinery,platen screen press			T	upon accession	
154	84451110	Textile carding machines,for cotton type fibres			T	upon accession	
155	84451120	Textile carding machines,for wool type fibres			T	upon accession	
156	84451200	Textile combing machines			T	upon accession	
157	84452020	Rotor spinning frames	L	Q		upon accession	
158	84454010	Automatic bobbin textile winders			T	upon accession	
159	84459010	Warping machines			T	upon accession	
160	84463020	Rapier looms for weaving fabrics of a width>30cm, shuttless			T	upon accession	
161	84463030	Carrier looms for weaving fabrics of width>30 cm, shuttless			T	upon accession	
162	84501200	Other washing mach, dry linen capacity 10kg, with built-in dryer	L	Q		upon accession	
163	84501900	Other washing machines of a dry linen capacity 10kg, nes	L	Q		upon accession	
164	84522110	Automatic sewing machines, flat-seam type ,other than book-sewing machines			T	upon accession	
165	84522190	Automatic sewing machines, other than book-sewing machines			T	upon accession	
166	84542010	Out furnace refining equipment			T	upon accession	

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167	84543010	Cold chamber die-casting machines			T	upon accession	
168	84563010	Machine-tools operatd by electro-discharge processe,numerically controlled			T	2004	
169	84569910	Plasma cutting machines			T	2004	
170	84569990	Machine-tools operatd by electro-chem, plasma arc..., nes			T	2004	
171	84571010	Machining centres,vertical type			T	2004	
172	84571020	Machining centres,horizontal type			T	2004	
173	84571030	Machining centres,plano type			T	2004	
174	84571090	Machining centres,other type			T	2004	
175	84581100	Horizontal lathes numerically controlled			T	2004	
176	84621090	Forging'die-stamping mach & hammers, not numerically contrld			T	2002	
177	84659600	Splitting/slicing'paring mach for wood/cork/bne/hrd rubber etc			T	upon accession	
178	84714991	Distributed control systems			T	2004	
179	84742010	Crushing/grinding mach for earth/ stone/ores oth minerals,to			T	upon accession	
180	84742090	Crushing/grinding mach for earth/ stone/ores oth minerals			T	upon accession	
181	84743100	Concrete'mortar mixers			T	2004	
182	84775900	Mach for moulding otherwise forming rubber plastics nes			T	2002	
183	84781000	Machinery for preparing'making up tobacco nes			T	2002	
184	84789000	Parts of machinery for preparing'making up tobacco nes			T	upon accession	
185	84791021	Machines for spreading bituminous concrete			T	2002	
186	84791022	Stabilizer spreading machines			T	2002	
187	84804100	Moulds, injection'compression types, for metal'metal carbides			T	2002	
188	84807100	Moulds, injection'compression types, for rubber'plastics			T	2002	
189	84834020	Planet decelerators			T	upon accession	
190	85042320	Liquid dielectric transformers, handling capacity 400 MVA			T	2004	
191	85172100	Facsimile machines			T	2002	
192	85175090	Other apparatus for carrier-current line systems, nes			T	upon accession	
193	85184000	Audio-frequency electric amplifiers			T	2002	
194	85199910	Compact disc players, sound	L	Q		upon accession	
195	85203210	Magtic tape recorder-sound player, digital audio & cassette-type	L	Q		upon accession	
196	85203290	Magtic tape recorder-sound player, digital audio type, nes	L	Q		upon accession	
197	85203300	Magtic tape recorder-sound player, cassette-type, nes	L	Q		upon accession	
198	85203910	Magtic open-disk recorder-sound player	L	Q		upon accession	
199	85203990	Magtic tape recorder-sound reproducing apparatus, nes	L	Q		upon accession	
200	85209000	Magnetic tape recorders & other sound recording apparatus, nes	L	Q		upon accession	
201	85211011	Magnetic video tape recorders,broadcast quality	L	Q		2002	9
202	85211019	Magnetic video tape recorders,nes	L	Q		2002	9
203	85211020	Magnetic video tape reproducers	L	Q		2002	9
204	85219010	Laser video compact disk player	L	Q		2002	10
205	85219090	Video recording or reproducing apparatus nes	L	Q		2002	10
206	85229021	Transport mechanisms of cassett sound recorders/reproducers	L	Q		2002	11
207	85229030	Parts/accessories of video recordg/reproducg apparatus	L	Q		2002	9
208	85252011	Satellite earth station for television			T	2004	
209	85252019	Satellite earth station other than for television			T	upon accession	

Serial NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
210	85252022	Portable radio telephone			T	2002	
211	85252029	Other mobile communication equipment, nes			T	2002	
212	85252092	Mobile communication base station			T	2002	
213	85252093	Wireless subscriber communicating equipments			T	2002	
214	85173013	Digital mobile communication switching systems			T	2002	
215	85173091	Anological mobile communication switching systems			T	2002	
216	85253010	Television cameras, for special purposes	L	Q		2002	9
217	85253091	Television cameras broadcast quality	L	Q		2002	9
218	85253099	Television cameras, nes	L	Q		2002	9
219	85254010	Still image video camera/oth video camera recorder, f special purpos	L	Q		2002	9
220	85254020	Still image video camera with a built-in video recorder, household	L	Q		2002	9
221	85254030	Still image video cameras/oth video camera recorders with digital image stor	L	Q		2002	9
222	85254090	Still image video cameras/oth video camera recorders, nes	L	Q		2002	9
223	85271200	Pocket-size radio cassette-players, no need extern1 power	L	Q		upon accession	
224	85271300	Oth combined radio/sound recorder-player, no need extnl power	L	Q		upon accession	
225	85271900	Other radio broad receiver operatng without external power, nes	L	Q		upon accession	
226	85272100	Combnd radio/sound recorder-player, need extnl power for motor vehcl	L	Q		upon accession	
227	85272900	Other radio broad receiver need extnl power for motor vehicles, nes	L	Q		upon accession	
228	85273100	Other combined radio/sound recorder-player nes	L	Q		upon accession	
229	85273200	Radio broad receiver combined with a clock, nes	L	Q		upon accession	
230	85273900	Radio-broadcast receivers nes	L	Q		upon accession	
231	85279010	Radio paging receivers			T	2002	
232	85281210	Colour satellite TV receivers			T	2004	
233	85281291	Colour TV set, screen diagnal 42 cm	L	Q		upon accession	
234	85281292	Colour TV set, 42 cm<screen diagnal 52cm	L	Q		upon accession	
235	85281293	Colour TV set, screen diagnal> 52 cm	L	Q		2002	12
236	85282100	Colour video monitors	L	Q		2002	12
237	85283010	Colour video projectors	L	Q		2002	12
238	85291020	Aerials & the parts, for radio or television receivers			T	2002	
239	85291090	Aerials & the parts, for other apparatus of headng 85.25 to 85.28			T	2004	
240	85299091	High frequency tuners			T	2004	
241	85311090	Burglar or fire alarms & similar apparatus			T	2002	
242	85352900	Automatic circuit breakers, for a voltage 72.5KV, nes			T	2004	
243	85401100	Cathode-ray TV picture tubes,including video monitor tubes,colour	L	Q		2002	12
244	85404000	Color data/graphic display tubes of phosphor dot scrn pitch < 0.4mm	L	Q		2002	12
245	85445910	Electric cable without connectors, 80V<volt 1,000 V			T	upon accession	
246	85447000	Optical fibre cables, made up of individually sheathed fibres			T	upon accession	
247	86040099	Railway/tram maintenance or service vehicles, nes			T	upon accession	
248	87012000	Road tractors for semi-trailers (truck tractors)	L	Q		2004	7
249	87019000	Wheeled tractors nes			T	upon accession	
250	87021020	Coaches for transport of passengers at aerodrome, diesel	L	Q		2004	7
251	87021091	Buses with seats 30, diesel	L	Q		2004	7
252	87021092	Buses with 20 seats<30, diesel	L	Q		2005	7

Serial NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
253	87021093	Buses with 10 seats<20, diesel	L	Q		2005	7
254	87029010	Other buses with seats 30, nes	L	Q		2004	7
255	87029020	Other buses with 20 seats<30, nes	L	Q		2005	7
256	87029030	Other buses with 10 seats<20, nes	L	Q		2005	7
257	87031000	Snowmobiles, golf cars & similar vehicles	L	Q		upon accession	
258	87032130	Saloon cars, .1000 cc, spark-igni reciprocatng	L	Q		2005	7
259	87032190	Cars nes, .1000 cc, spark-igni reciprocatng	L	Q		2005	7
260	87032230	Saloon cars, >1000cc but 1500 cc, spark-igni recip	L	Q		2005	7
261	87032240	Cross-country cars(4WD), >1000cc but 1500cc, spark-igni recip	L	Q		2005	7
262	87032250	Minibuses (seats 9), >1000cc but 1500cc,spark-igni recip	L	Q		2005	7
263	87032290	Cars nes, >1000cc but 1500 cc, spark-igni recip	L	Q		2005	7
264	87032314	Saloon cars, >1500cc but .2500 cc,spark-igni recip	L	Q		2005	7
265	87032315	Cross-country cars(4WD),>1500cc but 2500 cc,spark-igni recip	L	Q		2005	7
266	87032316	Minibuses(seats 9), >1500cc but 2500 cc,spark-igni recip	L	Q		2005	7
267	87032319	Cars nes, >1500cc but 2500 cc,spark-igni recip	L	Q		2005	7
268	87032334	Saloon cars >2500cc but 3000 cc, spark-igni recip	L	Q		2005	7
269	87032335	Cross-country cars(4WD), >2500cc but 3000 cc, spark-igni recip	L	Q		2005	7
270	87032336	Minibuses(seats 9), >2500cc but 3000 cc, spark-igni recip	L	Q		2005	7
271	87032339	Cars nes, >2500cc but 3000 cc, spark-igni recip	L	Q		2005	7
272	87032430	Saloon cars, >3000 cc, spark-igni recip	L	Q		2005	7
273	87032440	Cross-country cars(4WD), >3000 cc, spark-igni recip	L	Q		2005	7
274	87032450	Minibuses (seats 9), >3000 cc, spark-igni recip	L	Q		2005	7
275	87032490	Cars nes, >3000 cc, spark-igni recip	L	Q		2005	7
276	87033130	Saloon cars, .500 cc, diesel	L	Q		2005	7
277	87033140	Cross country cars(4WD), .1500cc, diesel	L	Q		2005	7
278	87033150	Minibuses (seats 9), .1500cc, diesel	L	Q		2005	7
279	87033190	Cars nes, .1500cc, diesel	L	Q		2005	7
280	87033230	Saloon cars, >1500cc but 2500 cc, diesel	L	Q		2005	7
281	87033240	Cross country cars(4WD), >1500cc but 2500 cc, diesel	L	Q		2005	7
282	87033250	Minibuses (seats 9), >1500cc but 2500 cc, diesel	L	Q		2005	7
283	87033290	Cars nes, >1500cc but 2500 cc, diesel	L	Q		2005	7
284	87033330	Saloon cars, >2500 cc, diesel	L	Q		2005	7
285	87033340	Cross country cars(4WD), >2500 cc, diesel	L	Q		2005	7
286	87033350	Minibuses (seats 9), >2500 cc, diesel	L	Q		2005	7
287	87033390	Cars nes, >2500 cc, diesel	L	Q		2005	7
288	87039000	Motor cars with seats 9, nes	L	Q		2005	7
289	87041030	Dumpers designed for off-highway use, with motor-driven wheel			T	2004	
290	87042100	Trucks diesel, g.v.w. .5 t	L	Q		2004	7
291	87042230	Trucks diesel, 5 t < g.v.w.<14 t	L	Q		2004	7
292	87042240	Trucks diesel, 14 t g.v.w. 20 t	L	Q		2004	7
293	87042300	Trucks diesel, g.v.w. >20 t	L	Q		2004	7
294	87043100	Trucks spark-igni, g.v.w. 5 t	L	Q		2004	7
295	87043230	Trucks spark-igni, 5 t<g.v.w. 8 t	L	Q		2002	7

Serial NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
296	87043240	Trucks spark-igni, g.v.w. > 8 t	L	Q		2002	7
297	87049000	Trucks nes	L	Q		2002	7
298	87051021	All-road Crane lorries with a lifting capacity .50t	L	Q		2004	13
299	87051022	All-road Crane lorries with a lifting capacity >50t, but .100t	L	Q		2004	13
300	87051023	All-road Crane lorries with a lifting capacity >100t	L	Q		2004	13
301	87051091	Other Crane lorries with a lifting capacity .50t	L	Q		2004	13
302	87051092	Other Crane lorries with a lifting capacity >50t, but .100t	L	Q		2004	13
303	87051093	Other Crane lorries with a lifting capacity >100t	L	Q		2004	13
304	87052000	Mobile drilling derricks	L	Q		2002	7
305	87053010	Fire fighting vehicles,mounted with scaling ladder	L	Q		2002	7
306	87053090	Other fire fighting vehicles	L	Q		2002	7
307	87054000	Mobile concrete mixers	L	Q		2002	7
308	87059020	Mobile radiological units	L	Q		2002	7
309	87059030	Mobile environmental monitoring units	L	Q		2002	7
310	87059040	Mobile clinics	L	Q		2002	7
311	87059051	Airplane charging vehicles(frequency= 400Hz)	L	Q		2002	7
312	87059059	Other mobile electric generation sets	L	Q		2002	7
313	87059060	Mobile refuellers/air-conditioners/deicers used for aircraft	L	Q		2002	7
314	87059070	Snow-clearance vehicles used for road or airfiel runways	L	Q		2002	7
315	87059080	Oil-well measuring carts, crushing mill carts and sand	L	Q		2002	7
316	87059090	Special purpose motor vehicles nes	L	Q		2002	7
317	87060040	Chassis fit with engines for crane lorries	L	Q		2004	13
318	87071000	Bodies for passenger carrying vehicles	L	Q		2004	7
319	87111000	Motorcycles with reciprocating piston engine .50 cc	L	Q		2004	6
320	87112000	Motorcycles with, 50 cc< piston engine .250 cc	L	Q		2004	6
321	87113010	Motorcycles with, 250 cc< piston engine .400cc	L	Q		2004	6
322	87113020	Motorcycles with, 400 cc< piston engine .500cc	L	Q		2004	6
323	87114000	Motorcycles with, 500 cc< piston engine .800cc	L	Q		2004	6
324	87115000	Motorcycles with piston engine >800 cc	L	Q		2004	6
325	87119000	Motorcycles with other than a reciprocating piston engine	L	Q		2004	6
326	87141900	Motorcycle parts nes	L	Q		2004	6
327	89012011	Finished oil tankers, loading not exceeding 100000t			T	2004	
328	89012012	Finished oil tankers, loading exceeding 100000t,not exceeding 300000t			T	2004	
329	89012013	Finished oil tankers, loading exceeding 300000t			T	2004	
330	89012021	Crude oil tankers, loading not exceeding 150000t			T	2004	
331	89012022	Crude oil tankers, loading exceeding 150000t,not exceeding 30000t			T	2004	
332	89012023	Crude oil tankers, loading exceeding 300000t			T	2004	
333	89012031	Liquified petroleun gas carriers, volume with 20000m^3 or less			T	2004	
334	89012032	Liquified petroleun gas carriers, volume more than 20000m^3			T	2004	
335	89012041	Liquified natural gas carriers, volume with 20000m^3 or less			T	2004	
336	89012042	Liquified natural gas carriers, volume more than 20000m^3			T	2004	
337	89012090	Other tankers,nes			T	2004	
338	89013000	Refrigerated vessels other than tankers			T	upon accession	

Serial NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
339	89019021	Motor container vessels, capable loading standard containers with 6000 or less			T	2004	
340	89019022	Motor container vessels, capable loading standard containers more than 6000			T	2004	
341	89019031	Motor Ro-Ro carriers, loading with 20000t or less			T	2004	
342	89019032	Motor Ro-Ro carriers, loading more than 20000t			T	2004	
343	89019041	Motor bulk carriers, loading not exceeding 150000t			T	2004	
344	89019042	Motor bulk carriers, loading exceeding 150000t,not exceeding 300000t			T	2004	
345	89019043	Motor bulk carriers, loading exceeding 300000t			T	2004	
346	89019050	Multi-purposes motor vessels			T	2004	
347	89019080	Other motor vessels,nes			T	2004	
348	89020010	Fishing vessels & factory ships, motorized			T	upon accession	
349	89040000	Tugs & pusher craft			T	2004	
350	89051000	Dredgers			T	2004	
351	90061010	Electronic colour scanners used for prep printng plate/cylinder	L	Q		upon accession	
352	90065100	SLR cameras for roll film of a width 35mm	L	Q		2003	14
353	90065200	Other cameras for roll film of a width < 35 mm	L	Q		2003	14
354	90065300	Other cameras for roll film of a width of 35 mm	L	Q		2003	14
355	90065900	Photographic, other than cinematographic cameras nes	L	Q		2003	14
356	90083010	Orthographic image projectors			T	upon accession	
357	90121000	Microscopes other than optical microscopes & diffraction apparatus	L	Q		upon accession	
358	90158000	Survey,hydro-/oceano-graphic,meteorological,geophysic instrumnt nes			T	upon accession	
359	90181210	B- ultrasonic diagnostic apparatus			T	upon accession	
360	90181291	Chromosocope ultrasonic diagnostic apparatus			T	upon accession	
361	90184910	Dentists' chairs with dental equipment			T	upon accession	
362	90189090	Medical/veterinary instruments & appliances, nes			T	upon accession	
363	90221300	X-ray apparatus for dental use			T	upon accession	
364	90221400	X-ray apparatus for medical, surgical or veterinary uses			T	upon accession	
365	90221990	X-ray apparatus for other uses			T	upon accession	
366	90222100	Alpha/beta/gamma radiation apparatus for medical/surg/dent/vet uses			T	upon accession	
367	90278090	Instruments & apparatus for physical or chemical analysis,			T	upon accession	
368	90301000	Instruments/apparatus for measur/detecting ionising radiations			T	upon accession	
369	90304010	Frequency meters, digital, measuring range<12.4GHz			T	upon accession	
370	90318010	Optical telecom. And optical fibre performance testing instru			T	upon accession	
371	90311000	Machines for balancing mechanical parts, nes			T	2004	
372	91011100	Electric wrist-watches mech display, with precious mtl case	L	Q		2003	15
373	91012100	Wrist-watches,with automatic winding with pecious mtl case,nes	L	Q		2003	15
374	91012900	Wrist-watches, with a case of precious metal, nes	L	Q		2003	15
375	91021100	Electric wrist-watches with mechanical display only	L	Q		2003	15
376	91022100	Wrist-watches with automatic winding nes	L	Q		2003	15
377	91022900	Wrist-watches, nes	L	Q		2003	15

Notes:

1. "L" stands for "import license";
   "Q" stands for "import quota"; and
   "T" stands for "specific import tendering requirements for machinery and electronics products".

Serial NO	HSNO	DESCRIPTION OF PRODUCTS	L	Q	T	*Phasing-out* Period	Quota Category

2. The NTMs will be eliminated as of January 1 of each calendar year as specified in the column of Phasing-out Period
3. The products covered by the Agreement on Trade in Civil Aircraft are not subject to any NTMs specified herein.

Table Two

Product Quota

(Initial Quota Volume/Value and Annual Growth Rate)

Quota Category		Product Coverage (Serial No in Table One)	Unit	Initial Quota Volume/Value	Annual Growth Rate
1	Processed oil	12-19	Million Metric Tons	16.58	15%
2	Sodium cyanide	20	Million Metric Tons	0.018	15%
3	Chemical fertilizer	22-25, 29-33, 36, 38, 41-45	Million Metric Tons	8.9	15%
4	Natural rubber	48-51	Million Metric Tons	0.429	15%
5	Tires of rubber used on automobiles	52-56	Million Pieces	0.81	15%
6	Motorcycles and key parts	101-103, 319-326	US$ Million	286	15%
7	Automobiles and key parts	104-106, 115, 248, 250-256, 258-288, 290-297, 304-316,	US$ Million	6000	15%
8	Air conditioners and compressors	114	US$ Million	286	15%
9	Recording apparatus and key parts	201-203, 207, 216-222	US$ Million	293	15%
10	Magnetic sound and video recording apparatus	204, 205	US$ Million	38	15%
11	Recorders and transport mechanisms	206	US$ Million	387	15%
12	Color TV set and TV	235-237, 243, 244	US$ Million	325	15%
13	Crane lorries and chassis	298-303, 317	US$ Million	88	15%
14	Cameras	352-355	US$ Million	14	15%
15	Wrist watches	372-377	US$ Million	33	15%

Table Three

Products Subject to Import License Only

NO	HSNO	DESCRIPTION OF PRODUCTS	L	Phasing-out Period
1	10011000	Durum wheat	L	upon accession
2	10019010	Seeds of Spelt, common wheat & meslin	L	upon accession
3	10019090	Spelt, common wheat & meslin(excl. seed)	L	upon accession
4	10059000	Maize (excl. seed)	L	upon accession
5	10061010	Rice seeds	L	upon accession
6	10061090	Rice in the husk (paddy or rough)(excl. seed)	L	upon accession
7	10062000	Husked (brown) rice	L	upon accession
8	10063000	Semi-milled or wholly milled rice	L	upon accession
9	10064000	Broken rice	L	upon accession
10	15071000	Crude soya-bean oil	L	upon accession
11	15079000	Soya-bean oil (excl. crude) & fractions	L	upon accession
12	15081000	Crude ground-nut oil	L	upon accession
13	15089000	Ground-nut oil (excl. crude) & fractions	L	upon accession
14	15111000	Crude palm oil	L	upon accession
15	15119000	Palm oil (excl. crude) & liquid fractions	L	upon accession
16	15121100	Crude sunflower-seed & safflower oil & fractions thereof	L	upon accession
17	15122100	Crude cotton-seed oil, whether or not gossypol has been moved	L	upon accession
18	15122900	Cotton-seed oil (excl. crude) & fractions thereof	L	upon accession
19	15141010	Crude rape, colza oil & fractions thereof	L	upon accession
20	15141090	Mustard oil & fractions thereof	L	upon accession
21	15149000	Rape, colza or mustard oil (excl. crude) & fractions thereof	L	upon accession
22	15152100	Crude maize (corn) oil	L	upon accession
23	15155000	Sesame oil & fractions	L	upon accession
24	22051000	Vermouth & other wine of fresh grapes, flavoured:<2l containers	L	upon accession
25	22059000	Vermouth & other wine of fresh grapes, flavoured:>2l containers	L	upon accession
26	22071000	Undenatured ethyl alcohol, of alcoholic strength 80%	L	upon accession
27	22082000	Spirits from distilled grape wine or marc	L	upon accession
28	22083000	Whiskeys	L	upon accession
29	22084000	Rum & tafia	L	upon accession
30	22085000	Gin & Geneva	L	upon accession
31	22087000	Liqueurs and cordials	L	upon accession
32	22089000	Spirituous beverages, nes	L	upon accession
33	37013090	Photo plates, flat, unexposed,one side>255mm, nes	L	upon accession
34	37019100	Colour photo plates/film, flat, unexposed,nes	L	upon accession
35	37023100	Colour photo film rolls,unexpsd,unperforatd,w 105mm, nes	L	upon accession
36	37024100	Colour film rl, unexpsd/perfor, w>610mm,len>200m	L	upon accession
37	37024390	Monoch film rl, unexpsd/perfor, w>610mm, length 200m,nes	L	upon accession
38	37024490	Monoch film rl,unexpsd/perfor, 105mm<wid 610mm, nes	L	upon accession
39	37025100	Colour film in rolls, unexpsd, width 16mm,& length 14m,nes	L	upon accession
40	37025200	Colour film rolls,unexposed, width 16mm, length>14m, nes	L	upon accession
41	37025410	Colour film rl, unexpsd,width=35mm and length 2m,	L	upon accession
42	37025490	Colour film rl,unexpsd, width not 35mm, length 30m	L	upon accession
43	37025590	Colour film rl, unexpsd, 16mm<w 35mm, length>30m, nes	L	upon accession
44	37025690	Colour film in rolls, unexposed, width>35mm, nes	L	upon accession
45	37029100	Monoch film rl,unexpsd, w 16mm,l 14m, nes	L	upon accession
46	37031010	Photo paper & paperboard in rolls, unexposed, width>610mm	L	upon accession

NO	HSNO	DESCRIPTION OF PRODUCTS	L	Phasing-out Period
47	37032010	Other colour photo paper and paperboard, unexposed	L	upon accession

ANNEX 4

PRODUCTS AND SERVICES SUBJECT TO PRICE CONTROLS

July 13, 2001

Products Subject to State Pricing

NO	HSNO	DESCRIPTION OF PRODUCTS	NOTES
1	10011000	Durum wheat	State store up grain, including wheat, rice, maize and soybean. Products subject to state pricing account for 10% of the total grain production.
	10019010	Seeds of Spelt, common wheat & meslin	
	10019090	Spelt, common wheat & meslin (excl. seed)	
	10051000	Maize seeds	
	10059000	Maize (excl. seed)	
	10061010	Rice seeds	
	10061090	Rice in the husk (paddy or rough)(excl. seed)	
	10062000	Husked (brown) rice	
	10063000	Semi-milled or wholly milled rice	
	12010010	seeds of soybean	
	12010091	Yellow soybeans (excl.seed)	
	12010092	Black soybeans (excl.seed)	
	12010093	Green soybeans (excl.seed)	
	12010099	Other soybeans (excl.seed), nes	
2	15071000	Crude soybean oil	State store up edible oil. Soybean oil and rape oil. Products subject to state pricing account for 10% of the total production of soybean oil and rape oil.
	15079000	Soya-bean oil (excl. crude) & fractions	
	15141010	Crude rape, colza oil & fractions thereof	
	15141090	Mustard oil & fractions thereof	
3	24011010	Flue-cured tobacco, not stemmed/stripped	
	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	
4	25010010	Salt	Edible salt
5	27112100	Natural gas in gaseous state	
6	27100011	Gasoline, incl. aviation spirit	
7	27100023	Kerosenes	
	27100024	Normal paraffin	
8	27100031	Light diesel oil	Diesel oil
	27100033	Fuel oil No.5-No.7	
	27100039	Other fuel oils	
9	27100039	Other fuel oils	Heavy oil

NO	HSNO	DESCRIPTION OF PRODUCTS	NOTES
10	29379100	Insulin & its salts	Some pharmaceuticals
	29411011	Ampicillin	
	29411012	Ampicillin trihydrate	
	29411019	Other ampicillin & its salts,nes	
	29411091	Amoxycillin	
	29411092	Amoxycillin trihydrate	
	29411093	6-Aminopenicillanic acid	
	29411094	Penicillins V	
	29411095	Sulfobenzylpenicillins	
	29411096	Cloxacillin	
	29411099	Other penicillins & derivs with a penicillin acid structure;	
	29412000	Streptomycins & their derivatives; salts thereof	
	29419010	Gentamicin & its derivatives; salts thereof	
	30022000	Vaccines for human medicine	
	30023000	Vaccines for veterinary medicine	
	30066000	Chemical contraceptive prep.s based on hormones or spermicides	
	40141000	Sheath contraceptives	
11	31021000	Urea	Referring to urea produced by large-scale State plants, accounting for 40% of the total production.
12	50010010	Mulberry feeding silk-worm cocoons	
	50010090	Other silk-worn cocoons suitable for reeling	
13	52010000	Cotton, not carded or combed	State store up cotton

Public Utilities Subject to State Pricing

NO	CPC	PUBLIC UTILITIES
1	1720	Price of gas for civil use.
2	1800	Price of tap water.
3	1710	Price of electricity.
4	1730	Price of heating power.
5	1800	Price of water supplied by irrigation works.

Service Sectors Subject to State Pricing

NO	CPC	SERVICE	NOTES
1	7214 745** 731 7111 7112 743 7131 7139	Transport services charges.	Including rail transport of both passenger and freight, air transport of freight, port services, and pipeline transport.
2	7511 7512 7522 7521**+7529**	Post and telecommunication services charges.	Including postal services charges, national and trans-provincial telecommunication services charges.
3	964	Entrance fee for tour sites.	Referring to significant historical relics and natural landscape under protection.
4	861 862 8671 8672	Professional services charges.	Including architectural and engineering services, legal services and assets assessment services.
5	621	Charges for commission agents' services.	Referring to commission for trademark and advertisement agents.
6	81339**	Charges for settlement, clearing and transmission services of banks.	Referring to settlement, clearing and transmission services of the RMB.
7	82101	Selling price and renting fee of residential apartments.	
8	921 922 923	Education services charges.	
9	931	Health related services	

Note: CPC classification is added to the service sectors subject to state pricing in this Annex in accordance with the GATT document MTN.GNS/W/120, 10 July 1991, which provided services sectoral classification for the purpose of services negotiations during the Uruguay Round.

ANNEX 4

PRODUCTS AND SERVICES SUBJECT TO PRICE CONTROLS

July 19, 2001

Products Subject to Government Pricing

NO	HSNO	DESCRIPTION OF PRODUCTS	NOTES
1	24011010	Flue-cured tobacco, not stemmed/stripped	
	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	
2	25010010	Salt	Edible salt
3	27112100	Natural gas in gaseous state	
4	29379100	Insulin & its salts	Pharmaceuticals
	29411011	Ampicillin	
	29411012	Ampicillin trihydrate	
	29411019	Other ampicillin & its salts,nes	
	29411091	Amoxycillin	
	29411092	Amoxycillin trihydrate	
	29411093	6-Aminopenicillanic acid	
	29411094	Penicillins V	
	29411095	Sulfobenzylpenicillins	
	29411096	Cloxacillin	
	29411099	Other penicillins & derivs with a penicillin acid structure;	
	29412000	Streptomycins & their derivatives; salts thereof	
	29419010	Gentamicin & its derivatives; salts thereof	
	30022000	Vaccines for human medicine	
	30023000	Vaccines for veterinary medicine	
	30066000	Chemical contraceptive prep.s based on hormones or spermicides	
	40141000	Sheath contraceptives	

Products Subject to Government Guidance Pricing

NO	HSNO	DESCRIPTION OF PRODUCTS	NOTES
1	10011000	Durum wheat	
	10019010	Seeds of Spelt, common wheat & meslin	
	10019090	Spelt, common wheat & meslin (excl. seed)	
	10051000	Maize seeds	
	10059000	Maize (excl. seed)	
	10061010	Rice seeds	
	10061090	Rice in the husk (paddy or rough)(excl. seed)	
	10062000	Husked (brown) rice	
	10063000	Semi-milled or wholly milled rice	
	12010010	seeds of soybean	
	12010091	Yellow soybeans (excl.seed)	
	12010092	Black soybeans (excl.seed)	
	12010093	Green soybeans (excl.seed)	
	12010099	Other soybeans (excl.seed), nes	
2	15071000	Crude soybean oil	
	15079000	Soya-bean oil (excl. crude) & fractions	
	15141010	Crude rape, colza oil & fractions thereof	
	15141090	Mustard oil & fractions thereof	
3	27100011	Gasoline, incl. aviation spirit	
4	27100023	Kerosenes	
	27100024	Normal paraffin	
5	27100031	Light diesel oil	Diesel oil
	27100033	Fuel oil No.5-No.7	
	27100039	Other fuel oils	
6	27100039	Other fuel oils	Heavy oil
7	31021000	Urea	
8	50010010	Mulberry feeding silk-worm cocoons	
	50010090	Other silk-worn cocoons suitable for reeling	
9	52010000	Cotton, not carded or combed	

Public Utilities Subject to Government Pricing

NO	CPC	PUBLIC UTILITIES
1	1720	Price of gas for civil use.
2	1800	Price of tap water.
3	1710	Price of electricity.
4	1730	Price of heating power.
5	1800	Price of water supplied by irrigation works.

Service Sectors Subject to Government Pricing

NO	CPC	SERVICE	NOTES
1	7511 7512 7522 7521**+7529**	Post and telecommunication services charges.	Including postal services charges, national and trans-provincial telecommunication services charges.
2	964	Entrance fee for tour sites.	Referring to significant historical relics and natural landscape under protection.
3	921 922 923	Education services charges.	

Service Sectors Subject to Government Governance Pricing

NO	CPC	SERVICE	NOTES
1	7214 745** 731 7111 7112 743 7131 7139	Transport services charges.	Including rail transport of both passenger and freight, air transport of freight, port services, and pipeline transport.
2	861 862 8671 8672	Professional services charges.	Including architectural and engineering services, legal services and assets assessment services.
3	621	Charges for commission agents' services.	Referring to commission for trademark and advertisement agents.
4	81339**	Charges for settlement, clearing and transmission services of banks.	Referring to settlement, clearing and transmission services of the RMB.
5	82101	Selling price and renting fee of residential apartments.	
6	931	Health related services	

Notes:

1. CPC classification is added to the service sectors subject to state pricing in this Annex in accordance with the GATT document MTN.GNS/W/120, 10 July 1991, which provided services sectoral classification for the purpose of services negotiations during the Uruguay Round.
2. The government pricing in the service sectors which are listed in China's Schedule of Specific Commitments shall be applied in a manner consistent with Article 6 of GATS and the Reference Paper on Basic Telecommunication.

ANNEX 6

PRODUCTS SUBJECT TO EXPORT DUTY

May 31, 2000

NO96	HS96	NEW NO	HS2000	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE(%)
1	03019210	1	03019210	Live eels fry	20.0
2	05060000	2	05061000	Ossein and bones treated with acid	40.0
		3	05069010	Powder and waste of bones	40.0
		4	05069090	Bones and horn-cores not cut to shape, nes	40.0
3	26070000	5	26070000	Lead ores & concentrates	30.0
4	26080000	6	26080000	Zinc ores & concentrates	30.0
5	26090000	7	26090000	Tin ores & concentrates	50.0
6	26110000	8	26110000	Tungsten ores & concentrates	20.0
7	26159000	9	26159000	Niobium, tantalum & vanadium ores & concentrates	30.0
8	26171010	10	26171010	Crude antimony	20.0
9	28047000	11	28047010	Yellow phosphorus (white phosphorus)	20.0
		12	28047090	Phosphorus,nes	20.0
10	28269000	13	28269000	Fluoroaluminates & other complex fluorine salts, nes	30.0
11	29022000	14	29022000	Benzene	40.0
12	41031010	15	41031010	Slabs of goats, fresh or preserved, not tanned	20.0
13	72011000	16	72011000	Non-alloy pig iron, by wt.=0.5% of phosphorus in primary forms	20.0
14	72012000	17	72012000	Non-alloy pig iron, by wt.>0.5% of phosphorus in primary forms	20.0
15	72015000	18	72015000	Alloy pig iron; spiegeleisen	20.0
16	72021000	19	72021100	Ferro-manganese, containing by weight more than 2% of carbon	20.0
		20	72021900	Ferro-manganese, nes	20.0
17	72022000	21	72022100	Ferro-silicon, containing by weight more than 55% of silicon	25.0
		22	72022900	Ferro-silicon, nes	25.0
18	72023000	23	72023000	Ferro-silico-manganese	20.0
19	72024000	24	72024100	Ferro-chromium containing by weight more than 4% of carbon	40.0
		25	72024900	Ferro-chromium, nes	40.0
20	72040000	26	72041000	Waste & scrap, cast iron	40.0
		27	72042100	Waste & scrap, stainless steel	40.0
		28	72042900	Waste & scrap, of alloy steel, other than stainless	40.0
		29	72043000	Waste & scrap, of tinned iron or steel	40.0
		30	72044100	Ferrous waste & scrap,i/s,from the mechanical working of mtl,nes	40.0
		31	72044900	Ferrous waste & scrap, iron or steel, nes	40.0
		32	72045000	Remelting scrap ingots, of iron or steel	40.0
21	74020000	33	74020000	Cu unrefined, Cu anodes for electrolytic refining	30.0

NO96	HS96	NEW NO	HS2000	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATES(%)
22	74030000	34	74031100	Cu cathodes & sections of cathodes unwrought	30.0
		35	74031200	Wire bars, Cu, unwrought	30.0
		36	74031300	Billets, Cu, unwrought	30.0
		37	74031900	Refined Cu products, unwrought, nes	30.0
		38	74032100	Cu-zinc base alloys, unwrought	30.0
		39	74032200	Cu-tin base alloys, unwrought	30.0
		40	74032300	Cu-Ni base alloys'Cu-Ni-zinc base alloys, unwrought	30.0
		41	74032900	Cu alloys, unwrought (other than master alloys of heading No 74.05	30.0
23	74040000	42	74040000	Waste & scrap, Cu'Cu alloy	30.0
24	74070000	43	74071000	Bars, rods & profiles of refined Cu	30.0
		44	74072100	Bars, rods & profiles of Cu-Zn base alloys	30.0
		45	74072200	Bars,rods & profiles of Cu-Ni'Cu-Ni-Zn base alloys	30.0
		46	74072900	Bars, rods & profiles, Cu alloy nes	30.0
25	74080000	47	74081100	Wire of refined Cu of which the max cs dimension>6mm	30.0
		48	74081900	Wire of refined Cu of which the max cs dimension=6mm	30.0
		49	74082100	Wire, Cu-zinc base alloy	30.0
		50	74082200	Wire, Cu-Ni base alloy'Cu-Ni-zinc base alloy	30.0
		51	74082900	Wire, Cu alloy, nes	30.0
26	74090000	52	74091100	Plate, sheet & strip of refined Cu, in coil, thick>0.15mm	30.0
		53	74091900	Plate,sheet & strip of refined Cu,not in coil,thick>0.15mm	30.0
		54	74092100	Plate,sheet & strip of Cu-Zn base alloys,in coil,thick>0.15mm	30.0
		55	74092900	Plate,sheet & strip of Cu-Zn base alloys,not in coil,thick> 0.15mm	30.0
		56	74093100	Plate, sheet & strip of Cu-tin base alloys, in coil, thick>0.15mm	30.0
		57	74093900	Plate,sheet & strip of Cu-tin base alloys,not in coil,thick> 0.15m	30.0
		58	74094000	Plate,sheet & strip of Cu-Ni'Cu-Ni-Zn base alloy,thck>0.15mm	30.0
		59	74099000	Plate, sheet & strip of Cu alloy, nes	30.0
27	75020000	60	75021000	Ni unwrought, not alloyed	40.0
		61	75022000	Ni unwrought, alloyed	40.0
28	75089010	62	75089010	Electroplating anodes of Ni	40.0
29	76010000	63	76011000	Al unwrought, not alloyed	30.0
		64	76012000	Al unwrought, alloyed	30.0
30	76020000	65	76020000	Waste & scrap, Al	30.0
31	76040000	66	76041000	Bars, rods & profiles, Al, not alloyed	20.0
		67	76042100	Profiles, hollow, Al, alloyed	20.0
		68	76042900	Bars, rods & other profiles, Al alloyed	20.0
32	76050000	69	76051100	Wire.Al,not alloyed,with a max cross sectional dim>7mm	20.0
		70	76051900	Wire,Al,not alloyed,with a max cross sectional dim=7mm	20.0
		71	76052100	Wire, Al alloy, with a maximum cross sectional dim> 7mm	20.0
		72	76052900	Wire, Al alloy, with a maximum cross sectional dim=7mm	20.0

NO96	HS96	NEW NO	HS2000	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATES(%)
33	76060000	73	76061120	Plate/sheet/strip, Al, not alloyed, rect'sq, 0.30<thickness	20.0
		74	76061190	Plate/sheet/strip, Al, not alloyed, rect'sq, thick>0.2mm, nes	20.0
		75	76061220	Plate, sheet'strip, Al alloy, rect'sq, thickness<0.28mm	20.0
		76	76061230	Plate, sheet'strip, Al alloy, rect'sq, 0.28mm=thickness=0.35	20.0
		77	76061240	Plate, sheet'strip, Al alloy, rect'sq, 0.35mm<thickness	20.0
		78	76069100	Plate, sheet'strip, Al, not alloyed, >0.2mm thick, nes	20.0
		79	76069200	Plate, sheet'strip, Al alloy, >0.2mm thick, nes	20.0
34	79010000	80	79011100	Zinc not alloyed unwrought containing by weight=99.99% of zinc	20.0
		81	79011200	Zinc not alloyed unwrought containing by weight<99.99% of zinc	20.0
		82	79012000	Zinc alloys unwrought	20.0
35	81100010	83	81100020	Antimony unwrought	20.0
		84	81100030	Antimony waste & scrap; powders	20.0

ANNEX 6

PRODUCTS SUBJECT TO EXPORT DUTY

May 31, 2000

NO96	HS96	NEW NO	HS2000	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE(%)
1	03019210	1	03019210	Live eels fry	20.0
2	05060000	2	05061000	Ossein and bones treated with acid	40.0
		3	05069010	Powder and waste of bones	40.0
		4	05069090	Bones and horn-cores not cut to shape, nes	40.0
3	26070000	5	26070000	Lead ores & concentrates	30.0
4	26080000	6	26080000	Zinc ores & concentrates	30.0
5	26090000	7	26090000	Tin ores & concentrates	50.0
6	26110000	8	26110000	Tungsten ores & concentrates	20.0
7	26159000	9	26159000	Niobium, tantalum & vanadium ores & concentrates	30.0
8	26171010	10	26171010	Crude antimony	20.0
9	28047000	11	28047010	Yellow phosphorus (white phosphorus)	20.0
		12	28047090	Phosphorus,nes	20.0
10	28269000	13	28269000	Fluoroaluminates & other complex fluorine salts, nes	30.0
11	29022000	14	29022000	Benzene	40.0
12	41031010	15	41031010	Slabs of goats, fresh or preserved, not tanned	20.0
13	72011000	16	72011000	Non-alloy pig iron, by wt.≤0.5% of phosphorus in primary forms	20.0
14	72012000	17	72012000	Non-alloy pig iron, by wt.>0.5% of phosphorus in primary forms	20.0
15	72015000	18	72015000	Alloy pig iron; spiegeleisen	20.0
16	72021000	19	72021100	Ferro-manganese, containing by weight more than 2% of carbon	20.0
		20	72021900	Ferro-manganese, nes	20.0
17	72022000	21	72022100	Ferro-silicon, containing by weight more than 55% of silicon	25.0
		22	72022900	Ferro-silicon, nes	25.0
18	72023000	23	72023000	Ferro-silico-manganese	20.0
19	72024000	24	72024100	Ferro-chromium containing by weight more than 4% of carbon	40.0
		25	72024900	Ferro-chromium, nes	40.0
20	72040000	26	72041000	Waste & scrap, cast iron	40.0
		27	72042100	Waste & scrap, stainless steel	40.0
		28	72042900	Waste & scrap, of alloy steel, other than stainless	40.0
		29	72043000	Waste & scrap, of tinned iron or steel	40.0
		30	72044100	Ferrous waste & scrap,i/s,from the mechanical working of mtl,nes	40.0
		31	72044900	Ferrous waste & scrap, iron or steel, nes	40.0
		32	72045000	Remelting scrap ingots, of iron or steel	40.0
21	74020000	33	74020000	Cu unrefined, Cu anodes for electrolytic refining	30.0

NO96	HS96	NEW NO	HS2000	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATES(%)
22	74030000	34	74031100	Cu cathodes & sections of cathodes unwrought	30.0
		35	74031200	Wire bars, Cu, unwrought	30.0
		36	74031300	Billets, Cu, unwrought	30.0
		37	74031900	Refined Cu products, unwrought, nes	30.0
		38	74032100	Cu-zinc base alloys, unwrought	30.0
		39	74032200	Cu-tin base alloys, unwrought	30.0
		40	74032300	Cu-Ni base alloys'Cu-Ni-zinc base alloys, unwrought	30.0
		41	74032900	Cu alloys, unwrought (other than master alloys of heading No 74.05	30.0
23	74040000	42	74040000	Waste & scrap, Cu'Cu alloy	30.0
24	74070000	43	74071000	Bars, rods & profiles of refined Cu	30.0
		44	74072100	Bars, rods & profiles of Cu-Zn base alloys	30.0
		45	74072200	Bars,rods & profiles of Cu-Ni'Cu-Ni-Zn base alloys	30.0
		46	74072900	Bars, rods & profiles, Cu alloy nes	30.0
25	74080000	47	74081100	Wire of refined Cu of which the max cs dimension>6mm	30.0
		48	74081900	Wire of refined Cu of which the max cs dimension≤6mm	30.0
		49	74082100	Wire, Cu-zinc base alloy	30.0
		50	74082200	Wire, Cu-Ni base alloy'Cu-Ni-zinc base alloy	30.0
		51	74082900	Wire, Cu alloy, nes	30.0
26	74090000	52	74091100	Plate, sheet & strip of refined Cu, in coil, thick>0.15mm	30.0
		53	74091900	Plate,sheet & strip of refined Cu,not in coil,thick>0.15mm	30.0
		54	74092100	Plate,sheet & strip of Cu-Zn base alloys,in coil,thick>0.15mm	30.0
		55	74092900	Plate,sheet & strip of Cu-Zn base alloys,not in coil,thick> 0.15mm	30.0
		56	74093100	Plate, sheet & strip of Cu-tin base alloys, in coil, thick>0.15mm	30.0
		57	74093900	Plate,sheet & strip of Cu-tin base alloys,not in coil,thick> 0.15m	30.0
		58	74094000	Plate,sheet & strip of Cu-Ni'Cu-Ni-Zn base alloy,thck>0.15mm	30.0
		59	74099000	Plate, sheet & strip of Cu alloy, nes thick > 0.15mm	30.0
27	75020000	60	75021000	Ni unwrought, not alloyed	40.0
		61	75022000	Ni unwrought, alloyed	40.0
28	75089010	62	75089010	Electroplating anodes of Ni	40.0
29	76010000	63	76011000	Al unwrought, not alloyed	30.0
		64	76012000	Al unwrought, alloyed	30.0
30	76020000	65	76020000	Waste & scrap, Al	30.0
31	76040000	66	76041000	Bars, rods & profiles, Al, not alloyed	20.0
		67	76042100	Profiles, hollow, Al, alloyed	20.0
		68	76042900	Bars, rods & other profiles, Al alloyed	20.0
32	76050000	69	76051100	Wire,Al,not alloyed,with a max cross sectional dim>7mm	20.0
		70	76051900	Wire,Al,not alloyed,with a max cross sectional dim≤7mm	20.0
		71	76052100	Wire, Al alloy, with a maximum cross sectional dim> 7mm	20.0
		72	76052900	Wire, Al alloy, with a maximum cross sectional dim≤7mm	20.0

NO	HS96	NEW NO	HS2000	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATES(%)
		73	76061120	Plate/sheet/strip, Al, not alloyed, rect'sq, 0.30≤thickness< 0.36	20.0
		74	76061190	Plate/sheet/strip, Al, not alloyed, rect'sq, thick>0.2mm, nes	20.0
		75	76061220	Plate, sheet/strip, Al alloy, rect'sq, thickness<0.28mm	20.0
33	76060000	76	76061230	Plate, sheet/strip, Al alloy, rect'sq, 0.28mm≤thickness≤0.35	20.0
		77	76061240	Plate, sheet/strip, Al alloy, rect'sq, 0.35mm<thickness	20.0
		78	76069100	Plate, sheet/strip, Al, not alloyed, >0.2mm thick, nes	20.0
		79	76069200	Plate, sheet/strip, Al alloy, >0.2mm thick, nes	20.0
		80	79011100	Zinc not alloyed unwrought containing by weight≥99.99% of zinc	20.0
34	79010000	81	79011200	Zinc not alloyed unwrought containing by weight<99.99% of zinc	20.0
		82	79012000	Zinc alloys unwrought	20.0
		83	81100020	Antimony unwrought	20.0
35	81100010	84	81100030	Antimony waste & scrap; powders	20.0

ANNEX 6

PRODUCTS SUBJECT TO EXPORT DUTY

July 13, 2001

NO	HSNO	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE(%)
1	03019210	Live eels fry	20.0
2	05061000	Ossein and bones treated with acid	40.0
3	05069010	Powder and waste of bones	40.0
4	05069090	Bones and horn-cores not cut to shape, nes	40.0
5	26070000	Lead ores & concentrates	30.0
6	26080000	Zinc ores & concentrates	30.0
7	26090000	Tin ores & concentrates	50.0
8	26110000	Tungsten ores & concentrates	20.0
9	26159000	Niobium & tantalum ores & concentrates	30.0
10	26171010	Crude antimony	20.0
11	28047010	Yellow phosphorus (white phosphorus)	20.0
12	28047090	Phosphorus, nes	20.0
13	28269000	Potassium fluotantalate	30.0
14	29022000	Benzene	40.0
15	41031010	Slabs of goats, fresh or preserved, not tanned	20.0
16	72011000	Non-alloy pig iron, by wt.≤0.5% of phosphorus in primary forms	20.0
17	72012000	Non-alloy pig iron, by wt.>0.5% of phosphorus in primary forms	20.0
18	72015000	Alloy pig iron	20.0
19	72021100	Ferro-manganese, containing by weight more than 2% of carbon	20.0
20	72021900	Ferro-manganese, nes	20.0
21	72022100	Ferro-silicon, containing by weight more than 55% of silicon	25.0
22	72022900	Ferro-silicon, nes	25.0
23	72023000	Ferro-silico-manganese	20.0
24	72024100	Ferro-chromium containing by weight more than 4% of carbon	40.0
25	72024900	Ferro-chromium, nes	40.0
26	72041000	Waste & scrap, cast iron	40.0
27	72042100	Waste & scrap, stainless steel	40.0
28	72042900	Waste & scrap, of alloy steel, other than stainless	40.0
29	72043000	Waste & scrap, of tinned iron or steel	40.0
30	72044100	Ferrous waste & scrap,i/s,from the mechanical working of mtl, nes	40.0
31	72044900	Ferrous waste & scrap, iron or steel, nes	40.0
32	72045000	Remelting scrap ingots, of iron or steel	40.0
33	74020000	Cu unrefined, Cu anodes for electrolytic refining	30.0
34	74031100	Cu cathodes & sections of cathodes unwrought	30.0
35	74031200	Wire bars, Cu, unwrought	30.0
36	74031300	Billets, Cu, unwrought	30.0
37	74031900	Refined Cu products, unwrought, nes	30.0
38	74032100	Cu-zinc base alloys, unwrought	30.0
39	74032200	Cu-tin base alloys, unwrought	30.0
40	74032300	Cu-Ni base alloys'Cu-Ni-zinc base alloys, unwrought	30.0
41	74032900	Cu alloys, unwrought (other than master alloys of heading No 74.05	30.0
42	74040000	Waste & scrap, Cu'Cu alloy	30.0
43	74071000	Bars, rods & profiles of refined Cu	30.0
44	74072100	Bars, rods & profiles of Cu-Zn base alloys	30.0
45	74072200	Bars,rods & profiles of Cu-Ni'Cu-Ni-Zn base alloys	30.0

NO	HSNO	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE(%)
46	74072900	Bars, rods & profiles, Cu alloy nes	30.0
47	74081100	Wire of refined Cu of which the max cs dimension>6mm	30.0
48	74081900	Wire of refined Cu of which the max cs dimension≤6mm	30.0
49	74082100	Wire, Cu-zinc base alloy	30.0
50	74082200	Wire, Cu-Ni base alloy'Cu-Ni-zinc base alloy	30.0
51	74082900	Wire, Cu alloy, nes	30.0
52	74091100	Plate, sheet & strip of refined Cu, in coil, thick>0.15mm	30.0
53	74091900	Plate, sheet & strip of refined Cu, not in coil, thick>0.15mm	30.0
54	74092100	Plate, sheet & strip of Cu-Zn base alloys, in coil, thick>0.15mm	30.0
55	74092900	Plate, sheet & strip of Cu-Zn base alloys, not in coil, thick> 0.15mm	30.0
56	74093100	Plate, sheet & strip of Cu-tin base alloys, in coil, thick>0.15mm	30.0
57	74093900	Plate,s heet & strip of Cu-tin base alloys, not in coil, thick> 0.15m	30.0
58	74094000	Plate, sheet & strip of Cu-Ni'Cu-Ni-Zn base alloy, thick>0.15mm	30.0
59	74099000	Plate, sheet & strip of Cu alloy, thick >0.15mm, nes	30.0
60	75021000	Ni unwrought, not alloyed	40.0
61	75022000	Ni unwrought, alloyed	40.0
62	75089010	Electroplating anodes of Ni	40.0
63	76011000	Al unwrought, not alloyed	30.0
64	76012000	Al unwrought, alloyed	30.0
65	76020000	Waste & scrap, Al	30.0
66	76041000	Bars, rods & profiles, Al, not alloyed	20.0
67	76042100	Profiles, hollow, Al, alloyed	20.0
68	76042900	Bars, rods & other profiles, Al alloyed	20.0
69	76051100	Wire,Al, not alloyed, with a max cross sectional dim>7mm	20.0
70	76051900	Wire,Al, not alloyed, with a max cross sectional dim≤7mm	20.0
71	76052100	Wire, Al alloy, with a maximum cross sectional dim> 7mm	20.0
72	76052900	Wire, Al alloy, with a maximum cross sectional dim≤7mm	20.0
73	76061120	Plate/sheet/strip, Al, not alloyed, rect'sq, 0.30≤thickness<0.36	20.0
74	76061190	Plate/sheet/strip, Al, not alloyed, rect'sq, thick>0.2mm, nes	20.0
75	76061220	Plate, sheet'strip, Al alloy, rect'sq, thickness<0.28mm	20.0
76	76061230	Plate, sheet'strip, Al alloy, rect'sq, 0.28mm≤thickness≤0.35	20.0
77	76061240	Plate, sheet'strip, Al alloy, rect'sq, 0.35mm<thickness	20.0
78	76069100	Plate, sheet'strip, Al, not alloyed, >0.2mm thick, nes	20.0
79	76069200	Plate, sheet'strip, Al alloy, >0.2mm thick, nes	20.0
80	79011100	Zinc not alloyed unwrought containing by weight≥99.99% of zinc	20.0
81	79011200	Zinc not alloyed unwrought containing by weight<99.99% of zinc	20.0
82	79012000	Zinc alloys unwrought	20.0
83	81100020	Antimony unwrought	20.0
84	81100030	Antimony waste & scrap; powders	20.0

Joint China, US and EC Proposal
20.07.01

Footnote to Annex 6

China ~~indicated~~ confirmed that the tariff levels included in this Annex are maximum levels which will not be exceeded. China confirmed furthermore that it would [~~make best efforts~~] not [~~to~~] increase the presently applied rates, except under exceptional circumstances. If such circumstances occurred, China would consult with affected members prior to increasing applied duties with a view to finding a mutually acceptable solution.

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED
WT/ACC/CHN/42
18 June 2001
(01-3043)

Working Party on the Accession of China

Original: English/ anglais/ inglés

ANNEX 8 (REVISED) TO THE DRAFT PROTOCOL ON THE ACCESSION OF CHINA

In preparation for the meetings of the Working Party on 28 June – 4 July, the Secretariat is circulating the following revision to Annex 8 to the Draft Protocol.[1]

Groupe de travail de l'accession de la Chine

ANNEXE 8 (RÉVISÉE) DU PROJET DE PROTOCOLE SUR L'ACCESSION DE LA CHINE

En vue des réunions du Groupe de travail qui auront lieu du 28 juin au 4 juillet, le Secrétariat distribue la version révisée ci-après de l'annexe 8 du projet de Protocole.[1]

Grupo de Trabajo sobre la Adhesión de China

ANEXO 8 (REVISADO) DEL PROYECTO DE PROTOCOLO SOBRE LA ADHESIÓN DE CHINA

Para preparar la reunión del Grupo de Trabajo que se celebrará del 28 de junio al 4 de julio de 2001, la Secretaría distribuye la siguiente revisión del anexo 8 del Proyecto de Protocolo.[1]

[1] In English only./En anglais seulement./En inglés solamente.

Argentina: restrictions maintained on imports from China (6 June 2001)

Argentina intends to maintain restrictions on certain products originating in China, such as textiles and clothing, footwear not used for sporting activities and toys, after the accession of China to the WTO, to be listed in Annex 8 of the Protocol of Accession of China.

Argentina is holding discussions with China on a calendar for progressively reducing those restrictions which are being applied to the stated products.

The list of products is given below.

PRODUCT	HS CODE
Textiles and Clothing	51.11; 51.12; 51.13; 52.08; 52.09; 52.10; 52.11; 52.12; 53.09; 53.10; 53.11; 54.07; 54.08; 55.12; 55.13; 55.14; 55.15; 55.16; 56.02; 56.03; 57.01; 57.02; 57.03; 57.04; 57.05; 58.01; 58.02; 58.03; 58.04; 58.05; 58.06; 58.07; 58.08; 58.09; 58.10; 58.11; 59.03; 60.01; 60.02; 61.01; 61.02; 61.03; 61.04; 61.05; 61.06; 61.07; 61.08; 61.09; 61.10; 61.11; 61.12; 61.13; 61.14; 61.15; 61.16; 61.17; 62.01; 62.02; 62.03; 62.04; 62.05; 62.06; 62.07; 62.08; 62.09; 62.10; 62.11; 62.12; 62.13; 62.14; 62.15; 62.16; 62.17; 63.01; 63.02; 63.03; 63.04; 63.05; 63.06; 63.07; 63.08; 63.09; 63.10
Footwear not used for sporting activities	64.01; 64.02; 64.03; 64.04; 64.05
Toys	95.02; 95.03

European Communities: phasing-out timetable of industrial (non-textile) quotas – proposal given to China (15 June 2000)

Product	HS/CN Code	2001	2002	2003	2004	2005
Footwear falling within HS/CN codes	ex 6402 99 [2]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6403 51 6403 59	5% increase	10% increase	15% increase	15% increase	proposed removal
	ex 6403 91[2] ex 6403 99[2]	5% increase	5% increase	10% increase	15% increase	proposed removal
	ex 6404 11[3]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6404 19 10	5% increase	5% increase	10% increase	15% increase	proposed removal
Tableware, kitchenware of porcelain or china	6911 10	15% increase	15% increase	15% increase	15% increase	proposed removal
Ceramic tableware or kitchenware	6912 00	15% increase	15% increase	15% increase	15% increase	proposed removal

[Note that previous quotas on glassware and toys were completely lifted in 1998]

[2] Excluding footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

[3] Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bats or the like, with a non-injected sole;

(b) footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

Hungary: quantitative restrictions maintained on imports from China (12 July 2000)

Hungary intends to continue the application of quantitative restrictions on imports of footwear and certain textiles and clothing products (see table below) after China's accession to the WTO.

Hungary is ready to undertake a phasing out of these non-tariff measures by the year 2005.

The restraint levels are to be based on the import data for 1999. The annual quota growth, the carry over and carry forward rates in the case of textiles and clothing products and the phasing-out timetable on these restrictions remain to be negotiated between China and Hungary.

Product	**HS Code**
Footwear made of leather and leather substitutes	6401, 6402, 6403, 6404, 6405
Overwear	4203, 4303, 4304, 6101, 6102, 6103, 6104, 6106, 6110, 6112, 6113, 6114, 6201, 6202, 6203, 6204, 6206, 6210, 6211
Other clothing and ready-made clothing products	4303, 4304, 6117, 6213, 6214, 6215, 6301, 6302, 6304, 6306, 6307, 9404

Slovak Republic: quantitative restrictions maintained on imports from China (20 June 2000)

Since 1998, the Slovak Republic has been applying quantitative restrictions on footwear falling within HS/CN Code 6402, 6403, 6404 and 6405.

The phasing-out timetable on these restrictions remains to be negotiated between China and Slovakia.

Thailand: quantitative restrictions maintained on imports from China (13 November 2000)

Thailand intends to maintain the following measures against imports from China, to be listed in Annex 8 of the Draft Protocol on the Accession of China, as follows:

Imports of raw silk (not thrown) under HS 5002 and silk yarn under HS 5004 from China shall be subject to:

1. Tariff Rate: 10%

2. Local Content Requirement

   2.1 Import for General Use: the importer shall purchase one unit of local raw silk or silk yarn for every 1.5 unit of raw silk or silk yarn imported from China.

   2.2 Import of High Quality Silk for Re-export: the importer shall purchase one unit of local raw silk or silk yarn for every 30 unit of raw silk or silk yarn imported from China.

Thailand intends to maintain the application of the above measures for five years after the date of China's accession to the WTO.

Turkey: quantitative restrictions for non-textile products maintained on imports from China (16 October 2000)

Turkey maintains quantitative restrictions on goods specified below.

	CN CODE	DESCRIPTION OF GOODS	Quota (2000)
(1)	6402.99	Footwear	110 000 Pairs
	6403.51) 6403.59)	Footwear	26 826 Pairs
(1) (1)	6403.91) 6403.99)	Footwear	185 742 Pairs
(2)	6404.11.00.00.00	Footwear	754 350 Pairs
	6404.19.10.00.11) 6404.19.10.00.12) 6404.19.10.00.13)	Footwear	472 300 Pairs
	6911.10	Tableware, kitchenware of porcelain or china	15 225 kg
	6912.00	Ceramic tableware or kitchenware, other than of porcelain or china	45 675 kg

(1) Excluding footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

(2) Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of spikes, springs, stops, clips, bats or the like, with a non-injected sole,

(b) footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layered moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

The phasing-out timetable on these restrictions remains to be negotiated between China and Turkey.

DRAFT

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED

WT/ACC/CHN/42/Rev.1
July 2001
(00-0000)

Working Party on the Accession of China

Original: English

ANNEX 8 (REVISED) TO THE DRAFT PROTOCOL ON THE ACCESSION OF CHINA

Revision

In preparation for the meetings of the Working Party on 16-20 July 2001, the Secretariat is circulating the following revision to Annex 8 to the Draft Protocol.[1]

[1] English only.

Argentina: restrictions maintained on imports from China (6 June 2001)

Argentina intends to maintain restrictions on certain products originating in China, such as textiles and clothing, footwear not used for sporting activities and toys, after the accession of China to the WTO, to be listed in Annex 8 of the Protocol of Accession of China.

Argentina is holding discussions with China on a calendar for progressively reducing those restrictions which are being applied to the stated products.

The list of products is given below.

PRODUCT	HS CODE
Textiles and Clothing	51.11; 51.12; 51.13; 52.08; 52.09; 52.10; 52.11; 52.12; 53.09; 53.10; 53.11; 54.07; 54.08; 55.12; 55.13; 55.14; 55.15; 55.16; 56.02; 56.03; 57.01; 57.02; 57.03; 57.04; 57.05; 58.01; 58.02; 58.03; 58.04; 58.05; 58.06; 58.07; 58.08; 58.09; 58.10; 58.11; 59.03; 60.01; 60.02; 61.01; 61.02; 61.03; 61.04; 61.05; 61.06; 61.07; 61.08; 61.09; 61.10; 61.11; 61.12; 61.13; 61.14; 61.15; 61.16; 61.17; 62.01; 62.02; 62.03; 62.04; 62.05; 62.06; 62.07; 62.08; 62.09; 62.10; 62.11; 62.12; 62.13; 62.14; 62.15; 62.16; 62.17; 63.01; 63.02; 63.03; 63.04; 63.05; 63.06; 63.07; 63.08; 63.09; 63.10
Footwear not used for sporting activities	64.01; 64.02; 64.03; 64.04; 64.05
Toys	95.02; 95.03

European Communities: phasing-out timetable of industrial (non-textile) quotas – proposal given to China (15 June 2000)

Product	HS/CN Code	2001	2002	2003	2004	2005
Footwear falling within HS/CN codes	ex 6402 99 [2]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6403 51 6403 59	5% increase	10% increase	15% increase	15% increase	proposed removal
	ex 6403 91[2] ex 6403 99[2]	5% increase	5% increase	10% increase	15% increase	proposed removal
	ex 6404 11[3]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6404 19 10	5% increase	5% increase	10% increase	15% increase	proposed removal
Tableware, kitchenware of porcelain or china	6911 10	15% increase	15% increase	15% increase	15% increase	proposed removal
Ceramic tableware or kitchenware	6912 00	15% increase	15% increase	15% increase	15% increase	proposed removal

[Note that previous quotas on glassware and toys were completely lifted in 1998]

[2] Excluding footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

[3] Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bats or the like, with a non-injected sole;

(b) footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

Hungary: quantitative restrictions maintained on imports from China (16 July 2001)

Hungary undertakes to phase out these restrictions by the year 2005. The restraint levels are based on the import data of the year 1999. The annual quota growth and the carry over and carry forward rates in the case of textiles and clothing products are included in the notification.

Product	HS	Import from China in 1999	Increase of quotas in per cent				
			2001	2002	2003	2004	2005
Footwear falling within HS codes	6401	71 000 pairs	5	5	10	15	proposed removal
	6402	10 625 000 pairs	5	5	10	15	proposed removal
	6403	600 000 pairs	5	5	10	15	proposed removal
	6404	4 450 000 pairs	5	5	10	15	proposed removal
	6405	2 140 000 pairs	5	5	10	15	proposed removal
Overwear Flexibility rates: 10% of which carry forward shall not represent more than 5%	4203, ex 4303, ex 4304, 6101, 6102, 6103, 6104, 6106, 6110, 6112, 6113, 6114, 6201, 6202, 6203, 6204, 6206, 6210, 6211	15 900 000 $	6	6	6	6	proposed removal
Other clothing and ready-made clothing products Flexibility rates: 10% of which carry forward shall not represent more than 5%	ex 4303, ex 4304, 6117, 6213, 6214, 6215, 6301, 6302, 6304, 6306, 6307, 9404	4 570 000 $	6	6	6	6	proposed removal

Poland: anti-dumping measures and safeguard measures (16 July 2001)

Poland intends to continue the application of the below mentioned measures after China's accession to the WTO.

1. Anti-dumping duties:

PCN 9613 10 00 0 (pocket lighters, gas fuelled, non-fillable)

PCN 9613 20 90 0 (pocket lighters, gas fuelled refillable, with other ignition system)

The bringing of these measures into conformity with the WTO Agreement[4] will be effected by the end of 2002.

2. Safeguard measures:

PCN 6402 (other footwear with outer soles and uppers of rubber or plastics).

PCN 6403 (footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather).

PCN 6404 (footwear with outer soles of rubber, plastics, leather or composition leather and upper of textile materials).

PCN 6405 (other footwear)

PCN 8516 40 10 0 (electric smoothing irons, steam smoothing ...)

PCN 8516 40 90 0 (electric smoothing irons, other ...)

The phasing out of these measures will be effected by the end of 2004.

Slovak Republic: quantitative restrictions maintained on imports from China (16 July 2001)

The Slovak Republic has concluded the bilaterals talks with China over the quantitative restrictions on imports of footwear falling within HS/CN Code 6401, 6402, 6403, 6404 and 6405.

Phasing-out Timetable on Footwear Quotas by the Slovak Republic

HS/CN Code	2001	2002	2003	2004	2005
6401 to 6405	15% increase	15% increase	15% increase	15% increase	proposed removal

[4] The WTO Agreement as defined in the draft Protocol on the Accession of China from 10/07/2001 section 1, para. 2.

Thailand: quantitative restrictions maintained on imports from China (13 November 2000)

Thailand intends to maintain the following measures against imports from China, to be listed in Annex 8 of the Draft Protocol on the Accession of China, as follows:

Imports of raw silk (not thrown) under HS 5002 and silk yarn under HS 5004 from China shall be subject to:

1. Tariff Rate: 10%

2. Local Content Requirement

   2.1 Import for General Use: the importer shall purchase one unit of local raw silk or silk yarn for every 1.5 unit of raw silk or silk yarn imported from China.

   2.2 Import of High Quality Silk for Re-export: the importer shall purchase one unit of local raw silk or silk yarn for every 30 unit of raw silk or silk yarn imported from China.

Thailand intends to maintain the application of the above measures for five years after the date of China's accession to the WTO.

Turkey: quantitative restrictions for non-textile products maintained on imports from China (16 October 2000)

Turkey maintains quantitative restrictions on goods specified below.

	CN CODE	DESCRIPTION OF GOODS	Quota (2000)
(1)	6402.99	Footwear	110 000 Pairs
	6403.51) 6403.59)	Footwear	26 826 Pairs
(1) (1)	6403.91) 6403.99)	Footwear	185 742 Pairs
(2)	6404.11.00.00.00	Footwear	754 350 Pairs
	6404.19.10.00.11) 6404.19.10.00.12) 6404.19.10.00.13)	Footwear	472 300 Pairs
	6911.10	Tableware, kitchenware of porcelain or china	15 225 kg
	6912.00	Ceramic tableware or kitchenware, other than of porcelain or china	45 675 kg

(1) Excluding footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

(2) Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of spikes, springs, stops, clips, bats or the like, with a non-injected sole,

(b) footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layered moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

The phasing-out timetable on these restrictions remains to be negotiated between China and Turkey.

15 January 2001

Provisionally agreed by the EC and China (Mr Yi).
Subject to final Chinese approval.

ANNEX 9

ISSUES TO BE ADDRESSED BY THE GENERAL COUNCIL IN ACCORDANCE WITH SECTION 18. 2 OF CHINA'S PROTOCOL OF ACCESSION

- Review of the reports and the issues referred to in Section 18.1 of China's Protocol of Accession.

- Development of China's trade with WTO Members and other trading partners, including the volume, direction and composition of trade.

- Recent developments and cross-sectorial issues regarding China's trade regime.

The Rules of Procedure of the WTO General Council shall apply unless specified otherwise. China shall submit any information and the documentation relating to the review no later than 30 days prior to the date of the review.

Agricultural Head Note

Section I-A Tariff

1. Except as specified in Section I-B, all products imported by non-state-trading enterprises will be afforded no less favourable treatment than products imported by state-trading enterprises, including but not limited to being subject to the same applied tariff and other duties and charges, inspection or quarantine requirements, application of the value-added tax, application of provincial taxes.

All such imported products shall be accorded national treatment under Article III of GATT 1994, especially paragraph 4 thereof, in respect of their internal sale, offering for sale, purchase, transportation, distribution or use, including their direct access to end users.

2. Any enterprise possessing the right to trade* will be permitted to import products listed in Section I-B at the in-quota duty rate if China increases the within-quota quantity to an amount in excess of that set forth in Section I-B for any year. Allocation of shares of such additional quota quantities to end users will be on the basis of first-come, first-served or the same method used for initial allocation of the product. China will publicly notify through the official journal the availability of additional quantities and the allocation procedures 10 days in advance of their allocation and will notify the WTO Committee on Agriculture of the additional quantity and procedures in its annual tariff-quota notifications. Inquiries on the entities which received the allocation of the additional quantity can be made to the State Development and Planning Commission (SDPC) which will provide the information within 10 days.

*China will grant the right to trade state-traded agricultural products subject to a tariff-quota in Section I-B to any enterprises possessing the right to trade any product under section 5 (i.e., possessing general trading rights), except for imports as specified in Section I-B reserved for state trading enterprises.

Section I-B Tariff Quotas

1. An entity granted a tariff quota allocation (quota-holder) may engage in importation through state-trading enterprises and/or through entities possessing the right to trade other than state-trading enterprises, including direct importation by the quota holder, as indicated on documentation issued with the allocation or reallocation of the tariff quota quantities.

2. Application: All applications for an allocation of the tariff-quota will be submitted to the State Development and Planning Commission (SDPC). Specific conditions for applying for a tariff-quota allocation will be published in the official journal one month in advance of the application period, which will be from 15 October to 30 October.

3. Allocation:

A. Tariff-quotas shall be allocated to end users of the entire tariff-quota quantity established in Section I-B by 1 January each year. Inquiries regarding tariff-quota allocations can be made to the SDPC, with responses provided within 10 working days. Any additional requirement for importation will be automatic under the terms of the Agreement on Import Licensing Procedures. China will equitably distribute allocations within each portion of the tariff-quota to ensure complete tariff-quota utilization and to establish a tariff-quota system that is open, transparent, fair, responsive to market conditions, timely, minimally burdensome to trade and reflects end user preferences.

B. In the first year, allocations to end users by the SDPC of the tariff-quota reserved for importation through state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria, subject to specific conditions to be published one month in advance of the opening of the application period so as to ensure an equitable distribution and complete tariff-quota utilization. In the first year, no less than 10 % of the tariff-quota reserved for importation through state-trading enterprises will be allocated to new quota-holders.

C. In the first year, allocations to end users by the SDPC of the tariff-quota reserved for importation through entities other than state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria. No less than 10 % of the tariff-quota reserved for importation through entities other than state-trading enterprises will be allocated to new quota-holders. This tariff-quota will be limited to entities that do not receive any special or exclusive rights or privileges, and will include allocations to joint ventures, wholly foreign-funded enterprises, and private enterprises.

D. Except in cases where tariff-quota is allocated on a first-come, first-served basis, and in accordance with China's Schedule of Concessions and Commitments on Goods, a quota-holder that has imported under a tariff-quota shall, upon application, receive an allocation of the tariff-quota in the following year for a quantity no less than the quantity imported the previous year. For all methods of allocation, a quota-holder that does not import its full allocation under a tariff-quota will receive a proportional reduction in the tariff-quota allocation in the subsequent year unless the quantity is returned to the SDPC prior to 15 September. A quota holder that has failed to import its full allocation in two consecutive years and has returned that unused portion by 15 September shall have its quota allocated in the following year on the basis of its fill rate in the most recent year, and will not benefit from any additional reallocations until and unless there are no other applications. The means of calculating the penalty will be included in the TRQ regulation in force and publicly available, and will be applied in a consistent and equitable manner.

E. Allocations will be established for commercially viable shipping quantities and provisions will be made for partial shipments against a single tariff-quota allocation. All commercial terms of trade, including product specification, pricing, packaging, etc., will be at the sole determination of the importer and the exporter taking into full account the demands of the end user. Tariff-quota allocations will be valid for any item or mixture of items subject to the same tariff-quota.

F. Inquiries on the entities which received the allocation can be made to the SDPC which will provide the information within 10 days.

4. Term: The tariff-quota for each product will be opened on 1 January each year, unless otherwise specified in the Schedule. Tariff-quota allocations will be valid for the calendar year.

5. Reallocation:

A. In any year, if a quota-holder has not contracted for the total quantity by 15 September, it shall return to the unused portion of the tariff-quota quantity to the SDPC for reallocation.

B. Applications for reallocation of the tariff-quota will be accepted by the SDPC from 1 September to 15 September and new allocations will be assigned by 1 October. Specific conditions for applying for reallocation of tariff quotas will be published in the official journal one month in advance of the application period. Such allocations, which will be to new applicants and to entities other than those returning quotas under sub-paragraph 5.A. above, will be assigned on a first-come, first-served basis. Quota-holders allocated a share of the tariff-quota reserved for importation through entities other than state-trading enterprises may import through any entity that has a right to trade in any product as specified in Section 5 of China's Protocol of Accession.

C. Inquiries on the entities which received the reallocations can be made to the SDPC which will provide the information within 10 days.

D. In situations where goods have been shipped from their port of origin before 31 December of any year, but are entered after 31 December of that year, China shall extend the validity of the tariff quota documents and shall count such shipments against the tariff quota allocation for the year in which the tariff quota was initially allocated.

Consultations:

6. With a view to maintaining a transparent and open tariff quota system, upon request from any WTO Member, China shall consult with the Member on the administration of the tariff quota to ensure that the tariff quota will be allocated in a transparent, equitable and non-discriminatory manner and that the tariff quota will be fully utilized.

Notes:

1. The share of the tariff-quota reserved for importation through state-trading enterprises is specified in column 7 of Section I-B. The remainder of the tariff-quota quantity is reserved for importation through any non-state trading enterprise possessing the right to trade in any product as set forth in Section 5 of China's Protocol of Accession.

In any year, if the quantity of the tariff-quota reserved for importation through state-trading enterprises has not been contracted for by 15 August, quota-holders will have the right to trade or to import through any entity with the right to trade any product under Section 5 of China's Protocol of Accession.

2. China will ensure that the applied duty for soybean oil, rapeseed oil, palm oil, peanut oil, cottonseed oil, sunflower seed oil, and corn oil is no greater than the applied duty for any one of these oils or for any other vegetable oil. Of the vegetable oils subject to tariff quota (i.e., soybean oil, rapeseed oil, and palm oil), if the tariff-quota for any one oil is autonomously increased, the tariff-quotas for the other two will be increased commensurately. Beginning 1 January 2006, China will remove soybean oil, rapeseed oil and palm oil from Annex 2A and will grant the right to trade such oils to all individuals and enterprises.

3. All quota holders, that have already fully used or contracted their tariff-quota allocations in any year by 15 September will also be eligible for reallocation of tariff-quota from other quota holders that have returned their allocations.

20 July 2001

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Fertilizer and Wool Top Head Note

Fertilizer and Wool Top Tariffs

1. Except as specified in Section [...], all products imported by non-state-trading enterprises will be afforded no less favourable treatment than products imported by state-trading enterprises, including but not limited to being subject to the same applied tariff and other duties and charges, inspection or quarantine requirements, application of the value-added tax, application of provincial taxes.

All such imported products shall be accorded national treatment under Article III of GATT 1994, especially paragraph 4 thereof, in respect of their internal sale, offering for sale, purchase, transportation, distribution or use, including their direct access to end users.

2. Any enterprise possessing the right to trade* will be permitted to import products listed in Section [...] at the in-quota duty rate if China increases the within-quota quantity to an amount in excess of that set forth in Section [...] for any year. Allocation of shares of such additional quota quantities to end users will be on the basis of first-come, first-served or the same method used for initial allocation of the product. China will publicly notify through the official journal the availability of additional quantities and the allocation procedures 10 days in advance of their allocation and will notify the WTO Committee on Market Access of the additional quantity and procedures in its annual tariff-quota notifications. Inquiries on the entities which received the allocation of the additional quantity can be made to the relevant organization[4] which will provide the information within 10 days.

*China will grant the right to trade state-traded fertilizer products subject to a tariff-quota in Section [...] to any enterprises possessing the right to trade any product under section 5 (i.e., possessing general trading rights), except for imports as specified in Section [...] reserved for state trading enterprises.

Section [...] Fertilizer and Wool Top Tariff Quotas

1. An entity granted a tariff quota allocation (quota-holder) may engage in importation through state-trading enterprises and/or through entities possessing the right to trade other than state-trading enterprises, including direct importation by the quota holder, as indicated on documentation issued with the allocation or reallocation of the tariff quota quantities.

2. Application: All applications for an allocation of the tariff-quota will be submitted to the relevant organization. Specific conditions for applying for a tariff-quota allocation will be published in the official journal one month in advance of the application period, which will be from 15 October to 30 October.

3. Allocation:

A. Tariff-quotas shall be allocated to end users of the entire tariff-quota quantity established in Section [...] by 1 January each year. Inquiries regarding tariff-quota allocations can be made to the relevant organization, with responses provided within 10 working days. Any additional requirement for importation will be automatic under the terms of the Agreement on Import Licensing Procedures. China will equitably distribute allocations within each portion of the tariff-quota to ensure complete tariff-quota utilization and to establish a tariff-quota system that is open, transparent, fair, responsive to market conditions, timely, minimally burdensome to trade and reflects end user preferences.

B. In the first year, allocations to end users by the relevant organization of the tariff-quota reserved for importation through state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria, subject to specific conditions to be published one month in advance of the opening of the application period so as to ensure an equitable distribution and complete tariff-quota utilization. In the first year, no less than 10 % of the tariff-quota reserved for importation through state-trading enterprises will be allocated to new quota-holders.

C. In the first year, allocations to end users by the relevant organization of the tariff-quota reserved for importation through entities other than state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria. No less than 10 % of the tariff-quota reserved for importation through entities other than state-trading enterprises will be allocated to new quota-holders. This tariff-quota will be limited to entities that do not receive any special or exclusive rights or privileges, and will include allocations to joint ventures, wholly foreign-funded enterprises, and private enterprises.

D. Except in cases where tariff-quota is allocated on a first-come, first-served basis, and in accordance with China's Schedule of Concessions and Commitments on Goods, a quota-holder that has imported under a tariff-quota shall, upon application, receive an allocation of the tariff-quota in the following year for a quantity no less than the quantity imported the previous year. For all methods of allocation, a quota-holder that does not import its full allocation under a tariff-quota will receive a proportional reduction in the tariff-quota allocation in the subsequent year unless the quantity is returned to the relevant organization prior to 15 September. A quota-holder that has failed to import its full allocation in two consecutive years and has returned that unused portion by 15 September shall have its quota allocated in the following year on the basis of its fill rate in the most recent year, and will not benefit from any additional reallocations until and unless there are no other applications. The means of calculating the penalty will be included in the TRQ regulation in force and publicly available, and will be applied in a consistent and equitable manner.

E. Allocations will be established for commercially viable shipping quantities and provisions will be made for partial shipments against a single tariff-quota allocation. All commercial terms of trade, including product specification, pricing, packaging, etc., will be at the sole determination of the importer and the exporter taking into full account the demands of the end user. Tariff-quota allocations will be valid for any item or mixture of items subject to the same tariff quota.

F. Inquiries on the entities which received the allocation can be made to the relevant organization which will provide the information within 10 days.

4. Term: The tariff-quota for each product will be opened on 1 January each year, unless otherwise specified in the Schedule. Tariff-quota allocations will be valid for the calendar year.

5. Reallocation:

A. In any year, if a quota-holder has not contracted for the total quantity by 15 September, it shall return the unused portion of the tariff-quota quantity to the relevant organization for reallocation.

B. Applications for reallocation of the tariff-quota will be accepted by the relevant organization from 1 September to 15 September and new allocations will be assigned by 1 October. Specific conditions for applying for reallocation of tariff quotas will be published in the official journal one month in advance of the application period. Such allocations, which will be to new applicants and to entities other than those returning quotas under sub-paragraph 5.A. above, will be assigned on a first-come, first-served basis. Quota-holders allocated a share of the tariff-quota reserved for importation through entities other than state-trading enterprises may import through any entity that has a right to trade in any product as specified in Section 5 of China's Protocol of Accession.

C. Inquiries on the entities which received the reallocations can be made to the relevant organization which will provide the information within 10 days.

D. In situations where goods have been shipped from their port of origin before 31 December of any year, but are entered after 31 December of that year, China shall extend the validity of the tariff quota documents and shall count such shipments against the tariff quota allocation for the year in which the tariff quota was initially allocated.

Consultations:

6. With a view to maintaining a transparent and open tariff quota system, upon request from any WTO Member, China shall consult with the Member on the administration of the tariff quota to ensure that the tariff quota will be allocated in a transparent, equitable and non-discriminatory manner and that the tariff quota will be fully utilized.

Notes:

1. The share of the tariff-quota reserved for importation through state-trading enterprises is specified in column 7 of Section [...]. The remainder of the tariff-quota quantity is reserved for importation through any non-state trading enterprise possessing the right to trade in any product as set forth in Section 5 of China's Protocol of Accession.

In any year, if the quantity of the tariff-quota reserved for importation through state-trading enterprises has not been contracted for by 15 August, quota-holders will have the right to trade or to import through any entity with the right to trade any product under Section 5 of China's Protocol of Accession.

2. All quota holders, that have already fully used or contracted their tariff-quota allocations in any year by 15 September will also be eligible for reallocation of tariff-quota from other quota holders that have returned their allocations.

3. The quota quantities after the end of the implementation period will be the subject of further negotiation. Unless new quota quantities are agreed, the quantities at the end of the implementation period will continue.

4. The relevant organization referred to above for inquiries, allocations, and reallocations shall be:

(a) for fertilizer, the State Economic and Trade Commission (SETC);

(b) for wool top, the State Development and Planning Commission (SDPC).

20 July 2001

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37章 耕种

Checklist of Discrepancies between the Draft Schedule and China's Consolidated Tariff List(07.22.01)
Industrial Products (up to Chapter 61)

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
164	**03011000**	32	18	2005	LK	**03011000**	32.5	17.5	2005	LK					will change
184	**03021200**	12			CL,IS,NO	**03021200**	11.7	10	2002	CL,IS,NO	X	X	X		will change
	03026910					**03026910**				CR,IS				X	will change
	03026920					**03026920**				CR,IS				X	will change
	03026930					**03026930**				CR,IS				X	will change
	03026990					**03026990**				CR,IS				X	will change
218	**03033100**	15	10	2004	IS,JP	**03033100**	16	10	2004	IS,JP	X				KOR
219	**03033200**	15	12	2003	KR	**03033200**	16	12	2003	KR	X				KOR
228	**03036000**	15	10	2004	IS,NO	**03036000**	16	10	2004	IS,NO	X				KOR
235	**03037600**	12			PK	**03037600**	16	12	2003	PA	X		X		PAK
239	**03037910**	15	10	2004		**03037910**	16	10	2004	AU,UY,IS,IN	X			X	KOR, will change INR
240	**03037920**	15	10	2004		**03037920**	16	10	2004	AU,UY,IS,IN	X			X	KOR, will change INR
241	**03037930**	15	10	2004		**03037930**	16	10	2004	AU,UY,IS,IN	X			X	KOR, will change INR
242	**03037990**	15	10	2004		**03037990**	16	10	2004	AU,UY,IS,IN	X			X	KOR, will change INR
249	**03051000**	24	10	2005	EC,IS,JP	**03051000**	23.3	10	2005	IS,JP,EC	X				will change
250	**03052000**	21	10	2005	CA,EC,IS,JP,LV	**03052000**	20	10	2005	IS,JP,LVA,CA,EC	X				will change
251	**03053000**	20	10	2005	GT,IS,JP,LV,SG	**03053000**	23.3	10	2005	IS,SG,JP,LVA,GT	X				SG
257	**03055100**	20	16	2003	IS,JP	**03055100**	24.4	16	2003	IS,JP	X				KOR
267	**03056910**	24	16	2003		**03056910**	24.4	16	2004	AU,CR	X		X	X	JAP, for 2003 will change

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WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
268	**03056920**	24	16	2003		**03056920**	24.4	16	2004	AU,CR	X		X	X	JAP, for 2003 will change
269	**03056930**	24	16	2003		**03056930**	24.4	16	2004	AU,CR	X		X	X	JAP, for 2003 will change
270	**03056990**	24	16	2003		**03056990**	24.4	16	2004	AU,CR	X		X	X	JAP, for 2003 will change
277	**03061311**	20	8	2003	AU,BO,CO,CR,DO,EC,GT,HN,IN,IS,NI,NO,PA,SG	**03061311**	19	8	2003	AU,CO,IS,NO,SG,IN,EC,GT,CR,BO, DOM, HN, NI, PANAMA	X				will change
279	**03061319**	18	5	2003	AU,BO,CO,CR,DO,EC,GT,HN,IN,IS,JP,KR,NI,NO,PA	**03061319**	17.5	5	2003	AU,CO,IS,NO,IN,JP,EC,GT,CR,BO, DOM, HN, NI, PANAMA	X				will change
281	**03061321**	23	8	2003	AU,BO,CO,CR,CU,DO,EC,GT,HN,IN,IS,JP,NI,PA	**03061321**	19	8	2003	AU,CO,CU,IS,IN,JP,EC,GT,CR,BO, DOM, HN, NI, PANAMA	X				will change
282	**03061329**	18	5	2003	AU,BO,CO,CR,CU,DO,EC,GT,HN,IN,IS,NI,PA	**03061329**	17.5	5	2003	AU,CO,CU,IS,KR,IN,EC,GT,CR,BO, DOM, HN, NI, PANAMA	X				will change
294	**03062190**	29	15	2005	AU	**03062190**	28.3	15	2005	AU	X				will change
301	**03062391**	26	20	2003	AU,CO	**03062391**	24	15	2004	AU,CO	X	X	X		will change
302	**03062399**	20	12	2005	CO,SG	**03062399**	24	12	2005	CO,SG	X				SG
	03062492					**03062492**					X	X	X	X	

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325	**03073900**	20	14	2004	AU,KR	**03073900**	23.6	14	2004	AU,KR	X				KOR
329	**03074190**	20	12	2003	JP	**03074190**	18.5	12	2003	JP	X				will change
330	**03074900**	20	12	2003	AU,NZ	**03074900**	18.5	12	2003	AU,NZ	X				will change
336	**03076090**	20	14	2004	KR	**03076090**	23.6	14	2004	KR	X				KOR
344	**03079910**	31	10	2005	AU,JP	**03079910**	30	10	2005	AU,JP	X				will change
345	**03079920**	24	10	2005	AU,LK	**03079920**	23.3	10	2005	AU,LK	X				will change
346	**03079990**	20	10	2005	AU,EC	**03079990**	23.3	10	2005	AU,EC	X				KOR
1188	**16041100**	21	12	2004	BO,CR,DO,EC,HN,IS,LV,NI,PA	**16041100**	19.8	12	2004	IS,LVA,EC,CR, BO,DOM, HN, NI, PANAMA	X				will change
1189	**16041200**	21	12	2004	BO,CR,DO,EC,HN,IS,NI,PA	**16041200**	19.8	12	2004	IS,EC,CR,BO,DOM, HN, NI, PANAMA	X				will change
1190	**16041300**	21	5	2002	CR,EC,JP,LV	**16041300**	11.7	5	2002	JP,LVA,EC,CR	X				will change
1191	**16041400**	21	5	2002	CO,CR,EC,GT,JP,KR	**16041400**	11.7	5	2002	CO,KR,JP,EC,GT	X				will change
1192	**16041500**	21	12	2004	EC,JP,LV	**16041500**	19.8	12	2004	JP,LVA,EC	X				will change
1193	**16041600**	21	12	2004	EC	**16041600**	19.8	12	2004	EC	X				will change
1195	**16041910**	21	12	2004	EC,IS,JP,LV,SG	**16041910**	19.8	12	2004	IS,SG,JP,LVA,EC	X				will change
1196	**16041990**	21	12	2004	EC,IS,JP,LV,SG	**16041990**	19.8	12	2004	IS,SG,JP,LVA,EC	X				will change
1198	**16042010**	21	12	2004		**16042010**	19.8	12	2004	IS,JP,LVA,EC	X			X	will change
1199	**16042090**	21	12	2004		**16042090**	19.8	12	2004	IS,JP,LVA,EC	X			X	will change
1200	**16043000**	21	12	2004	EC,LV	**16043000**	19.8	12	2004	LVA,EC	X				will change
1202	**16051000**	21	5	2005	JP	**16051000**	18.3	5	2005	JP	X				will change
1203	**16052000**	21	5	2004	BO,DO,HN,IS,NI,PA	**16052000**	17	5	2004	IS,BO,DOM, HN, NI, PANAMA	X				will change
1204	**16053000**	21	5	2005	AU,JP	**16053000**	18.3	5	2005	AU,JP	X				will change
1207	**16054011**	21	15	2004	KR	**16054011**	18.3	5	2005	KR	X	X	X		will change
1208	**16054019**	21	15	2004	KR	**16054019**	15	5	2005	KR	X	X	X		will change

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Impleme ntation	INRs	Bound rate at date of accession	Final bound rate	Impleme ntation	INRs	
1209	**16054090**	21	15	2004	KR	**16054090**	18.3	5	2005	KR	X	X	X		will change
1212	**16059090**	21	5	2005	AU,CL,SG	**16059090**	18.3	5	2005	AU,CL,SG	X				will change
1649	**25281000**	6	3	2004		**25281000**	4.8	3	2004		X				will change
	27100015					**27100015**				AU,JP				X	will change
1770	**27100019**	12			AU,JP	**27100019**	9	9		AU,JP	X				will change
	27100029	12				**27100029**	9				X				will change
1815	**27149020**	3	0	2003	JP,VE	**27149020**	1.5	0	2003	JP,VE	X				will change
1925	**28182000**	9	8	2004	AU,IN	**28182000**	14	8	2004	AU,IN	X				KOR
2196	**29025000**	7	2	2005	CA,JP,KR	**29025000**	6.6	2	2005	CA,KR,JP	X				will change
2245	**29034920**	7	6	2002		**29034920**	9	5.5	2002		X	X			US, EC-7; will change
2294	**29053100**	10	6	2004 (See Note A)	CA,JP	**29053100**	10.6	5.5	2004	CA,JP	X	X	X		10.5-US, EC; will change
2527	**29209011**	9	6	2001	CH,JP	**29209011**	6.5	6.5		JP,CH	X	X			will change
2528	**29209012**	9	6	2001	CH,JP	**29209012**	6.5	6.5		JP,CH	X	X			will change
2529	**29209013**	9	6	2001	CH,JP	**29209013**	6.5	6.5		JP,CH	X	X			will change
2530	**29209014**	9	6	2001	CH,JP	**29209014**	6.5	6.5		JP,CH	X	X			will change
2531	**29209019**	9	6	2001	CH,JP	**29209019**	6.5	6.5		JP,CH	X	X			will change
2532	**29209090**	9	6	2001	CH,JP	**29209090**	6.5	6.5		JP,CH	X	X			will change
	29215110				KR	**29215110**								X	KOR, p.3
2634	**29269020**	6				**29269020**	6.5	6.5		KR	X	X		X	will change
2635	**29269090**	6			KR	**29269090**	6.5	6.5			X	X		X	will change
2927	**31021000**	5			AU	**31021000**	50	50		AU	X	X			MAL, AUS, EC, US
2949	**31052000**	4			NO,PH	**31052000**	50	50		NO,PH	X	X			EC, US, MAK, NOR
2950	**31053000**	4				**31053000**	50	50			X	X			EC, US, NOR, PHI
2974	**32041100**	9	6	2008	CH,JP	**32041100**	10.8	6.5	2008	JP,CH	X	X			KOR, 6.3 will change
2975	**32041200**	9	6	2008	CH	**32041200**	10.8	6.5	2008	CH	X	X			KOR, 6.3 will change

WTO Schedule						China Consolidated Schdule					Discrepencies				
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2981	**32041600**	9	6	2008	CH,JP	**32041600**	10.8	6.5	2008	JP,CH	X	X			KOR, 6.3 will change
3078	**33021010**	35	15	2004	CH	**33021010**	30	15	2004	CH	X				will change
3080	**33029000**	35	10	2005	CH	**33029000**	33.3	10	2005	CH	X				will change
3082	**33030000**	28	10	2006		**33030000**	26.7	10	2005		X		X		will change
3084	**33041000**	28	10	2006		**33041000**	26.7	10	2005		X		X		will change
3085	**33042000**	28	10	2006		**33042000**	26.7	10	2005		X		X		will change
3088	**33049100**	28	10	2006		**33049100**	26.7	10	2005		X		X		will change
3089	**33049900**	29	6	2008	AU,SG	**33049900**	28.7	6.5	2008	AU,SG	X	X			will change
3094	**33059000**	21	10	2006	JP	**33059000**	20	10	2005	JP	X		X		will change
3112	**34011100**	24	10	2006	AU	**34011100**	23.3	10	2005	AU	X		X		will change
3172	**35069110**	16	10	2004	JP	**35069110**	11.2	10	2004	JP	X				will change
3173	**35069120**	16	10	2004		**35069120**	11.2	10	2004	JP	X			X	will change
3177	**35071000**	6			CH,JP	**35071000**	6	6	2004	JP,CH			X		CH
3204	**37011000**	22	20	2002	JP	**37011000**	21.7	20	2002	JP	X				will change
3211	**37013090**	15	6	2006	JP	**37013090**	21.7	20	2002	JP	X	X	X		
3211	**37013090**	15	6	2006	JP	**37013090**	19.7	6.5	2006	JP	X	X			
3213	**37019100**	15	6	2006	JP	**37019100**	25	25		JP	X	X	X		
3213	**37019100**	15	6	2006	JP	**37019100**	19.7	6.5	2006	JP	X	X			
3216	**37019990**	20	6	2006	JP	**37019990**	19.7	6.5	2006	JP	X	X			
3216	**37019990**	20	6	2006	JP	**37019990**	25	25		JP	X	X	X		
3218	**37021000**	15	10	2004		**37021000**	15.4	10	2004		X				
3221	**37023100**	5			JP	**37023100**	53.3	40	2005	JP	X	X	X		
3224	**37023290**	5				**37023290**	22	22			X	X			
3227	**37023990**	5			JP	**37023990**	22	22		JP	X	X			
3229	**37024100**	5			JP	**37024100**	22	16	2006	JP	X	X	X		
3234	**37024290**	5				**37024290**	40.3	16	2006		X	X	X		
3239	**37024390**	5			JP	**37024390**	35	20	2003	JP	X	X	X		
3242	**37024421**	12	10	2002	JP	**37024421**	11.7	10	2002	JP	X				
3243	**37024422**	12	10	2002	JP	**37024422**	11.7	10	2002	JP	X				
3244	**37024429**	12	10	2002	JP	**37024429**	11.7	10	2002	JP	X				
3245	**37024490**	5			JP	**37024490**	35	20	2003	JP	X	X	X		
3247	**37025100**	5			JP	**37025100**	55.7	47	2005	JP	X	X	X		

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
3248	**37025200**	5			JP	**37025200**	55.7	47	2005	JP	X	X	X		
3249	**37025300**	56	47	2005	JP	**37025300**	55.7	47	2005	JP	X				
3251	**37025410**	5				**37025410**	48	18	2006	AU,JP	X	X	X	X	
3252	**37025490**	5				**37025490**	48	18	2006	AU,JP	X	X	X	X	
3255	**37025590**	5			JP	**37025590**	53.3	40	2005	JP	X	X	X		
3257	**37025620**	26	24	2002	JP	**37025620**	36	24	2002	JP	X				
3258	**37025690**	5			JP	**37025690**	53.3	40	2005	JP	X	X	X		
3260	**37029100**	5			JP	**37029100**	26	20	2004	JP	X	X	X		
3261	**37029200**	5				**37029200**	26.4	21	2004		X	X	X		
3263	**37029310**	5				**37029310**	25	20	2003		X	X	X		
3264	**37029390**	5				**37029390**	25	20	2003	JP	X	X	X	X	
3267	**37029490**	5			JP	**37029490**	26	18	2005	JP	X	X	X		
3270	**37029590**	5			JP	**37029590**	26	18	2005	JP	X	X	X		
3273	**37031010**	41	18	2006	JP	**37031010**	40.9	18	2006	JP	X				
3274	**37031090**	39	18	2005	JP	**37031090**	39.3	18	2005	JP	X				
3277	**37032090**	39	18	2005		**37032090**	39.3	18	2005		X				
3280	**37039090**	39	18	2005	JP	**37039090**	39.3	18	2005	JP	X				
3282	**37040010**	16	6	2006		**37040010**	16.1	6.5	2006		X	X			
3291	**37059090**	22	18	2003		**37059090**	21.5	18	2003		X				
3298	**37069090**	6	4	2002	JP	**37069090**	5.7	4	2002	JP	X				
3300	**37071000**	12	8	2003	JP	**37071000**	11.5	8	2003	JP	X				
3302	**37079010**	21	16	2004	JP,SG	**37079010**	22.4	16	2006	SG,JP	X				
3303	**37079020**	12	10	2004	JP	**37079020**	11.7	10	2002	JP	X				
3304	**37079090**	12	8	2003	JP	**37079090**	11.5	8	2003	JP	X				
3395	**38180011**	3	1	2002		**38180011**	2	0	2002	JP	X			X	will change
3396	**38180019**	3	1	2002		**38180019**	2	0	2002	JP	X			X	will change
3397	**38180090**	6	2	2003		**38180090**	3.3	0	2002		X	X			will change
3498	**39089000**	12	10	2002	CH,JP	**39089000**	12	10	2002	JP				X	CH
3533	**39169010**	12	10	2002	JP	**39169010**	10	10		JP	X		X		will change
3544	**39173200**	12	6	2004	AU,JP	**39173200**	12.2	6.5	2004	AU,JP	X	X			EC, US
3545	**39173300**	12	6	2004	JP	**39173300**	12.2	6.5	2004	JP	X	X			EC, US
3607	**39219020**	10	6	2003	AU,JP	**39219020**	7.2	6.5	2003	AU,JP	X	X			will change
3643	**40012100**	20			TH	**40012100**	21.7	20	2002	TH	X	X	X		THA

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
3737	**40111000**	22	10	2005	AU,JP,KR	**40111000**	21.7	10	2006	AU,KR,JP	X		X		will change 21.7 MAL 2003
3738	**40112000**	22	10	2005	JP	**40112000**	21.7	10	2006	JP	X		X		will change, 21.7 US-2005
3744	**40119900**	25			JP,LK	**40119900**	26.7	25	2002	LK,JP	X	X	X		CZ, SK
3747	**40121010**	25	20	2004	JP	**40121010**	26	20	2004	JP	X				SK
3750	**40122010**	30	25	2004	JP	**40122010**	34	25	2004	JP	X				SK
3751	**40122090**	30	25	2004	JP	**40122090**	34	25	2004	JP	X				SK
3861	**42021110**	25	15	2004	CO	**42021110**	21	15	2004	CO	X				will change
3877	**42029200**	20			JP	**42029200**	26.7	10	2005	JP	X		X		will change 10,20-US
4006	**44111100**	10	4	2004	AU,KR	**44111100**	10.6	4	2004	AU,KR	X				10.5 INDONESIA
	44190010				JP	**44190010**				CA,JP				X	will change
	44190090				JP	**44190090**				CA,JP				X	will change
4137	**48010000**	12	5	2006 (See Note A)	CA,JP	**48010000**	12.3	5	01072006	CA,JP	X		X		CA
4210	**48109100**	11	8	2003	CA	**48109100**	11	5	2004	CA		X	X		will change
4405	**51051000**	10	3	2004	AU,CL,CO,KG,NZ,UY	**51051000**	38	38		AU,CL,CO,KG,UY,NZ	X	X	X		EC
4407	**51052100**	10	3	2004	AU,CL,CO,JP,KG,UY	**51052100**	38	38		AU,CL,CO,KG,JP,UY	X	X	X		EC
4408	**51052900**	10	3	2004	AU,CL,CO,JP,KG,UY	**51052900**	38	38		AU,CL,CO,KG,JP,UY	X	X	X		EC
4410	**51053010**	9	5	2002	KG	**51053010**	7.7	5	2002	KG	X				will change
4433	**51111900**	23	10	2005	CH,JP,UY	**51111900**	23.3	10	2005	JP,CH	X			X	will change
4521	**52081200**	15	10	2003	JP	**52081200**	14.5	10	2003	JP	X				will change
4522	**52081300**	15	10	2003	JP	**52081300**	14.5	10	2003	JP	X				will change
4523	**52081900**	15	10	2003	JP,LK,PK	**52081900**	14.5	10	2003	LK,JP,PA	X				will change
4525	**52082100**	15	10	2003	CH,JP	**52082100**	14.5	10	2003	JP,CH	X				will change
4526	**52082200**	15	10	2003	CH,JP	**52082200**	14.5	10	2003	JP,CH	X				will change
4527	**52082300**	16	12	2003	JP	**52082300**	15.5	12	2003	JP	X				will change

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
4528	**52082900**	15	10	2003	CH,JP	**52082900**	14.5	10	2003	JP,CH	X				will change
4530	**52083100**	15	10	2003	CH,JP	**52083100**	14.5	10	2003	JP,CH	X				will change
4531	**52083200**	15	10	2003	CH,JP	**52083200**	14.5	10	2003	JP,CH	X				will change
4532	**52083300**	15	10	2003	CH,JP	**52083300**	14.5	10	2003	JP,CH	X				will change
4533	**52083900**	15	10	2003	CH,JP	**52083900**	14.5	10	2003	JP,CH	X				will change
4535	**52084100**	15	10	2003	CH,JP,KR	**52084100**	14.5	10	2003	KR,JP,CH	X				will change
4536	**52084200**	15	10	2003	CH,JP	**52084200**	14.5	10	2003	JP,CH	X				will change
4537	**52084300**	15	10	2003	CH,JP	**52084300**	14.5	10	2003	JP,CH	X				will change
4538	**52084900**	15	10	2003	CH,JP,KR	**52084900**	14.5	10	2003	KR,JP,CH	X				will change
4540	**52085100**	15	10	2003	CH,JP	**52085100**	14.5	10	2003	JP,CH	X				will change
4541	**52085200**	15	10	2003	CH,JP,KR	**52085200**	14.5	10	2003	KR,JP,CH	X				will change
4542	**52085300**	15	10	2003	CH,JP,KR	**52085300**	14.5	10	2003	KR,JP,CH	X				will change
4543	**52085900**	15	10	2003	CH,JP,KR	**52085900**	14.5	10	2003	KR,JP,CH	X				will change
4690	**53110015**	18	12	2004	JP,KR	**53110015**	18	12	2004	JP				X	concord w/5311.00.11
	54023211	12.2				**54023211**	12.2				X				US
	54023212	12.2				**54023212**	12.2				X				US
	54023213	12.2				**54023213**	12.2				X				US
	54023219	12.2				**54023219**	12.2				X				US
	54023290	12.2				**54023290**	12.2				X				US
4735	**54024200**	15	5	2004	CH	**54024200**	14	5	2004	CH	X				will change
4749	**54025910**	15	5	2004		**54025910**	14.6	5	2004	KR,JP	X			X	will change
4750	**54025990**	15	5	2004		**54025990**	14.6	5	2004	KR,JP	X			X	will change
	54072000				KR	**54072000**								X	KOR, p.12
4834	**54082410**	27	10	2005	JP,KR	**54082410**	25	10	2005	KR,JP	X				will change
4835	**54082420**	27	10	2005	JP,KR	**54082420**	25	10	2005	KR,JP	X				will change
4836	**54082490**	27	10	2005	JP,KR	**54082490**	25	10	2005	KR,JP	X				will change
4915	**55122100**	27	13	2005	JP,KR	**55122100**	27.7	13	2005	KR,JP	X				will change
4943	**55134100**	26	10	2005		**55134100**	25	10	2005		X				will change
4944	**55134200**	26	10	2005	KR	**55134200**	25	10	2005	KR	X				will change
4945	**55134300**	26	10	2005		**55134300**	25	10	2005		X				will change
4946	**55134900**	26	10	2005	JP	**55134900**	25	10	2005	JP	X				will change
4993	**55161400**	23	10	2005	JP,KR,LK	**55161400**	21	10	2005	KR,LK,JP	X				will change

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Impleme ntation	INRs	Bound rate at date of accession	Final bound rate	Impleme ntation	INRs	
5046	**56039110**	17	10	2005	JP	**56039110**	21	10	2005	JP	X				KOR
5072	**56074100**	20	5			**56074100**	19.7	5	2005		X		X		will change
5074	**56075000**	20	5		JP	**56075000**	19.7	5	2005	JP	X		X		will change
5075	**56079000**	20	5		JP	**56079000**	19.7	5	2005	JP	X		X		will change
5115	**57041000**	24	14	2004	JP,KG	**57041000**	21	14	2004	KG,JP	X				will change
5116	**57049000**	25	10	2005	JP	**57049000**	24.6	10	2005	JP	X				will change
5119	**57050020**	25	10	2005	JP,KG	**57050020**	24.6	10	2005	KG,JP	X				will change
5149	**58022090**	24	12	2005	JP	**58022090**	21	12	2005	JP	X				will change
5174	**58043000**	21	10	2005	JP	**58043000**	23.3	10	2005	JP	X				will change
5182	**58062000**	21	10	2005	JP	**58062000**	23.3	10	2005	JP	X				will change
5245	**59041000**	21	14	2003	JP,KG	**59041000**	20	14	2003	KG,JP	X				will change
5272	**59111010**	10	8	2004	JP	**59111010**	17	8	2004	JP	X				KOR
5273	**59111090**	10	8	2002	JP	**59111090**	8.4	8	2002	JP	X				will change
5274	**59112000**	10	8	2003	JP	**59112000**	8.4	8	2003	JP	X				will change
5310	**60029900**	25	12	2004	JP,KG	**60029900**	24	12	2004	KG,JP	X				will change

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Checklist of Discrepancies between the Draft Schedule and China's Consolidated Tariff List(07.24.01)
Industrial Products (From Chapter 62 to Chapter 97)

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
5310	**60029900**	25.0	12.0	2004	JP,KG	**60029900**	24.0	12.0	2004	KG,JP	×				will change
5373	**61046900**	25.0	16.0	2005		**61046900**	25.0	16.0	2003				×		will change
5460	**61159100**	30.0			KR	**61159100**	23.6	14.0	2004	KR	×	×	×		will change
5486	**62011900**	30.0	16.0	2005	KG	**62011900**	25.0	16.0	2005	KG	×				will change
5537	**62034210**	25.0	16.0	2005	CH	**62034210**	21.0	16.0	2005	CH	×				will change
5538	**62034290**	25.0	16.0	2005	CH	**62034290**	21.0	16.0	2005	CH	×				will change
5540	**62034310**	21.0	17.5	2004	CH,KR	**62034310**	25.0	17.5	2004	KR,CH	×				will change
5541	**62034390**	21.0	17.5	2004	CH,KR	**62034390**	25.0	17.5	2004	KR,CH	×				will change
5557	**62042990**	25.0	20.0	2004	JP	**62042990**	25.0	14.0	2005	JP		×	×		will change
5561	**62043300**	30.0				**62043300**	25.0	17.5	2005		×	×	×		will change
5686	**62123010**	100.0	30.0	2003	JP	**62123010**	25.0	16.0	2004	JP	×	×	×		will change
5722	**63012000**	15.0	16.0	2004		**63012000**	25.0	16.0	2004		×				will change
5728	**63021010**	21.0	14.0	2003	KG	**63021010**	20.0	14.0	2003	KG	×				will change
5806	**63041910**	25.0	14.0	2003		**63041910**	23.5	14.0	2003		×				will change
5808	**63041921**	21.0	14.0	2003	JP	**63041921**	20.0	14.0	2003	JP	×				will change
5809	**63041929**	21.0	14.0	2003	JP	**63041929**	20.0	14.0	2003		×			×	will change, JAP
5811	**63041931**	25.0	16.0	2003	JP	**63041931**	24.5	16.0	2003	JP	×				will change
5812	**63041939**	33.0	16.0	2003	JP	**63041939**	24.5	16.0	2003	JP	×				will change
5814	**63041991**	25.0	14.0	2003		**63041991**	23.5	14.0	2003		×				will change
5815	**63041999**	25.0	14.0	2003	JP	**63041999**	23.5	14.0	2003	JP	×				will change
5825	**63049210**	21.0	14.0	2003	JP	**63049210**	20.0	14.0	2003	JP	×				will change
5826	**63049290**	21.0	14.0	2003	JP	**63049290**	20.0	14.0	2003	JP	×				will change
5837	**63051000**	13.0	10.0	2003	KR	**63051000**	10.5	10.0	2003	KR	×				will change
5862	**63064990**	80.0	30.0	2003	JP	**63064990**	23.6	14.0	2004	JP	×	×	×		will change
5913	**64042000**	25.0	24.5	2000		**64042000**	24.5	24.5			×	×			will change
5928	**65020000**	25.0	20.0	2002	EC	**65020000**	21.7	20.0	2002	EC	×				will change
5932	**65040000**	25.0	20.0	2002	EC,JP	**65040000**	21.7	20.0	2002	JP,EC	×				will change
5936	**65059010**	25.0	20.0	2002	EC	**65059010**	21.7	20.0	2002	EC	×				will change

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
5937	**65059090**	25.0	20.0	2002	EC	**65059090**	21.7	20.0	2002	EC	X				will change
5939	**65061000**	80.0	30.0	2003	JP	**65061000**	19.0	10.0	2004	JP	X	X	X		will change
5971	**67030000**	26.3	20.0	2003	IN,JP	**67030000**	25.0	20.0	2003	IN,JP	X				will change
5976	**67042000**	26.7	15.0	2003	IN,JP	**67042000**	22.5	15.0	2003	IN,JP	X				will change
5984	**68021090**	24.5	20.0	2002	JP	**68021090**	21.7	20.0	2002	JP	X				will change
5991	**68022900**	24.5	15.0	2003	IN,JP	**68022900**	20.0	15.0	2003	IN,JP	X				will change
6048	**68111000**	10.5	5.0	2002	JP,KG,PL	**68111000**	7.0	5.0	2002	KG,PL,JP	X				will change
6093	**69071000**	25.0	24.5	2000	JP	**69071000**	24.5	24.5		JP	X				will change
6192	**70132900**	22.7	8.0	2005		**70132900**	21.2	8.0	2004		X		X		will change
6195	**70133200**	23.0	10.0	2005	JP	**70133200**	23.3	10.0	2005	JP	X				will change
6217	**70171000**	3.0	0.0	2002	JP	**70171000**	8.7	8.0	2005	JP	X	X	X		US
6218	**70171000**	3.0	0.0	2002	JP	**70171000**	8.7	8.0	2005	JP	X	X	X		US
6249	**71011010**	33.7	21.0	2003	JP	**71011010**	30.5	21.0	2003	JP	X				will change
6250	**71011090**	36.0	21.0	2003	JP	**71011090**	30.5	21.0	2003	JP	X				will change
6253	**71012110**	29.4	21.0	2003		**71012110**	28.0	21.0	2003		X				will change
6254	**71012190**	31.7	21.0	2003	JP	**71012190**	28.0	21.0	2003	JP	X				will change
6256	**71012210**	29.4	21.0	2003	JP	**71012210**	28.0	21.0	2003	JP	X				will change
6257	**71012290**	31.7	21.0	2003	JP	**71012290**	28.0	21.0	2003	JP	X				will change
6349	**71161000**	44.0	35.0	2003	JP	**71161000**	42.5	35.0	2003	JP	X				will change
6421	**72083700**	5.0			JP,KR	**72083700**	5.0	5.0		JP				X	will change
6475	**72131000**	8.0	3.0	2004	JP,KR	**72131000**	8.4	3.0	2004	KR,JP	X				KOR
6476	**72132000**	8.0	3.0	2004	JP,KR	**72132000**	8.4	3.0	2004	KR,JP	X				KOR
6478	**72139100**	8.0	5.0	2002	AU,JP,KR,PL	**72139100**	7.3	5.0	2002	AU,PL,JP	X			X	will change
6479	**72139900**	8.0	5.0	2002	JP,KR	**72139900**	7.3	5.0	2002	KR,JP	X				will change
6515	**72171000**	10.0	8.0	2002	AU,JP,KR,PL	**72171000**	10.0	8.0	2002	AU,PL,JP				X	will change
6516	**72172000**	10.0	8.0	2003	JP	**72172000**	11.5	8.0	2003	JP	X				KOR
6517	**72173000**	9.0	8.0	2003	JP,KR	**72173000**	11.5	8.0	2003	JP	X			X	KOR
6518	**72179000**	10.0	8.0	2003	JP,KR	**72179000**	11.5	8.0	2003	KR,JP	X				KOR
6603	**72291000**	7.0	3.0	2004	JP	**72291000**	8.4	3.0	2004	JP	X				KOR
6605	**72299000**	7.0			JP,KR,PL	**72299000**	8.7	7.0	2002	KR,PL,JP	X		X		KOR
6667	**73069000**	7.0	6.0	2002	JP	**73069000**	7.7	6.0	2002	JP	X				KOR
6687	**73089000**	10.0	4.0	2004	AU,KR	**73089000**	10.6	4.0	2004	AU,KR	X				KOR
6689	**73090000**	11.0	10.5	2002	JP,NO	**73090000**	12.0	10.5	2002	NO,JP	X				KOR

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
6979	**75081090**	6.0			JP	**75081090**	8.0	6.0	2002	JP	X		X		will change
7019	**76071100**	10.0	6.0	2004	CH,JP	**76071100**	13.2	6.0	2004	JP,CH	X				KOR
7020	**76071900**	10.0	6.0	2004	CH,JP,KR	**76071900**	13.2	6.0	2004	KR,JP,CH	X				KOR
7021	**76072000**	12.0	6.0	2004	AU,CH,JP	**76072000**	13.2	6.0	2004	AU,JP,CH	X				KOR
7055	**76169910**	12.0	10.0	2004		**76169910**	16.0	10.0	2004		X				KOR
7077	**78060090**	14.0	6.0	2004	JP	**78060090**	14.4	6.0	2004	JP	X				will change
7100	**79070090**	9.0	6.0	2004	JP,KR	**79070090**	11.4	6.0	2004	KR,JP	X				KOR
7317	**83040000**	13.0	10.5	2003	AU,JP	**83040000**	14.3	10.5	2003	AU,JP	X				KOR
7366	**84039000**	8.0	6.0	2003	AU	**84039000**	8.0	6.0	2002	AU			X		will change
7397	**84073300**	31.0	10.0	2005	JP	**84073300**	32.5	10.0	01072006	JP	X		X		
7399	**84073410**	31.0	10.0	2005	AU,JP	**84073410**	32.5	10.0	01072006	AU,JP	X		X		
7421	**84099191**	12.0	5.0	2004	JP	**84099191**	14.0	5.0	2004	JP	X				HUN
7422	**84099199**	12.0	5.0	2004	JP	**84099199**	10.4	5.0	2004	JP	X				HUN
7428	**84099999**	10.0	8.4	2002	JP	**84099999**	10.3	8.4	2002	JP	X				HUN
7450	**84112100**	3.0	2.0	2003 (See Note A)	CA,CH	**84112100**	2.5	2.0	2003	CA,CH	X				will change
7457	**84118200**	10.4	3.0	2004 (See Note A)	CH	**84118200**	9.6	3.0	2004	CH	X				will change
7497	**84137010**	10.0	8.0	2002	CH	**84137010**	10.0	8.0	2002	JP,CH				X	will change
7498	**84137090**	10.0	8.0	2002	CH	**84137090**	10.0	8.0	2002	JP,CH				X	will change
7514	**84143019**	10.0			CH,JP,SK	**84143019**	16.0	10.0	2004	SK,JP,CH	X		X		Slovak
7515	**84143090**	10.0	9.0	2004	CH,JP,SK	**84143090**	15.6	9.0	2004	JP,SK,CH	X				SG, Slovak
7530	**84145930**	14.0	10.0	2002	JP	**84145930**	12.7	10.0	2002	JP	X				will change
7531	**84145990**	10.0	8.0	2003	JP	**84145990**	14.0	8.0	2004	JP	X		X		HUN
7561	**84171000**	13.0	10.0	2003	CA	**84171000**	14.0	10.0	2003	CA	X				KOR
7564	**84178010**	10.0				**84178010**	14.0	10.0	2003		X		X		KOR
7568	**84178090**	10.0				**84178090**	12.0	10.0	2002		X		X		KOR
7635	**84198910**	9.6	0.0	2004		**84198910**	14.7	12.0	2005	AU,CA	X	X	X	X	US, EC
7636	**84198990**	9.6	0.0	2004		**84198990**	14.7	12.0	2005	AU,CA	X	X	X	X	US, EC
7637	**84198990**	9.6	0.0	2004		**84198990**	14.7	12.0	2005	AU,CA	X	X	X	X	US, EC
7639	**84199010**	7.5	0.0	2003	AU,JP	**84199010**	14.0	12.0	2005	AU,JP	X	X	X		US
7640	**84199090**	4.0			AU,JP	**84199090**	7.0	5.0	2005	AU,JP	X	X	X		US, EC
7641	**84199090**	4.0	0.0	2002	AU,JP	**84199090**	7.0	5.0	2005	AU,JP	X	X	X		ITA
7640	**84199090**	4.0			AU,JP	**84199090**	0.0	0.0	2002	AU,JP	X	X	X		
7641	**84199090**	4.0	0.0	2002	AU,JP	**84199090**	0.0	0.0	2002	AU,JP	X				

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
7657	**84211990**	12.0	0.0	2004		**84211990**	12.0	10.0	2002	JP		X	X	X	mismatch,ok
7656	**84211990**	12.0	10.0	2002		**84211990**	8.0	0.0	2004	JP	X	X	X	X	mismatch,ok
7657	**84211990**	12.0	0.0	2004		**84211990**	8.0	0.0	2004	JP	X			X	mismatch,ok
7679	**84219110**	7.5	0.0	2003	JP	**84219110**	14.0	12.0	2005	JP	X	X	X		US
7680	**84219190**	3.3	0.0	2002	JP	**84219190**	8.3	5.0	2005	JP	X	X	X		US, ITA
7681	**84219190**	3.3	0.0	2002	JP	**84219190**	8.3	5.0	2005	JP	X	X	X		US, ITA
7680	**84219190**	3.3	0.0	2002	JP	**84219190**	0.0	0.0	2002	JP	X				mismatch,ok
7681	**84219190**	3.3	0.0	2002	JP	**84219190**	0.0	0.0	2002	JP	X				mismatch,ok
7721	**84238910**	16.2	10.5	2004		**84238910**	16.0	10.0	2004	IS,JP	X	X		X	will change
7722	**84238920**	16.2	10.5	2004		**84238920**	16.0	10.0	2004	IS,JP	X	X		X	will change
7723	**84238930**	16.2	10.5	2004		**84238930**	16.0	10.0	2004	IS,JP	X	X		X	will change
7724	**84238990**	16.2	10.5	2004		**84238990**	16.0	10.0	2004	IS,JP	X	X		X	will change
7733	**84248910**	16.7	0.0	2005		**84248910**	19.5	8.4	2005		X	X			US, EC
7735	**84248991**	6.0	0.0	2003		**84248991**	10.8	8.4	2005	JP	X	X	X	X	US
7737	**84248999**	6.0	0.0	2003		**84248999**	10.8	8.4	2005	JP	X	X	X	X	US, ITA
7736	**84248999**	6.0	0.0	2003		**84248999**	10.8	8.4	2005	JP	X	X	X	X	US, ITA
7737	**84248999**	6.0	0.0	2003		**84248999**	4.0	0.0	2003	JP	X			X	US, ITA
7736	**84248999**	6.0	0.0	2003		**84248999**	4.0	0.0	2003	JP	X			X	US, ITA
7739	**84249010**	2.7	0.0	2002		**84249010**	8.0	8.0			X	X	X		US
7740	**84249020**	7.5	0.0	2003		**84249020**	12.8	8.4	2005		X	X	X		US
7741	**84249090**	3.3	0.0	2002	AU	**84249090**	8.3	5.0	2005	AU	X	X	X		US, ITA
7742	**84249090**	3.3	0.0	2002	AU	**84249090**	8.3	5.0	2005	AU	X	X	X		US, ITA
7741	**84249090**	3.3	0.0	2002	AU	**84249090**	0.0	0.0	2002	AU	X				US, ITA
7742	**84249090**	3.3	0.0	2002	AU	**84249090**	0.0	0.0	2002	AU	X				US, ITA
7810	**84283300**	10.0	5.0	2004	CH,JP	**84283300**	11.0	5.0	2004	JP,CH	X				KOR
7812	**84283910**	11.0	5.0	2004	CH	**84283910**	11.0	5.0	2004	JP,CH				X	will change
7813	**84283920**	11.0	5.0	2004	CH	**84283920**	11.0	5.0	2004	JP,CH				X	will change
7814	**84283990**	11.0	5.0	2004	CH	**84283990**	11.0	5.0	2004	JP,CH				X	will change
7833	**84292010**	8.5	5.0	2003		**84292010**	9.2	5.0	2004		X		X		US, EC
7834	**84292090**	12.4	5.0	2004 (See Note A)	CA	**84292090**	9.2	5.0	2004	CA	X				will change
7950	**84381000**	11.0	7.0	2003	CH,JP	**84381000**	9.6	7.0	2002	JP,CH	X		X		will change
7953	**84384000**	10.0	7.0	2003	CH	**84384000**	9.6	7.0	2002	CH	X		X		will change
7954	**84385000**	8.7	7.0	2002	CH,JP	**84385000**	9.6	7.0	2002	JP,CH	X				EC

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
7998	**84431200**	12.5	12.0	2003	JP,SG	**84431200**	16.0	12.0	2003	SG,JP	X				SG
8008	**84435100**	14.2	8.4	2004	JP	**84435100**	14.0	8.0	2004	JP	X	X			will change
8011	**84435911**	14.0	8.0	2004		**84435911**	14.0	10.0	2003	JP		X	X	X	will change
8012	**84435912**	14.0	8.0	2004		**84435912**	14.0	10.0	2003	JP		X	X	X	will change
8013	**84435919**	14.0	8.0	2004		**84435919**	14.0	10.0	2003	JP		X	X	X	will change
8014	**84435990**	14.0	8.0	2004		**84435990**	13.0	8.0	2003	JP		X	X	X	will change
8032	**84451310**	10.0			CH	**84451310**	10.0	10.0		JP,CH				X	will change
8033	**84451320**	10.0			CH	**84451320**	10.0	10.0		JP,CH				X	will change
8041	**84454010**	10.0			CH	**84454010**	10.0	10.0		JP,CH				X	will change
8042	**84454090**	10.0			CH	**84454090**	10.0	10.0		JP,CH				X	will change
8044	**84459010**	10.0			CH	**84459010**	10.0	10.0		JP,CH				X	will change
8045	**84459020**	10.0			CH	**84459020**	10.0	10.0		JP,CH				X	will change
8046	**84459090**	10.0			CH	**84459090**	10.0	10.0		JP,CH				X	will change
8079	**84482020**	6.0			CH	**84482020**	6.0	6.0		JP,CH				X	will change
8101	**84485120**	6.0			CH	**84485120**	6.0	6.0		JP,CH				X	will change
8185	**84561000**	7.5	0.0	2003	CH	**84561000**	5.0	0.0	2003		X			X	US
8186	**84561000**	7.5	0.0	2003	CH	**84561000**	5.0	0.0	2003		X			X	US
8185	**84561000**	7.5	0.0	2003	CH	**84561000**	13.3	10.0	2005		X			X	US
8186	**84561000**	7.5	0.0	2003	CH	**84561000**	13.3	10.0	2005		X			X	US
8187	**84562000**	11.7	10.0	2002	CH,JP	**84562000**	11.7	10.0	2002	JP,CH		X			same
8189	**84563010**	11.7	10.0	2002	CH,JP	**84563010**	9.7	9.7	2002	JP,CH	X	X			will change
8194	**84569910**	10.8	0.0	2004	CH,JP	**84569910**	9.0	0.0	2004	JP	X			X	US
8195	**84569910**	10.8	0.0	2004	CH,JP	**84569910**	9.0	0.0	2004	JP	X			X	US
8194	**84569910**	10.8	0.0	2004	CH,JP	**84569910**	15.3	10.0	2005	JP	X	X	X	X	US
8195	**84569910**	10.8	0.0	2004	CH,JP	**84569910**	15.3	10.0	2005	JP	X	X	X	X	US
8196	**84569990**	10.8	0.0	2004	CH,JP	**84569990**	15.3	10.0	2005	JP	X	X	X	X	US
8252	**84604010**	13.0			CH	**84604010**	13.0	13.0		JP,CH				X	will change
8253	**84604020**	13.0			CH	**84604020**	13.0	13.0		JP,CH				X	will change
8277	**84622110**	9.7			CH	**84622110**	9.7	9.7		JP,CH				X	will change
8278	**84622190**	9.7			CH	**84622190**	9.7	9.7		JP,CH				X	will change
8284	**84623110**	7.0			CH	**84623110**	7.0	7.0		JP,CA,CH				X	will change
8285	**84623120**	7.0			CH	**84623120**	7.0	7.0		JP,CA,CH				X	will change
8286	**84623190**	7.0			CH	**84623190**	7.0	7.0		JP,CA,CH				X	will change

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
8313	**84641010**	7.5	0.0	2003		**84641010**	13.3	10.0	2005		X	X	X		US
8314	**84641020**	7.5	0.0	2003		**84641020**	13.3	10.0	2005		X	X	X		US
8315	**84641090**	7.5	0.0	2003		**84641090**	13.3	10.0	2005		X	X	X		US
8316	**84641090**	7.5	0.0	2003		**84641090**	13.3	10.0	2005		X	X	X		US
8318	**84642010**	7.5	0.0	2003		**84642010**	13.3	10.0	2005	JP	X	X	X	X	US
8319	**84642090**	7.5	0.0	2003		**84642090**	13.3	10.0	2005	JP	X	X	X	X	US
8320	**84642090**	7.5	0.0	2003		**84642090**	13.3	10.0	2005	JP	X	X	X	X	US
8323	**84649011**	7.5	0.0	2003		**84649011**	13.3	10.0	2005	JP	X	X	X	X	US
8324	**84649012**	7.5	0.0	2003		**84649012**	13.3	10.0	2005	JP	X	X	X	X	US
8325	**84649019**	7.5	0.0	2003		**84649019**	13.3	10.0	2005	JP	X	X	X	X	US
8326	**84649090**	7.5	0.0	2003		**84649090**	13.3	10.0	2005	JP	X	X	X	X	US
8327	**84649090**	7.5	0.0	2003		**84649090**	13.3	10.0	2005	JP	X	X	X	X	US
8344	**84669100**	2.7	0.0	2002	CH	**84669100**	7.3	6.0	2005		X	X	X	X	US, CH
8343	**84669100**	2.7	0.0	2002	CH	**84669100**	7.3	6.0	2005		X	X	X	X	US, CH
8346	**84669300**	2.3	0.0	2002	AU,CH,JP	**84669300**	6.3	6.0	2002	AU,JP	X	X		X	US, CH
8347	**84669300**	2.3	0.0	2002	AU,CH,JP	**84669300**	6.3	6.0	2002	AU,JP	X	X		X	US, CH
8346	**84669300**	2.3	0.0	2002	AU,CH,JP	**84669300**	2.3	0.0	2002	AU,JP				X	US, CH
8347	**84669300**	2.3	0.0	2002	AU,CH,JP	**84669300**	2.3	0.0	2002	AU,JP				X	US, CH
8396	**84714991**	9.0	0.0	2003	JP	**84714991**	7.5	0.0	2003	JP	X				will change
8397	**84714999**	9.0	0.0	2004	JP	**84714999**	7.5	0.0	2003	JP	X		X		will change
8401	**84715040**	9.0	0.0	2004	JP	**84715040**	7.5	0.0	2003	JP	X		X		will change
8402	**84715090**	9.0	0.0	2004	JP	**84715090**	7.5	0.0	2003	JP	X		X		will change
8404	**84716010**	9.0	0.0	2004	JP	**84716010**	7.5	0.0	2003	JP	X		X		will change
8406	**84716031**	9.0	0.0	2004	AU,JP	**84716031**	7.5	0.0	2003	AU,JP	X		X		will change
8410	**84716040**	5.4	0.0	2004	AU,JP	**84716040**	3.0	0.0	2002	AU,JP	X		X		will change
8411	**84716050**	5.4	0.0	2004	AU,JP	**84716050**	3.0	0.0	2002	AU,JP	X		X		will change
8412	**84716060**	5.4	0.0	2004	AU,JP	**84716060**	3.0	0.0	2002	AU,JP	X		X		will change
8413	**84716070**	7.2	0.0	2004	AU,JP	**84716070**	6.0	0.0	2003	AU,JP	X		X		will change
8414	**84716090**	5.4	0.0	2004	AU	**84716090**	3.0	0.0	2002	AU	X		X		will change
8417	**84717020**	5.4	0.0	2004	JP	**84717020**	3.0	0.0	2002	JP	X		X		will change
8419	**84717090**	5.4	0.0	2004	JP	**84717090**	3.0	0.0	2002	JP	X		X		will change
8431	**84729021**	10.8	0.0	2004		**84729021**	16.7	14.0	2005	JP	X	X	X	X	US
8432	**84729022**	10.8	0.0	2004		**84729022**	16.7	14.0	2005	JP	X	X	X	X	US

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
8433	**84729029**	10.8	0.0	2004		**84729029**	16.7	14.0	2005	JP	X	X	X	X	US
8434	**84729030**	10.8	0.0	2004		**84729030**	16.7	14.0	2005	JP	X	X	X	X	US
8435	**84729090**	10.8	0.0	2004	JP	**84729090**	16.7	14.0	2005	JP	X	X	X		US
8484	**84771010**	7.5	0.0	2003	AU,JP	**84771010**	12.5	10.0	2003	AU,JP	X				US
8485	**84771090**	7.5	0.0	2003	JP	**84771090**	12.5	10.0	2002	JP	X	X	X		US
8486	**84771090**	7.5	0.0	2003	JP	**84771090**	12.5	10.0	2002	JP	X	X	X		US
8496	**84775100**	10.0	5.0	2004		**84775100**	10.4	5.0	2004		X				SK
8497	**84775900**	10.0	5.0	2004	JP	**84775900**	11.0	5.0	2004	JP	X				SK
8498	**84778000**	10.0	5.0	2004	AU,JP	**84778000**	11.0	5.0	2004	AU,JP	X				CZ
8500	**84779000**	2.7	0.0	2002	AU,JP	**84779000**	6.7	4.0	2005	AU,JP	X	X	X		US
8499	**84779000**	2.7	0.0	2002	AU,JP	**84779000**	6.7	4.0	2005	AU,JP	X	X	X		US
8513	**84794000**	10.0			AU,CA,JP,NO	**84794000**	11.0	7.0	2002	AU,NO,JP,C	X	X	X		KOR
8516	**84795010**	7.0	0.0	2003	JP,NO	**84795010**	11.5	9.0	2003	NO,JP	X	X			US
8515	**84795010**	7.0	0.0	2003	JP,NO	**84795010**	11.5	9.0	2003	NO,JP	X	X			US
8517	**84795090**	7.0	0.0	2003	JP,NO	**84795090**	12.3	9.0	2005	NO,JP	X	X	X		US
8518	**84795090**	7.0	0.0	2003	JP,NO	**84795090**	12.3	9.0	2005	NO,JP	X	X	X		US
8531	**84798961**	10.0	0.0	2004		**84798961**	14.0	10.0	2003	JP	X	X	X	X	KOR, US, NOR, EC, AU
8532	**84798962**	10.0	0.0	2004		**84798962**	14.0	10.0	2003	JP	X	X	X	X	KOR, US, NOR, EC, AU
8533	**84798969**	10.0	0.0	2004		**84798969**	14.0	10.0	2003	JP	X	X	X	X	KOR, US, NOR, EC, AU
8534	**84798990**	10.0	0.0	2004	JP	**84798990**	10.8	0.0	2004	JP	X				KOR, US, NOR, EC, AU
8535	**84798990**	10.0	0.0	2004	JP	**84798990**	10.8	0.0	2004	JP	X				KOR, US, NOR, EC, AU

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
8534	**84798990**	10.0	0.0	2004	JP	**84798990**	14.0	10.0	2003	JP	X	X	X		KOR, US, NOR, EC, AU
8535	**84798990**	10.0	0.0	2004	JP	**84798990**	14.0	10.0	2003	JP	X	X	X		KOR, US, NOR, EC, AU
8539	**84799090**	2.7	0.0	2002	AU,JP,NO	**84799090**	7.7	7.0	2005	AU,NO,JP	X	X	X		US
8540	**84799090**	2.7	0.0	2002	AU,JP,NO	**84799090**	7.7	7.0	2005	AU,NO,JP	X	X	X		US
8551	**84807100**	6.0	0.0	2003 (See Note A)	CA,JP	**84807100**	10.7	8.0	2005	CA,JP	X	X	X		US
8552	**84807100**	6.0	0.0	2003 (See Note A)	CA,JP	**84807100**	10.7	8.0	2005	CA,JP	X	X	X		US
8565	**84818090**	8.7	5.0	2002	AU	**84818090**	7.3	5.0	2002	AU	X				will change
8665	**85044015**	7.5	0.0	2003	JP	**85044015**	15.0	15.0		JP	X	X	X		US
8666	**85044019**	7.5	0.0	2003	AU,JP	**85044019**	14.0	14.0		AU,JP	X	X	X		US
8668	**85044090**	11.7	10.0	2002	JP	**85044090**	7.5	0.0	2003	JP	X	X	X		EC, ITA
8669	**85044090**	11.7	10.0	2002	JP	**85044090**	7.5	0.0	2003	JP	X	X	X		EC, ITA
8670	**85045000**	7.5	0.0	2003	CA,JP	**85045000**	15.0	15.0		JP,CA	X	X	X		US
8671	**85045000**	7.5	0.0	2003	CA,JP	**85045000**	15.0	15.0		JP,CA	X	X	X		US
8670	**85045000**	7.5	0.0	2003	CA,JP	**85045000**	5.0	0.0	2003	JP,CA	X				US
8671	**85045000**	7.5	0.0	2003	CA,JP	**85045000**	5.0	0.0	2003	JP,CA	X				US
8725	**85101000**	30.0			JP,KR	**85101000**	30.0	30.0		JP				X	will change
8736	**85113090**	10.0	8.4	2002	JP	**85113090**	10.3	8.4	2002	JP	X				HUN
8745	**85118000**	10.0	8.4	2003	JP	**85118000**	11.7	8.4	2003	JP	X				HUN
8760	**85131090**	20.0	17.5	2003	JP	**85131090**	21.3	17.5	2003	JP	X				HUN
8766	**85141010**	10.8	0.0	2004	CH,JP	**85141010**	14.0	10.0	2003	JP	X	X	X	X	US, CH
8767	**85141010**	10.8	0.0	2004	CH,JP	**85141010**	14.0	10.0	2003	JP	X	X	X	X	US, CH
8766	**85141010**	10.8	0.0	2004	CH,JP	**85141010**	10.8	0.0	2004	JP				X	US, CH
8767	**85141010**	10.8	0.0	2004	CH,JP	**85141010**	10.8	0.0	2004	JP				X	US, CH
8769	**85141090**	10.8	0.0	2004	CH,JP	**85141090**	10.8	0.0	2004	JP				X	US, CH
8768	**85141090**	10.8	0.0	2004	CH,JP	**85141090**	10.8	0.0	2004	JP				X	US, CH
8769	**85141090**	10.8	0.0	2004	CH,JP	**85141090**	14.0	10.0	2003	JP	X	X	X	X	US, CH
8768	**85141090**	10.8	0.0	2004	CH,JP	**85141090**	14.0	10.0	2003	JP	X	X	X	X	US, CH
8770	**85142000**	10.8	0.0	2004	CH	**85142000**	15.3	10.0	2005		X	X	X	X	US, CH
8771	**85142000**	10.8	0.0	2004	CH	**85142000**	15.3	10.0	2005		X	X	X	X	US, CH

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8772	**85143000**	10.8	0.0	2004	AU,CH	**85143000**	15.3	10.0	2005	AU	X	X	X	X	CH, US
8773	**85143000**	10.8	0.0	2004	AU,CH	**85143000**	15.3	10.0	2005	AU	X	X	X	X	CH, US
8772	**85143000**	10.8	0.0	2004	AU,CH	**85143000**	9.0	0.0	2004	AU	X			X	CH, US
8773	**85143000**	10.8	0.0	2004	AU,CH	**85143000**	9.0	0.0	2004	AU	X			X	CH, US
8777	**85149090**	3.3	0.0	2002	CH	**85149090**	10.0	10.0			X	X	X	X	US, CH
8778	**85149090**	3.3	0.0	2002	CH	**85149090**	10.0	10.0			X	X	X	X	US, CH
8787	**85152900**	10.0			AU,JP	**85152900**	12.0	10.0	2002	AU,JP	X		X		SK
8800	**85162910**	15.0	10.0	2004	JP	**85162910**	16.0	10.0	2004	JP	X				KOR
8803	**85163100**	35.0	10.0	2004	CR,JP	**85163100**	25.0	10.0	2004	JP,CR	X				will change
8834	**85173019**	0.0			AU,CA,CH,JP	**85173019**	6.0	0.0	2003	AU,JP,CA,C	X		X		NOR
8836	**85173091**	0.0			CA,CH,JP	**85173091**	6.0	0.0	2003	JP,CA,CH	X		X		NOR
8837	**85173099**	0.0			CA,CH,JP	**85173099**	7.5	0.0	2003	JP,CA,CH	X		X		NOR
8840	**85175021**	6.0	0.0	2003	CH	**85175021**	6.0	0.0	2003	JP,CA,CH				X	will change
8841	**85175022**	7.5	0.0	2003		**85175022**	6.0	0.0	2003	JP,CA,CH	X			X	will change
8842	**85175029**	7.5	0.0	2003		**85175029**	6.0	0.0	2003	JP,CA,CH	X			X	will change
8844	**85175031**	7.5	0.0	2003	CH	**85175031**	7.5	0.0	2003	JP,CA,CH				X	will change
8845	**85175032**	7.5	0.0	2003	CH	**85175032**	7.5	0.0	2003	JP,CA,CH				X	will change
8846	**85175033**	7.5	0.0	2003	CH	**85175033**	7.5	0.0	2003	JP,CA,CH				X	will change
8847	**85175034**	7.5	0.0	2003	CH	**85175034**	7.5	0.0	2003	JP,CA,CH				X	will change
8848	**85175035**	7.5	0.0	2003	CH	**85175035**	7.5	0.0	2003	JP,CA,CH				X	will change
8849	**85175036**	7.5	0.0	2003	CH	**85175036**	7.5	0.0	2003	JP,CA,CH				X	will change
8850	**85175039**	7.5	0.0	2003	CH	**85175039**	7.5	0.0	2003	JP,CA,CH				X	will change
8851	**85175090**	7.5	0.0	2003	CA,CH,JP	**85175090**	7.5	0.0	2003	JP,CA,CH				X	will change
8862	**85181000**	10.0			JP	**85181000**	5.0	0.0	2003	JP	X	X	X		will change
8863	**85181900**	10.0	0.0	2003	JP	**85181900**	15.0	10.0	2005	JP	X	X	X		will change
8867	**85182900**	7.5	0.0	2003	JP	**85182900**	13.3	10.0	2005	JP	X	X			US
8869	**85183000**	7.5	0.0	2003	JP	**85183000**	13.3	10.0	2005	JP	X	X			US
8870	**85183000**	7.5	0.0	2003	JP	**85183000**	13.3	10.0	2005	JP	X	X			US
8871	**85184000**	12.0			JP,LV	**85184000**	7.5	0.0	2003	JP,LV	X	X			mismatch,ok
8872	**85184000**	12.0			JP,LV	**85184000**	7.5	0.0	2003	JP,LV	X	X			mismatch,ok
8874	**85189000**	12.0	10.5	2002	KR	**85189000**	7.5	0.0	2003	KR	X	X			mismatch,ok
8875	**85189000**	12.0	10.5	2002	KR	**85189000**	7.5	0.0	2003	KR	X	X			mismatch,ok
8897	**85203290**	31.0	25.0	2003	JP	**85203290**	30.0	25.0	2003	JP	X				will change

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
8906	**85211011**	39.0	30.0	2004		**85211011**	50.0	30.0	2005	JP	X		X	X	EC
8907	**85211019**	39.0	30.0	2004		**85211019**	50.0	30.0	2005	JP	X		X	X	EC
8908	**85211020**	39.0	30.0	2004	JP,KR	**85211020**	50.0	30.0	2005	JP	X		X	X	EC, KOR
8949	**85243990**	7.5	0.0	2003	JP	**85243990**	15.0	15.0		JP	X	X	X		US
8950	**85243990**	7.5	0.0	2003	JP	**85243990**	15.0	15.0		JP	X	X	X		US
8975	**85249990**	23.3	0.0	2005	JP	**85249990**	31.7	25.0	2005	JP	X	X			US, EC
8976	**85249990**	23.3	0.0	2005	JP	**85249990**	31.7	25.0	2005	JP	X	X			US, EC
8979	**85251010**	3.3	0.0	2002	AU,CA,JP	**85251010**	10.0	10.0		AU,JP,CA	X	X	X		US
8980	**85251090**	7.0	0.0	2002 (See Note A)	AU,CA,JP	**85251090**	3.0	0.0	2002	AU,CA,JP	X				will change
8983	**85252011**	9.6	0.0	2004	AU,CA,CH,JP	**85252011**	5.3	0.0	2002	AU,JP,CA	X		X	X	will change, CH
8987	**85252023**	8.0			AU,CA,CH,JP	**85252023**	6.0	0.0	2003	AU,JP,CA,C	X	X	X		will change
8990	**85252091**	6.0	0.0	2003	AU,CA,CH,JP	**85252091**	4.0	0.0	2002	AU,JP			X	X	will change
8991	**85252092**	3.0	0.0	2002	CA,CH	**85252092**	3.0	0.0	2002	AU,JP,CA				X	will change, CH-concord.
8992	**85252093**	3.0	0.0	2002	CH	**85252093**	3.0	0.0	2002	AU,JP,CA				X	will change, CH-concord.
8993	**85252099**	3.0	0.0	2002	AU,CA,CH,JP	**85252099**	3.0	0.0	2002	AU,JP,CA				X	will change, CH-concord.
9000	**85254010**	6.0	0.0	2003	JP	**85254010**	11.3	10.0	2005	JP	X	X	X		US
9001	**85254020**	30.0	0.0	2005	JP	**85254020**	40.0	30.0	2005	JP	X	X			US, EC
9002	**85254030**	30.0	0.0	2005		**85254030**	40.0	0.0	2005	JP	X	X		X	EC concord.
9003	**85254090**	30.0	0.0	2005	JP	**85254090**	48.3	25.0	2005	JP	X	X			EC concord.
9015	**85271200**	20.0			JP,KR	**85271200**	30.0	30.0		KR,JP	X	X			KOR
9016	**85271300**	20.0	15.0	2004	JP,KR	**85271300**	24.0	15.0	2004	JP	X			X	KOR
9017	**85271900**	20.0	15.0	2004	JP,KR	**85271900**	24.0	15.0	2004	KR,JP	X				KOR
9019	**85272100**	24.0	15.0	2004	JP,KR	**85272100**	24.0	15.0	2004	KR,JP	X				same
9022	**85273100**	30.0			JP,KR	**85273100**	30.0	30.0		JP				X	will change
9026	**85279010**	15.0			JP,SG	**85279010**	12.0	0.0	2004	SG,JP	X	X	X		will change
9027	**85279090**	9.0			CA,JP	**85279090**	3.0	0.0	2002	JP,CA	X	X	X		mismatch,ok
9028	**85279090**	9.0			CA,JP	**85279090**	3.0	0.0	2002	JP,CA	X	X	X		mismatch,ok
9032	**85281210**	31.7	30.0	2002	JP,KR	**85281210**	31.7	30.0	2002	JP				X	will change
9035	**85281292**	31.7	30.0	2002	JP,KR	**85281292**	31.7	30.0	2002	JP				X	will change

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
9036	**85281293**	39.0	30.0	2004	JP,KR	**85281293**	39.0	30.0	2004	JP				X	will change
9038	**85281310**	16.7	15.0	2002	JP,KR	**85281310**	16.7	15.0	2002	JP				X	will change
9039	**85281320**	16.7	15.0	2002	JP,KR	**85281320**	16.7	15.0	2002	JP				X	will change
9041	**85281340**	16.7	15.0	2002	JP,KR	**85281340**	16.7	15.0	2002	JP				X	will change
9043	**85282100**	31.7	30.0	2002	JP,KR	**85282100**	31.7	30.0	2002	JP				X	will change
9046	**85283010**	31.7	30.0	2002	CA,JP,KR	**85283010**	31.7	30.0	2002	JP,CA				X	will change
9047	**85283020**	13.0			JP,KR	**85283020**	16.7	15.0	2002	JP	X	X	X	X	will change
9051	**85291020**	7.5	0.0	2003	JP	**85291020**	15.0	15.0		JP	X	X	X		US
9053	**85291090**	9.8	2.0	2004	JP	**85291090**	7.5	0.0	2003	JP	X	X	X		mismatch,ok
9052	**85291090**	9.8	2.0	2004	JP	**85291090**	7.5	0.0	2003	JP	X	X	X		mismatch,ok
9055	**85299010**	7.5	0.0	2003	AU,JP	**85299010**	12.8	8.4	2005	AU,JP	X	X	X		US
9068	**85299091**	12.0	0.0	2004	JP	**85299091**	20.0	20.0		JP	X	X	X		US
9069	**85299099**	5.4	0.0	2004	AU,JP	**85299099**	3.0	0.0	2002	AU,JP	X		X		mismatch,ok
9070	**85299099**	5.4	0.0	2004	AU,JP	**85299099**	3.0	0.0	2002	AU,JP	X		X		mismatch,ok
9079	**85312000**	14.0	8.0	2003	JP	**85312000**	12.0	0.0	2004	JP	X	X	X		will change
9084	**85319010**	7.5	0.0	2003	JP	**85319010**	14.7	14.0	2005	JP	X	X	X		US
9085	**85319090**	7.5	0.0	2003	JP	**85319090**	14.0	12.0	2005	JP	X	X	X		US
9086	**85319090**	7.5	0.0	2003	JP	**85319090**	14.0	12.0	2005	JP	X	X	X		US
9091	**85322110**	6.0	0.0	2003	JP	**85322110**	2.7	0.0	2002	JP	X		X		will change
9096	**85322410**	6.0	0.0	2003	JP	**85322410**	2.7	0.0	2002	JP	X		X		will change
9099	**85322510**	6.0	0.0	2003	JP	**85322510**	2.7	0.0	2002	JP	X		X		will change
9110	**85332110**	6.0	0.0	2003	JP	**85332110**	4.0	0.0	2003	JP	X				will change
9111	**85332190**	6.0	0.0	2003	JP	**85332190**	5.0	0.0	2003	JP	X				will change
9137	**85365000**	6.0	0.0	2003	AU,JP	**85365000**	11.3	10.0	2005	AU,JP	X	X	X		US
9136	**85365000**	6.0	0.0	2003	AU,JP	**85365000**	11.3	10.0	2005	AU,JP	X	X	X		US
9140	**85366900**	6.0	0.0	2003	AU,JP	**85366900**	11.0	10.0	2003	AU,JP	X	X			US
9141	**85366900**	6.0	0.0	2003	AU,JP	**85366900**	11.0	10.0	2003	AU,JP	X	X			US
9142	**85369000**	5.0	0.0	2003	AU,JP,LV	**85369000**	11.3	10.0	2005	AU,JP,LV	X	X			US
9143	**85369000**	5.0	0.0	2003	AU,JP,LV	**85369000**	11.3	10.0	2005	AU,JP,LV	X	X			US
9142	**85369000**	5.0	0.0	2003	AU,JP,LV	**85369000**	6.0	0.0	2003	AU,JP,LV	X				US
9143	**85369000**	5.0	0.0	2003	AU,JP,LV	**85369000**	6.0	0.0	2003	AU,JP,LV	X				US
9166	**85392290**	10.5	5.0	2002	JP,KG	**85392290**	7.3	5.0	2002	KG,JP	X				will change
9168	**85392910**	10.5	5.0	2002	JP,KG	**85392910**	7.3	5.0	2002	KG,JP	X				will change

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ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
9170	**85392930**	10.5	5.0	2002	JP,KG	**85392930**	7.3	5.0	2002	KG,JP	X				will change
9173	**85392999**	8.0			AU,KG	**85392999**	12.0	12.0		AU,KG	X	X			will change
9251	**85433000**	7.5	0.0	2003	JP	**85433000**	13.3	10.0	2005	JP	X	X	X		US
9256	**85438910**	6.0	0.0	2003	AU,JP	**85438910**	10.0	6.0	2005	AU,JP	X	X	X		US
9257	**85438920**	6.0	0.0	2003	AU	**85438920**	10.0	6.0	2005	AU	X	X	X		US
9258	**85438990**	10.8	0.0	2004	AU,JP	**85438990**	15.3	10.0	2005	AU,JP	X	X	X		US
9259	**85438990**	10.8	0.0	2004	AU,JP	**85438990**	15.3	10.0	2005	AU,JP	X	X	X		US
9261	**85439010**	0.0			JP	**85439010**	5.0	5.0		JP	X	X	X		US
9263	**85439021**	10.8	0.0	2004	JP	**85439021**	16.0	12.0	2005	JP	X	X	X		US
9264	**85439029**	2.7	0.0	2002	JP	**85439029**	8.0	8.0		JP	X	X	X		US
9265	**85439030**	2.7	0.0	2002		**85439030**	8.0	8.0			X	X	X		US
9266	**85439040**	2.7	0.0	2002	JP	**85439040**	8.0	8.0		JP	X	X	X		US
9267	**85439090**	2.7	0.0	2002	JP	**85439090**	8.0	8.0		JP	X	X	X		US
9268	**85439090**	2.7	0.0	2002	JP	**85439090**	8.0	8.0		JP	X	X	X		US
9276	**85443090**	16.0	10.0	2004		**85443090**	8.5	5.0	2003		X	X			will change
9279	**85444110**	7.5	0.0	2003	JP	**85444110**	12.5	10.0	2003	JP	X	X			US
9280	**85444110**	7.5	0.0	2003	JP	**85444110**	12.5	10.0	2003	JP	X	X			US
9281	**85444190**	12.0	0.0	2004		**85444190**	16.7	10.0	2005		X	X	X		US
9282	**85444190**	12.0	0.0	2004		**85444190**	16.7	10.0	2005		X	X	X		US
9285	**85444910**	7.5	0.0	2003	CA,JP	**85444910**	13.3	10.0	2005	JP,CA	X	X	X		US
9284	**85444910**	7.5	0.0	2003	CA,JP	**85444910**	13.3	10.0	2005	JP,CA	X	X	X		US
9286	**85444990**	14.0	0.0	2005	JP	**85444990**	17.3	10.0	2005	JP	X	X			US
9287	**85444990**	14.0	0.0	2005	JP	**85444990**	17.3	10.0	2005	JP	X	X			US
9290	**85445110**	7.5	0.0	2003	AU,JP	**85445110**	13.3	10.0	2005	AU,JP	X	X	X		US
9291	**85445110**	7.5	0.0	2003	AU,JP	**85445110**	13.3	10.0	2005	AU,JP	X	X	X		US
9292	**85445190**	14.0	0.0	2005	AU	**85445190**	17.3	10.0	2005	AU	X	X			US
9293	**85445190**	14.0	0.0	2005	AU	**85445190**	17.3	10.0	2005	AU	X	X			US
9295	**85445910**	10.0			AU,CA,JP	**85445910**	10.4	6.0	2003	AU,JP,CA	X	X	X		Hungary
9391	**87021091**	41.7	25.0	2005	AU,JP,PL	**87021091**	43.8	25.0	01072006	AU,JP,PL	X		X		
9392	**87021092**	55.0	25.0	2005	JP,PL	**87021092**	58.8	25.0	01072006	JP,PL	X		X		
9393	**87021093**	55.0	25.0	2005	JP,PL	**87021093**	58.8	25.0	01072006	JP,PL	X		X		
9395	**87029010**	41.7	25.0	2005	JP,KR,PL	**87029010**	43.8	25.0	01072006	KR,JP,PL	X		X		
9396	**87029020**	55.0	25.0	2005	JP	**87029020**	58.8	25.0	01072006	JP	X		X		

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9397	**87029030**	55.0	25.0	2005	JP	**87029030**	58.8	25.0	01072006	JP	X		X		
9399	**87031000**	26.7	25.0	2002	JP	**87031000**	28.8	25.0	01072006	JP	X		X		
9402	**87032130**	51.9	25.0	2005	JP,KR,PL	**87032130**	51.9	25.0	01072006	JP,PL			X	X	
9403	**87032190**	51.9	25.0	2005	JP,KR	**87032190**	51.9	25.0	01072006	KR,JP			X		
9406	**87032230**	51.9	25.0	2005	JP,KR,PL	**87032230**	51.9	25.0	01072006	JP,PL			X	X	
9407	**87032240**	51.9	25.0	2005	JP,KR	**87032240**	51.9	25.0	01072006	JP			X	X	
9408	**87032250**	51.9	25.0	2005	JP,KR	**87032250**	51.9	25.0	01072006	JP			X	X	
9409	**87032290**	51.9	25.0	2005	JP,KR	**87032290**	51.9	25.0	01072006	JP			X	X	
9412	**87032314**	51.9	25.0	2005	AU,JP,KR,PL	**87032314**	51.9	25.0	01072006	AU,JP,PL			X	X	
9413	**87032315**	51.9	25.0	2005	AU,JP,KR	**87032315**	51.9	25.0	01072006	AU,JP			X	X	
9414	**87032316**	51.9	25.0	2005	AU,JP,KR	**87032316**	51.9	25.0	01072006	AU,JP			X	X	
9415	**87032319**	51.9	25.0	2005	AU,JP,KR	**87032319**	51.9	25.0	01072006	AU,JP			X	X	
9417	**87032334**	51.9	25.0	2005	AU,JP,KR	**87032334**	51.9	25.0	01072006	AU,JP			X	X	
9418	**87032335**	51.9	25.0	2005	AU,JP,KR	**87032335**	51.9	25.0	01072006	AU,KR,JP			X		
9419	**87032336**	51.9	25.0	2005	AU,JP,KR	**87032336**	51.9	25.0	01072006	AU,KR,JP			X		
9420	**87032339**	51.9	25.0	2005	AU,JP,KR	**87032339**	51.9	25.0	01072006	AU,JP			X	X	
9422	**87032430**	61.7	25.0	2005	AU,JP,KR	**87032430**	61.7	25.0	01072006	AU,KR,JP			X		
9423	**87032440**	61.7	25.0	2005	AU,JP,KR	**87032440**	61.7	25.0	01072006	AU,JP			X	X	
9424	**87032450**	61.7	25.0	2005	AU,JP,KR	**87032450**	61.7	25.0	01072006	AU,JP			X	X	
9425	**87032490**	61.7	25.0	2005	AU,JP,KR	**87032490**	61.7	25.0	01072006	AU,JP			X	X	
9428	**87033130**	51.9	50.0	2005	JP,KR	**87033130**	51.9	25.0	01072006	JP		X	X	X	
9429	**87033140**	51.9	50.0	2005	JP,KR	**87033140**	51.9	25.0	01072006	KR,JP		X	X		
9430	**87033150**	51.9	25.0	2005	JP,KR	**87033150**	51.9	25.0	01072006	KR,JP			X		
9431	**87033190**	51.9	25.0	2005	JP,KR	**87033190**	51.9	25.0	01072006	JP			X	X	
9433	**87033230**	51.9	25.0	2005	JP,KR	**87033230**	51.9	25.0	01072006	KR,JP			X		
9434	**87033240**	51.9	25.0	2005	JP,KR	**87033240**	51.9	25.0	01072006	KR,JP			X		
9435	**87033250**	51.9	25.0	2005	JP,KR	**87033250**	51.9	25.0	01072006	KR,JP			X		
9436	**87033290**	51.9	25.0	2005	JP,KR	**87033290**	51.9	25.0	01072006	KR,JP			X		
9438	**87033330**	61.7	25.0	2005	JP,KR	**87033330**	61.7	25.0	01072006	KR,JP			X		
9439	**87033340**	61.7	25.0	2005	JP,KR	**87033340**	61.7	25.0	01072006	JP			X	X	
9440	**87033350**	61.7	25.0	2005	JP,KR	**87033350**	61.7	25.0	01072006	JP			X	X	
9441	**87033390**	61.7	25.0	2005	JP,KR	**87033390**	61.7	25.0	01072006	JP			X	X	
9442	**87039000**	61.7	25.0	2005	JP,KR	**87039000**	61.7	25.0	01072006	KR,JP			X		

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9448	**87042100**	40.0	25.0	2005	JP,KR	**87042100**	41.7	25.0	2005	KR,JP	X				
9450	**87042230**	30.0	20.0	2005	CZ,JP	**87042230**	33.3	20.0	2005	CZ,JP	X				
9451	**87042240**	25.0	20.0	2004	JP	**87042240**	26.0	20.0	2004	JP	X				
9452	**87042300**	20.0	15.0	2004	CZ,JP,KR	**87042300**	24.0	15.0	2004	CZ,JP	X				
9454	**87043100**	40.0	25.0	2005	JP,KR	**87043100**	41.7	25.0	2005	JP	X			X	
9456	**87043230**	30.0	20.0	2005	JP	**87043230**	33.3	20.0	2005	JP	X				
9473	**87054000**	21.0	15.0	2003	JP,NO	**87054000**	20.0	15.0	2003	NO,JP	X				
9477	**87059040**	12.0			JP,NO	**87059040**	16.0	12.0	2003	NO,JP	X		X		
9484	**87059090**	18.6	9.0	2004	JP	**87059090**	19.8	12.0	2004	JP	X	X			
9490	**87060030**	35.0	20.0	2005	JP	**87060030**	40.0	20.0	2005	JP	X				
9492	**87060090**	40.0	10.0	2005	JP	**87060090**	42.1	10.0	01072006	JP	X		X		
9494	**87071000**	46.0	10.0	2005	JP	**87071000**	48.6	10.0	01072006	JP	X		X		
9496	**87079010**	34.0	10.0	2005	JP,KR	**87079010**	35.7	10.0	01072006	KR,JP	X		X		
9497	**87079090**	34.0	10.0	2005	JP,KR	**87079090**	35.7	10.0	01072006	JP	X		X	X	
9499	**87081000**	24.6	10.0	2005	AU,JP	**87081000**	24.6	10.0	2006	AU,JP			X		
9501	**87082100**	24.6	10.0	2005	JP,KR	**87082100**	24.6	10.0	2006	KR,JP			X		
9503	**87082910**	30.0	10.0	2005	AU,JP,PL	**87082910**	35.7	10.0	01072006	AU,JP,PL	X		X		
9504	**87082920**	30.0	10.0	2005	AU,JP,PL	**87082920**	35.7	10.0	01072006	AU,JP,PL	X		X		
9506	**87082990**	24.6	10.0	2005	AU,JP,PL	**87082990**	24.6	10.0	2006	AU,JP,PL			X		
9508	**87083100**	24.6	10.0	2005	AU,JP	**87083100**	24.6	10.0	2006	AU,JP			X		
9511	**87083920**	24.6	10.0	2005	JP,KR	**87083920**	24.6	10.0	2006	KR,JP			X		
9513	**87083940**	24.6	10.0	2005	JP	**87083940**	24.6	10.0	2006	JP			X		
9514	**87083950**	15.0	10.0	2004	JP,KR	**87083950**	16.0	10.0	2004	KR,JP	X				
9515	**87083960**	15.8	10.0	2004	JP	**87083960**	16.0	10.0	2004	JP	X				
9516	**87083990**	30.0	10.0	2005	JP	**87083990**	35.7	10.0	01072006	JP	X		X		
9519	**87084020**	24.6	10.0	2005	HU,JP	**87084020**	24.6	10.0	2006	HU,JP			X		
9521	**87084040**	24.6	10.0	2005	JP	**87084040**	24.6	10.0	2006	JP			X		
9522	**87084050**	15.0	10.0	2004	KR	**87084050**	16.0	10.0	2004	KR	X				
9523	**87084060**	15.8	10.0	2004	JP	**87084060**	16.0	10.0	2004	JP	X				
9525	**87084091**	34.0	10.0	2005		**87084091**	35.7	10.0	01072006	AU,JP	X		X	X	
9526	**87084099**	34.0	10.0	2005		**87084099**	35.7	10.0	01072006	AU,JP	X		X	X	
9529	**87085020**	24.6	10.0	2005	JP,KR	**87085020**	24.6	10.0	2006	KR,JP			X		
9531	**87085040**	24.6	10.0	2005	JP,KR	**87085040**	24.6	10.0	2006	KR,JP			X		

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9532	**87085050**	15.0	10.0	2004	JP	**87085050**	16.0	10.0	2004	JP	X				
9533	**87085060**	15.8	10.0	2004	JP	**87085060**	16.0	10.0	2004	KR,JP	X				
9534	**87085090**	27.5	10.0	2005	AU,JP,KR	**87085090**	27.5	10.0	2006	AU,JP			X	X	
9537	**87086020**	26.7	15.0	2005	JP,KR	**87086020**	26.7	15.0	2006	KR,JP			X		
9539	**87086040**	24.6	10.0	2005	JP	**87086040**	24.6	10.0	2006	JP			X		
9540	**87086050**	15.0	10.0	2004	JP,KR	**87086050**	16.0	10.0	2004	KR,JP	X				
9541	**87086060**	15.8	10.0	2004	JP	**87086060**	16.0	10.0	2004	JP	X				
9542	**87086090**	27.5	10.0	2005	AU,JP	**87086090**	27.5	10.0	2006	AU,JP			X		
9545	**87087020**	24.6	10.0	2005	AU	**87087020**	24.6	10.0	2006	AU			X		
9547	**87087040**	24.6	10.0	2005		**87087040**	24.6	10.0	2006				X		
9548	**87087050**	15.8	10.0	2004		**87087050**	16.0	10.0	2004		X				
9549	**87087060**	15.8	10.0	2004	AU	**87087060**	16.0	10.0	2004	AU	X				
9550	**87087090**	27.5	10.0	2005	AU	**87087090**	27.5	10.0	2006	AU			X		
9552	**87088010**	27.5	10.0	2005	AU,JP	**87088010**	27.5	10.0	2006	AU,JP			X		
9553	**87088090**	27.5	10.0	2005	AU,JP	**87088090**	27.5	10.0	2006	AU,JP			X		
9555	**87089100**	24.6	10.0	2005	AU,JP	**87089100**	24.6	10.0	2006	AU,JP			X		
9556	**87089200**	24.6	10.0	2005	JP	**87089200**	24.6	10.0	2006	JP			X		
9559	**87089320**	24.6	10.0	2005	JP,KR	**87089320**	24.6	10.0	2006	KR,JP			X		
9561	**87089340**	24.6	10.0	2005	JP,KR	**87089340**	24.6	10.0	2006	KR,JP			X		
9562	**87089350**	15.0	10.0	2004	JP,KR	**87089350**	16.0	10.0	2004	KR,JP	X				
9563	**87089360**	15.8	10.0	2004	JP	**87089360**	16.0	10.0	2004	JP	X				
9564	**87089390**	27.5	10.0	2005	AU,JP	**87089390**	27.5	10.0	2006	AU,JP			X		
9567	**87089420**	24.6	10.0	2005	JP	**87089420**	24.6	10.0	2006	JP			X		
9569	**87089440**	24.6	10.0	2005	JP	**87089440**	24.6	10.0	2006	JP			X		
9570	**87089450**	15.0	10.0	2004	JP	**87089450**	16.0	10.0	2004	JP	X				
9571	**87089460**	15.8	10.0	2004	JP	**87089460**	16.0	10.0	2004	JP	X				
9572	**87089490**	30.0	10.0	2005	AU,JP	**87089490**	35.7	10.0	01072006	AU,JP	X		X		
9575	**87089920**	28.0	25.0	2003	JP	**87089920**	30.0	25.0	2003	JP	X				
9577	**87089940**	28.0	25.0	2003	JP	**87089940**	30.0	25.0	2003	JP	X				
9580	**87089990**	17.5	10.0	2005	AU,CA,JP	**87089990**	27.5	10.0	2006	AU,JP,CA	X		X		
9584	**87091110**	15.8	10.0	2004		**87091110**	16.0	10.0	2004		X		X		
9585	**87091190**	15.8	10.0	2004		**87091190**	16.0	10.0	2004		X		X		
9587	**87091910**	16.0	10.5	2004		**87091910**	16.2	10.5	2004	JP	X			X	

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
9588	**87091990**	16.0	10.5	2004		**87091990**	16.2	10.5	2004	JP	X			X	
9591	**87100010**	23.8	15.0	2004		**87100010**	24.0	15.0	2004		X				
9594	**87111000**	53.8	45.0	2003	JP	**87111000**	52.3	45.0	2003	JP	X				
9595	**87112000**	53.8	45.0	2003	JP	**87112000**	52.3	45.0	2003	JP	X				
9597	**87113010**	53.8	45.0	2004		**87113010**	54.0	45.0	2004	KR,JP	X			X	
9598	**87113020**	53.8	45.0	2004		**87113020**	54.0	45.0	2004	KR,JP	X			X	
9599	**87114000**	51.7	40.0	2005	JP,KR	**87114000**	53.3	40.0	2005	KR,JP	X				
9600	**87115000**	41.7	30.0	2005	JP	**87115000**	43.3	30.0	2005	JP	X				
9601	**87119000**	53.8	45.0	2003	JP	**87119000**	52.3	45.0	2003	JP	X				
9603	**87120020**	20.0	13.0	2004		**87120020**	20.2	13.0	2004		X				
9604	**87120030**	20.0	13.0	2004		**87120030**	20.2	13.0	2004		X				
9606	**87120041**	20.0	13.0	2004		**87120041**	20.2	13.0	2004		X				
9607	**87120049**	20.0	13.0	2004		**87120049**	20.2	13.0	2004		X				
9609	**87120081**	20.0	13.0	2004		**87120081**	20.2	13.0	2004		X				
9610	**87120089**	20.0	13.0	2004		**87120089**	20.2	13.0	2004		X				
9621	**87149100**	19.6	12.0	2004	JP	**87149100**	19.8	12.0	2004	JP	X				
9622	**87149200**	19.6	12.0	2004	JP	**87149200**	19.8	12.0	2004	JP	X				
9623	**87149300**	19.6	12.0	2004	SG	**87149300**	19.8	12.0	2004	SG	X				
9624	**87149400**	19.6	12.0	2004	JP	**87149400**	19.8	12.0	2004	JP	X				
9625	**87149500**	19.6	12.0	2004	JP	**87149500**	19.8	12.0	2004	JP	X				
9626	**87149600**	19.6	12.0	2004	JP	**87149600**	19.8	12.0	2004	JP	X				
9627	**87149900**	20.0	12.0	2004		**87149900**	19.8	12.0	2004		X				
9629	**87150000**	10.0			JP	**87150000**	21.7	20.0	2002	JP	X	X	X		
9641	**87168000**	27.5	10.0	2005	JP	**87168000**	30.0	10.0	2005	JP	X				
9642	**87169000**	15.8	10.0	2004		**87169000**	16.0	10.0	2004		X				
9654	**88023000**	5.0	4.0	2003 (See Note A)	CA	**88023000**	4.5	4.0	2003	CA	X				will change
9732	**90011000**	10.8	5.0	2004	AU,CH	**90011000**	11.0	5.0	2004	AU,CH	X				EC
9734	**90013000**	15.8	10.0	2004	CH	**90013000**	16.0	10.0	2004	CH	X				EC
9764	**90031900**	17.0	10.0	2004	EC,JP	**90031900**	17.2	10.0	2004	JP,EC	X				EC
9765	**90039000**	17.0	10.0	2004	JP	**90039000**	17.2	10.0	2004	JP	X				EC
9789	**90065300**	22.9	20.0	2002	JP	**90065300**	21.7	20.0	2002	JP	X				will change
9828	**90091110**	12.8	0.0	2005	JP	**90091110**	14.7	0.0	2005	JP	X				EC
9829	**90091190**	12.8	0.0	2005	JP	**90091190**	14.7	0.0	2005	JP	X				EC

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
9831	**90091210**	17.0	10.0	2004	JP	**90091210**	17.2	10.0	2004	JP	X				EC
9832	**90091290**	17.0	10.0	2004	JP	**90091290**	17.2	10.0	2004	JP	X				EC
9835	**90092110**	12.8	0.0	2005	JP	**90092110**	14.7	0.0	2005	JP	X				EC
9836	**90092190**	12.8	0.0	2005	JP	**90092190**	14.7	0.0	2005	JP	X				EC
9852	**90101099**	20.8	15.0	2004	JP	**90101099**	21.0	15.0	2004	JP	X				EC
9854	**90104100**	12.8	0.0	2005	JP	**90104100**	14.7	0.0	2005	JP	X				EC
9855	**90104200**	12.8	0.0	2005	JP	**90104200**	14.7	0.0	2005	JP	X				EC
9856	**90104900**	12.8	0.0	2005	JP	**90104900**	14.7	0.0	2005	JP	X				EC
9865	**90109010**	7.5	0.0	2003		**90109010**	13.3	10.0	2005		X	X	X		US
9866	**90109020**	6.0	0.0	2003	JP	**90109020**	10.7	8.0	2005	JP	X	X	X		US
9867	**90109090**	6.0	0.0	2003	JP	**90109090**	11.3	10.0	2005	JP	X	X	X		US
9868	**90109090**	6.0	0.0	2003	JP	**90109090**	11.3	10.0	2005	JP	X	X	X		US
9870	**90111000**	3.0	0.0	2002	CH,JP	**90111000**	8.7	8.0	2005	JP	X	X	X	X	CH,US
9871	**90111000**	3.0	0.0	2002	CH,JP	**90111000**	8.7	8.0	2005	JP	X	X	X	X	CH,US
9870	**90111000**	3.0	0.0	2002	CH,JP	**90111000**	3.0	0.0	2002	JP				X	CH,US
9871	**90111000**	3.0	0.0	2002	CH,JP	**90111000**	3.0	0.0	2002	JP				X	CH,US
9872	**90112000**	3.0	0.0	2002	CH,JP	**90112000**	8.7	8.0	2005	JP	X	X	X	X	CH,US
9873	**90112000**	3.0	0.0	2002	CH,JP	**90112000**	8.7	8.0	2005	JP	X	X	X	X	CH,US
9872	**90112000**	3.0	0.0	2002	CH,JP	**90112000**	3.0	0.0	2002	JP				X	CH,US
9873	**90112000**	3.0	0.0	2002	CH,JP	**90112000**	3.0	0.0	2002	JP				X	CH,US
9875	**90119000**	3.0	0.0	2002	CH,JP	**90119000**	3.0	0.0	2002	JP				X	CH,US
9876	**90119000**	3.0	0.0	2002	CH,JP	**90119000**	3.0	0.0	2002	JP				X	CH,US
9875	**90119000**	3.0	0.0	2002	CH,JP	**90119000**	8.7	8.0	2005	JP	X	X	X	X	CH,US
9876	**90119000**	3.0	0.0	2002	CH,JP	**90119000**	8.7	8.0	2005	JP	X	X	X	X	CH,US
9878	**90121000**	3.0	0.0	2002	CH,JP	**90121000**	9.0	9.0		JP	X	X	X	X	CH,US
9879	**90121000**	3.0	0.0	2002	CH,JP	**90121000**	9.0	9.0		JP	X	X	X	X	CH,US
9878	**90121000**	3.0	0.0	2002	CH,JP	**90121000**	3.0	0.0	2002	JP				X	CH,US
9879	**90121000**	3.0	0.0	2002	CH,JP	**90121000**	3.0	0.0	2002	JP				X	CH,US
9880	**90129000**	3.0	0.0	2002	CH,JP	**90129000**	7.5	6.0	2003	JP	X	X	X	X	CH,US
9881	**90129000**	3.0	0.0	2002	CH,JP	**90129000**	7.5	6.0	2003	JP	X	X	X	X	CH,US
9880	**90129000**	3.0	0.0	2002	CH,JP	**90129000**	3.0	0.0	2002	JP				X	CH,US
9881	**90129000**	3.0	0.0	2002	CH,JP	**90129000**	3.0	0.0	2002	JP				X	CH,US
9909	**90172000**	10.5	0.0	2004		**90172000**	17.0	15.0	2005		X	X	X	X	EC

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
9910	**90172000**	10.5	0.0	2004		**90172000**	17.0	15.0	2005		×	×	×		EC
9909	**90172000**	10.5	0.0	2004		**90172000**	10.8	0.0	2004		×				EC
9910	**90172000**	10.5	0.0	2004		**90172000**	10.8	0.0	2004		×				EC
9913	**90179000**	0.0			JP	**90179000**	8.0	8.0		JP	×	×			US
9914	**90179000**	0.0			JP	**90179000**	8.0	8.0		JP	×	×			US
9913	**90179000**	0.0			JP	**90179000**	2.7	0.0	2002	JP	×		×		US
9914	**90179000**	0.0			JP	**90179000**	2.7	0.0	2002	JP	×		×		US
9921	**90181291**	7.0	5.0	2002		**90181291**	9.0	5.0	2002	JP	×			×	US
9922	**90181299**	7.0	5.0	2002		**90181299**	9.0	5.0	2002	JP	×			×	US
10009	**90278010**	6.0	0.0	2003	CH	**90278010**	6.0	0.0	2003	AU,NO,JP,CH				×	will change
10010	**90278090**	6.0	0.0	2003	CH	**90278090**	6.0	0.0	2003	AU,NO,JP,CH				×	will change
10011	**90279000**	3.0	0.0	2002	CH,JP,NO	**90279000**	8.0	6.0	2005	NO,JP	×	×	×	×	CH,US
10012	**90279000**	3.0	0.0	2002	CH,JP,NO	**90279000**	8.0	6.0	2005	NO,JP	×	×	×	×	CH,US
10011	**90279000**	3.0	0.0	2002	CH,JP,NO	**90279000**	3.0	0.0	2002	NO,JP				×	CH,US
10012	**90279000**	3.0	0.0	2002	CH,JP,NO	**90279000**	3.0	0.0	2002	NO,JP				×	CH,US
10038	**90302010**	15.8	10.0	2004	JP	**90302010**	16.0	10.0	2004	JP	×				EC
10039	**90302090**	10.8	5.0	2004	JP	**90302090**	11.0	5.0	2004	JP	×				EC
10050	**90304090**	8.5	5.0	2003	JP	**90304090**	6.0	0.0	2003	JP	×	×			will change
10052	**90308200**	7.3	5.0	2002	JP	**90308200**	6.0	0.0	2003	JP	×	×	×		will change
10059	**90309000**	7.0			AU,JP	**90309000**	3.0	0.0	2002	JP	×	×	×	×	mismatched,ok
10060	**90309000**	7.0			AU,JP	**90309000**	3.0	0.0	2002	JP	×	×	×	×	mismatched,ok
10067	**90314110**	6.0	0.0	2003	CH	**90314110**	6.0	0.0	2003	JP,CH				×	will change
10068	**90314190**	6.0	0.0	2003	CH	**90314190**	6.0	0.0	2003	JP,CH				×	will change
10070	**90314900**	6.0	0.0	2003	CH,JP	**90314900**	9.5	7.0	2003	JP	×	×		×	CH,US
10069	**90314900**	6.0	0.0	2003	CH,JP	**90314900**	9.5	7.0	2003	JP	×	×		×	CH,US
10070	**90314900**	6.0	0.0	2003	CH,JP	**90314900**	6.0	0.0	2003	JP				×	CH,US
10069	**90314900**	6.0	0.0	2003	CH,JP	**90314900**	6.0	0.0	2003	JP				×	CH,US
10072	**90318010**	8.5	5.0	2003	CH	**90318010**	8.5	5.0	2003	AU,JP,CH				×	will change
10073	**90318090**	8.5	5.0	2003	CH	**90318090**	8.5	5.0	2003	AU,JP,CH				×	will change
10074	**90319000**	3.0	0.0	2002	AU,CH,JP	**90319000**	8.0	7.0	2003	AU,JP				×	CH
10075	**90319000**	3.0	0.0	2002	AU,CH,JP	**90319000**	8.0	7.0	2003	AU,JP				×	CH
10088	**91011100**	20.8	15.0	2004	CH,JP	**91011100**	19.4	11.0	2004	JP,CH	×	×			will change
10092	**91012100**	19.1	15.0	2003	CH,JP	**91012100**	17.6	11.0	2004	JP,CH	×	×	×		will change

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
10093	**91012900**	20.0	15.0	2003	CH	**91012900**	18.5	15.0	2003	CH	X				will change
10095	**91019100**	25.0	15.0	2004	CH	**91019100**	21.0	15.0	2004	CH	X				will change
10099	**91021100**	25.0	12.5	2004	CH,JP	**91021100**	20.0	12.5	2004	JP,CH	X				will change
10101	**91021900**	19.5	15.0	2003	CH	**91021900**	18.0	15.0	2003	CH	X				will change
10103	**91022100**	20.0	11.0	2004	CH,JP	**91022100**	17.6	11.0	2004	JP,CH	X				will change
10104	**91022900**	20.0	15.0	2003	CH,JP	**91022900**	18.5	15.0	2003	JP,CH	X				will change
10106	**91029100**	25.0	15.0	2004	CH	**91029100**	21.0	15.0	2004	CH	X				will change
10112	**91040000**	17.0	10.0	2004	JP	**91040000**	17.2	10.0	2004	JP	X				EC
10130	**91070000**	17.8	12.0	2004	JP	**91070000**	18.0	12.0	2004	JP	X				EC
10174	**92011000**	24.8	17.5	2004		**92011000**	25.0	17.5	2004		X				EC
10175	**92012000**	24.8	17.5	2004	JP	**92012000**	25.0	17.5	2004	JP	X				EC
10176	**92019000**	24.8	17.5	2004	JP	**92019000**	25.0	17.5	2004	JP	X				EC
10235	**94011000**	12.8	0.0	2005		**94011000**	14.7	0.0	2005		X				EC
10236	**94012000**	17.0	10.0	2004	JP	**94012000**	17.2	10.0	2004	JP	X				EC
10237	**94013000**	12.8	0.0	2005	JP	**94013000**	14.7	0.0	2005	JP	X				EC
10238	**94014000**	12.8	0.0	2005		**94014000**	14.7	0.0	2005		X				EC
10239	**94015000**	12.8	0.0	2005	JP	**94015000**	14.7	0.0	2005	JP	X				EC
10241	**94016100**	12.8	0.0	2005		**94016100**	14.7	0.0	2005		X				EC
10242	**94016900**	12.8	0.0	2005		**94016900**	14.7	0.0	2005		X				EC
10244	**94017100**	12.8	0.0	2005	JP	**94017100**	14.7	0.0	2005	JP	X				EC
10245	**94017900**	12.8	0.0	2005		**94017900**	14.7	0.0	2005		X				EC
10246	**94018000**	12.8	0.0	2005	AU,JP	**94018000**	14.7	0.0	2005	AU,JP	X				EC
10247	**94019000**	12.8	0.0	2005	BO	**94019000**	12.8	0.0	2006	BO			X		EC,US
10288	**94051000**	20.0			AU,JP	**94051000**	17.2	10.0	2004	AU,JP		X	X		will change
	62042300		25.0			**62042300**		20.0	2004			X	X		will change
	62042910		25.0			**62042910**		20.0	2004			X	X		will change
	63049121					**63049121**				JP				X	will change
	63049129					**63049129**				JP				X	will change
	63049131					**63049131**				JP				X	will change
	63049139					**63049139**				JP				X	will change
	70200011					**70200011**				JP				X	will change

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
	70200012					70200012				JP				×	will change
	70200019					70200019				JP				×	will change
	72161010					72161010				JP,KR				×	will change
	72161090					72161090				JP,KR				×	will change
	72251100					72251100				JP				×	will change
	72261100					72261100				JP				×	will change
	72261900					72261900				JP				×	will change
	75040010					75040010				CA,CU				×	will change
	75040020					75040020				CA,CU				×	will change
	76061220					76061220				AU,JP				×	will change
	76061230					76061230				AU,JP				×	will change
	76061240					76061240				AU,JP				×	will change
	79060010					79060010				JP				×	will change
	79060020					79060020				JP				×	will change
	79070011					79070011				JP				×	will change
	79070019					79070019				JP				×	will change
	81089040					81089040				JP				×	will change
	83040000	13.0				83040000	14.3				×				KOR
	89012011					89012011				JP				×	will change
	89012012					89012012				JP				×	will change
	89012013					89012013				JP				×	will change
	89012021					89012021				JP				×	will change
	89012022					89012022				JP				×	will change
	89012023					89012023				JP				×	will change
	89012031					89012031				JP				×	will change
	89012032					89012032				JP				×	will change
	89012041					89012041				JP				×	will change
	89012042					89012042				JP				×	will change
	89012090					89012090				JP				×	will change
	89019021					89019021				JP,KR				×	will change
	89019022					89019022				JP,KR				×	will change
	89019031					89019031				JP,KR				×	will change
	89019032					89019032				JP,KR				×	will change

WTO Schedule						China Consolidated Schdule					Discrepencies				
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	HS	Bound rate at date of accession	Final bound rate	Implementation	INRs	Bound rate at date of accession	Final bound rate	Implementation	INRs	
	89019041					89019041				JP,KR				×	will change
	89019042					89019042				JP,KR				×	will change
	89019043					89019043				JP,KR				×	will change
	89019050					89019050				JP,KR				×	will change
	89019080					89019080				JP,KR				×	will change
	90221910					90221910				JP				×	will change
	90221990					90221990				JP				×	will change
	95067010					95067010				JP,CA				×	will change
	95067020					95067020				JP,CA				×	will change
	97040010					97040010				JP				×	will change
	97040090					97040090				JP				×	will change

Checklist of Discrepancies between the Draft Schedule and China's Consolidated Tariff List (07.13.01)

24 July 2001

HS No.	WTO Schedule				China Consolidated Schedule				
	Upon accession rate	Final bound rate	INR	End date	Upon accession rate	Final bound rate	INR	End date	
11081200									Change INR .
06031000				2004				YEAR5	OK Colombia
08029049				2006				YEAR4	Change - 2004
08029090				2006				YEAR4	Change - 2004
12071090				2004				UPON ACCESSION	Change upon accession
15010000				2006				YEAR4	Change - 2004
15071000				2005				YEAR6	OK -Arg. + Dom. Rep
15079000				2005				YEAR6	OK -Arg. + Dom. Rep.
15141010				2004				YEAR6	OK -EC + US
15141090				2004				YEAR6	OK -EC + US
15149000				2005				YEAR6	OK -BRA + AUS
20083010				2008				UPON ACCESSION	Change upon accession
20083090				2008				UPON ACCESSION	Change upon accession
20084010				2008				UPON ACCESSION	Change upon accession
20084090				2008				UPON ACCESSION	Change upon accession
20085000				2008				UPON ACCESSION	Change upon accession
Ex21069090				2005				YEAR4	Change 2004
22085000				2004				YEAR5	Change 2005
15071000	74.14				81.7				OK -US
15079000	74.14				81.7				OK -US
15111000	28				81.7				OK -US

HS No.	WTO Schedule				China Consolidated Schedule				
	Upon accession rate	Final bound rate	INR	End date	Upon accession rate	Final bound rate	INR	End date	
15119000	10				81.7				Change ??? -Singapore
Ex15119000						9			OK Malaysia
15149000	72				81.7				OK Singapore
15159000	20				36				OK Singapore
15162000	25				37				OK Singapore
15179000	25				37				OK Singapore
17011100						65			OK Dom. Rep + Panama
17011200						65			OK Dom. Rep + Panama
17019100						65			OK Dom. Rep + Panama
17019910						65			OK Dom. Rep + Panama
17019920						65			OK Dom. Rep + Panama
17019990	55				73.8	65			OK Korea + Dom. Rep.
19023010						25			OK EC
20022010	25				22				Change 22
21012000	35				46.4				OK Singapore
21021000	25				29				OK Korea
21031000	28				29.6				OK EC
21041000	35				39				OK Korea
21069030	5				7.7				OK US + EC
21069090	25				32.5				Change 32.5
22029000	40				47				OK Singapore
22072000	36				38				OK US
22030000	0				56				OK Dom. Rep + Panama
05051000	10				18				OK Korea
05079020						12			OK NZ
08041000	15				19				OK Dom. Rep + Panama

HS No.	WTO Schedule				China Consolidated Schedule				
	Upon accession rate	Final bound rate	INR	End date	Upon accession rate	Final bound rate	INR	End date	
08101000	29				29.1				OK US
08129000	34				34.1				OK US
10020010	0				3				OK US
10040010	0				3				OK US
10040090	2.8				3				OK US
10051000	36				77				OK US
10061010	65				77				OK Uruguay
10061090	65				77				OK Uruguay
10062000	65				77				OK Uruguay
11063000	65				77				OK Uruguay
11064000	10				34				OK Uruguay
10070010	0				2.8				OK US
10089010	0				3				OK US
11022000	72				77				OK US
12112091	20				28				OK Korea
12112099	20				28				OK Korea
12122010	20				24				OK Korea
12122020	20				24				OK Korea
12122030	20				23.3				OK Korea
12122040	20				23.3				OK Korea
12122050	20				23.3				OK Korea
12122090	20				23.3				OK Korea
15043000	14.88				22.9				OK US
22082000	46.7				55.8				OK EC
22083000	46.7				55.8				OK EC
22084000	46.7				54				OK EC
22085000	46.7				55.8				OK EC
22086000	46.7				55.8				OK EC
22087000	46.7				55.8				OK EC
22089000	46.7				55.8				OK EC
33012500	20				22.5				OK Singapore
33012990	20				23.3				OK US + Sri Lanka
35030010	12				16.8				OK Korea
35030090	12				16.8				OK Korea
52010000	65				68.8				68.5 US

Discrepancies in HS Headings

HS No.	WTO	
01059290	Missing	inserted now
16030000	Need to be deleted	fish –move to industry
23012010	Missing	fish –is in industry
33011100	Missing	inserted now

Discrepancies in the Matrix

HS No.	
04029100 04029900	Require to be at 13 in 2004 per Latvia
04100030	final bound is 13 –US
05079020	final bound is 11 –NZ
06031000	end year is 2004 –Colombia
06049100	Will be adjusted –17.8 is bound on accession –15.2, 12.6, 10
06049900	same as above
10040090	final bound is 2 –see US
10051000	start is 36, final 20 –see US
11022000	start is 72, final 40 –see US
12111090	will adjust
12112010	will adjust, must be 10 in 2004
12129991	start is 28, final 20, see US
12129992	see same for 12129991
12129993	see same for 12129991
12129994	see same for 12129991
12141000	will be adjusted
15043000	change in start rate requires change
15071000	start is 74.14, requires change to stage
15079000	see above
15111000	start is 28 –see US
15119000	start is 28 – see US – will be adjusted
15141010	
15141090	
15149000	start is 20, see earlier pages
17011100	start is 50, see earlier pages
17011200	start is 50, see earlier pages
17019100	start is 30, see earlier pages
17019910	start is 50, see earlier pages
17019920	start is 50, see earlier pages
17019990	start is 55, final 50 see earlier pages
19023010	
21039010	
21039090	
21069020	
22085000	
33012990	start is 20, see earlier pages

PERMANENT MISSION OF THE PEOPLE'S REPUBLIC OF CHINA AT GENEVA
ECONOMIC AND TRADE OFFICE
ROUTE DE LAUSANNE 228, 1292 CHAMBESY GE, SWITZERLAND
FAX (022) 909 7699

July 13, 2001

Dear Mr. Arif Hussain,

As we discussed on Monday (July 8) at your office, I am sending you a copy of the China's draft list of Specific Commitments, together with a disk containing the files and the copies of all the bilateral agreements(services part) that China signed with relevant WTO members. (i.e. Sino-US, Sino-EU, Sino-Japan, Sino-Canada, Sino-Australia, Sino-Swiss)

This list reflects the best offers China has made to the members of the Working Party in all bilateral negotiations. We have also improved the list by incorporating all the technical verification resulted from a round of consultations with the U.S., EU, Canada and Japan during the last few weeks.

We hope the list would become the essential and basis for the draft Consolidated Schedule prepared by the WTO Secretariat and the draft Schedule would be circulated promptly to the members of the Working Party.

Thank you very much for your assistance.

With my best regards,

Sincerely yours,

Zhang Xiangchen
Deputy Director-General
DITEA, MOFTEC
China

CHINA-DRAFT LIST OF SPECIFIC COMMITMENT

(July 13 2001)

NOTE

1. This draft List of Specific Commitments of China is prepared taking into account of the principle and rules provided in the GATS and reflecting the best offer China has made to members of the Working Party in bilateral negotiations.

2. This document may contain technical errors, misprints and/or omissions. China therefore reserves the right to make amendments and /or corrections to this draft List of Specific Commitments to rectify any errors, misprints and/or omissions.

CHINA-SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	(3) In China, foreign invested enterprises include foreign capital enterprises (also referred to as wholly foreign-owned enterprises) and joint venture enterprises and there are two types of joint venture enterprises: equity joint ventures and contractual joint ventures.[1] * The proportion of foreign investment in an equity joint venture shall be no less than 25 per cent of the registered capital of the joint venture. The establishment of branches by foreign enterprises is unbound, unless otherwise indicated in specific sub-sectors, as the laws and regulations on branches of foreign enterprises are under formulation. Representative offices of foreign enterprises are permitted to be established in China, but they shall not engage in any profit-making activities except for the representative offices under CPC 861, 862, 863, 865 in the sectoral specific commitments.	(3) Unbound for all the existing subsidies to domestic services suppliers in the sectors of audio-visual, aviation and medical services.	

[1] The terms of the contract, concluded in accordance with China's laws, regulations and other measures, establishing a "contractual joint venture" govern matters such as the manner of operation and management of the joint venture as well as the investment or other contributions of the joint venture parties. Equity participation by all parties to the contractual joint venture is not required, but is determined pursuant to the joint venture contract.

Modes of supply:	(1) Cross-border supply	(2) Consumption abroad	(3) Commercial presence	(4) Presence of natural persons
Sector or sub-sector	Limitations on market access		Limitations on national treatment	Additional commitments
	* The conditions of ownership, operation and scope of activities, as set out in the respective contractual or shareholder agreement or in a license establishing or authorizing the operation or supply of services by an existing foreign service supplier, will not be made more restrictive than they exist as of the date of China's accession to the WTO. The land in the People's Republic of China is State-owned. Use of land by enterprises and individuals is subject to the following maximum term limitations: (a) 70 years for residential purposes; (b) 50 years for industrial purposes; (c) 50 years for the purpose of education, science, culture, public health and physical education; (d) 40 years for commercial, tourist and recreational purposes; (e) 50 years for comprehensive utilization or other purposes.			

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	(4) Unbound except for measures concerning the entry and temporary stay of natural persons who fall into one of the following categories: (a) Managers, executives and specialists defined as senior employees of a corporation of a WTO Member that has established a representative office, branch or subsidiary in the territory of the People's Republic of China, temporarily moving as intra-corporate transferees, shall be permitted entry for an initial stay of 3 years; (b) Managers, executives and specialists defined as senior employees of a corporation of other WTO Members, being engaged in the foreign invested enterprises in the territory of the People's Republic of China for conducting business, shall be granted a long-term stay permit as stipulated in the terms of contracts concerned or an initial stay of 3 years, whichever is shorter; (c) Service salespersons -- persons not based in the territory of the People's Republic of China and receiving no remuneration from a source located within China, and who are engaged in activities related to representing a service supplier for the purpose of negotiation for the sale of services of that supplier where (a) such sales are not directly made to the general public and (b) the salesperson is not engaged in supplying the service: entry for salespersons is limited to a 90-day period.	(4) Unbound except for the measures concerning the entry and temporary stay of natural persons who fall into the categories referred to in the market access column.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
II. SECTOR - SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES A. Professional Services (a) Legal services (CPC 861, excluding Chinese law practice)	(1) None (2) None (3) Foreign law firms can provide legal services only in the form of representative offices in Beijing, Shanghai, Guangzhou, Shenzhen, Haikou, Dalian, Qingdao, Ningbo, Yantai, Tianjin, Suzhou, Xiamen, Zhuhai, Hangzhou, Fuzhou, Wuhan, Chengdu, Shenyang and Kunming only. Representative offices can engage in profit-making activities. Representative offices in China shall be no less than the number established upon the date of accession. A foreign law firm can only establish one representative office in China. The above-mentioned geographic and quantitative limitations will be eliminated within 1 year after China's accession to the WTO.	(1) None (2) None (3) All representatives shall be resident in China no less than six months each year. The representative office shall not employ Chinese national registered lawyers.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Business scope of foreign representative offices: (a) to provide its clients with consultancy on the legislation of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work, and on international conventions and practices; (b) to handle, when entrusted by its clients or Chinese law firms, legal affairs of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work; (c) to entrust, on behalf of foreign clients, Chinese law firms to deal with the Chinese legal affairs; (d) to enter into contracts to maintain long-term entrustment relations with Chinese law firms for legal affairs; (e) to provide information on the impact of the Chinese legal environment. Entrustment allows the foreign representative office to directly instruct lawyers in the entrusted Chinese law firm, as agreed between both parties. The representatives of a foreign law firm shall be practitioner lawyers who are members of the bar or law society in a WTO member and have practised for no less than two years outside of China. The Chief representative shall be a partner or equivalent (e.g., member of a law firm of a limited liability corporation) of a law firm of a WTO member and have practised for no less than three years. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(b) Accounting, auditing and bookkeeping services (CPC 862)[1]	(1) None (2) None (3) Partnerships or incorporated accounting firms are limited to Certified Public Accountants (CPAs) licensed by the Chinese authorities. (4) Unbound except as indicted in Horizontal Commitments.	(1) None (2) None (3) None. (4) Unbound except as indicted in Horizontal Commitments.	Foreign accounting firms are permitted to affiliate with Chinese firms and enter into contractual agreements with their affiliated firms in other WTO members. Upon accession to the WTO, issuance of licenses to those foreigners who have passed the Chinese national CPA examination shall be accorded national treatment. Applicants will be informed of results in writing no later than 30 days after submission of their applications. Existing contractual joint venture accounting firms are not limited only to CPAs licensed by Chinese authorities.

1 Accounting firms providing services in CPC 862 can engage in taxation and management consulting services. They will not be subject to requirements on form of establishment in CPC 865 and 8630.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Management Consulting services (CPC 865)	(1) None (2) None	(1) None (2) None	
Taxation services (CPC 8630)	(3) Only in the form of joint ventures, with foreign majority ownership permitted. None, within 6 years of China's accession, foreign firms will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound except as indicated in Horizontal Commitments.	(3) None. (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3) Commercial presence 4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
d. Architectural Services (CPC 8671) e. Engineering Services (CPC 8672) f. Integrated Engineering Services (CPC 8673) g. Urban Planning Services (except general urban planning) (CPC 8674)	1) None for scheme design. Co-operation with Chinese professional organisations is required except scheme design. 2) None 3) Only in the form of joint ventures, with foreign majority ownership permitted. Within 5 years after China's accession to the WTO, wholly foreign-owned Enterprises will be permitted. 4) Unbound, except as indicated in Horizontal commitments.	1) None 2) None 3) Foreign service suppliers shall be registered architects/engineers, or enterprises engaged in architectural/engineering/urban planning services, in their home country. 4) Unbound, except as indicated in Horizontal commitments	

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CHINA (continued)

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3) Commercial presence 4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(h). Medical and Dental Services (CPC 9312)	1) None 2) None 3) Foreign service suppliers are permitted to establish joint venture hospitals or clinics with Chinese partners with quantitative limitations in line with China's needs, with foreign majority ownership permitted. 4) Unbound, except as indicated in Horizontal commitments and as follows: Foreign doctors with professional certificates issued by their home country shall be permitted to provide short-term medical services in China after they obtain licenses from the Ministry of Public Health. The term of service is six months and may extend to one year.	1) None 2) None 3) The majority of doctors and medical personnel of the JV hospital and clinics shall be of Chinese nationality. 4) Unbound, except as indicated in Horizontal commitments	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
B. Computer and Related Services (a) Consultancy services related to the installation of computer hardware (CPC 841)	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None * 此处为 unbound except for (4) Certified engineers, or personnel with Bachelor's degree (or above) and 3 years of experience in these fields.	
(b) Software implementation services (CPC 842) - Systems and software consulting services (CPC 8421) - Systems analysis services (CPC 8422)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4)* Certified engineers, or personnel with Bachelor's degree (or above) and 3 years of experience in these fields.	

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CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
- Systems design services (CPC 8423) - Programming services (CPC 8424) - Systems maintenance services (CPC 8425)	(1) None. (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) *Certified engineers, or personnel with Bachelor's degree (or above) and 3 years of experience in these fields.	
(c) Data processing services (CPC 843) - Input preparation services (CPC 8431)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) *Certified engineers, or personnel with Bachelor's degree (or above) and 3 years of experience in these fields.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
- Data processing and tabulation services (CPC 8432) - Time-sharing services (CPC 8433)	(1) None. (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) None. (2) None (3) None (4) *Certified engineers, or personnel with Bachelor's degree (or above) and 3 years of experience in these fields.	

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CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(f) Services incidental to agriculture, forestry, hunting and fishing (CPC 881, 882)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(m) Related scientific technical consulting services (CPC 8675)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
- Offshore oil-field services geological, geophysical and other scientific prospecting services (CPC 86751) Sub-surface surveying services (CPC 86752)	(1) None (2) None (3) Only in the form of petroleum exploitation in cooperation with Chinese partners. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
- Onshore oil-field services	(1) None (2) None (3) Only in the form of petroleum exploitation in cooperation with China National Petroleum Corp. (CNPC) in the designated areas approved by the Chinese government.	(1) None (2) None (3) The foreign service supplier shall furnish CNPC accurately and promptly with the reports on the petroleum operations, and shall submit to CNPC the data and samples as well as various technological, economic, accounting and administrative reports related to petroleum operations.	

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CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	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.	CNPC shall have the ownership of all of the data records, samples, vouchers and other original information acquired during the implementation of the petroleum operations. The investment of foreign service suppliers shall be made in US dollars or other hard currencies.	
	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.		
	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(p) Photographic services (CPC 875)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
(s) Convention services (CPC 87909)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(t) Translation and interpretation services (CPC 87905)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: three years of experience in translation or interpretation and a good command of the working language(s).	

Modes of supply: (1)Cross-border supply (2)Consumption abroad (3)Commercial presence (4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
D. Real Estate Services (a) Real estate services involving own or leased property (CPC 821)	(1) None (2) None (3) None except for the following: Wholly foreign-owned enterprises are not permitted for luxury real estate projects[1], such as apartments and office buildings, but excluding luxury hotels. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
(b) Real estate services on a fee or contract basis (CPC 822)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

[1] High standard real estate projects refer to the real estate projects with construction costs per unit two times more than the average construction costs per unit in the same city.

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CHINA (continued)

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
BUSINESS SERVICES	1) None	1) None	
Maintenance and Repair services (CPC 63, 6112 and 6122)	2) None	2) None	
Maintenance and Repair services of office machinery and equipment including computers (CPC 845 and 886)	3) Only in the form of joint ventures. Within 1 year after China's accession, foreign majority ownership will be permitted. Within 3 years after China's accession, wholly foreign-owned subsidiaries will be permitted.	3) None	
Rental and Leasing Services (CPC 831, 832, excluding CPC 83202)	For Rental and Leasing services, service suppliers will have global assets of US $ 5 million. 4) Unbound, except as indicated in horizontal commitments.	4) Unbound, except as indicated in horizontal commitments.	

CHINA (continued)

Modes of supply: 1) Cross-border supply 2)Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
OTHER BUSINESS SERVICES Advertising Services (CPC 871)	1) Only through advertising agents registered in China who have the right to provide foreign advertising services. 2) Only through advertising agents registered in China who have the right to provide foreign advertising services. 3) Foreign service suppliers are permitted to establish advertising enterprises in China only in the form of joint ventures with foreign investment no more than 49%. Within 2 years after China's accession, foreign majority ownership will be permitted and within 4 years after China's accession, wholly foreign-owned subsidiaries will be permitted. 4) Unbound except as indicated in Horizontal commitments.	1) None 2) None 3) None 4) Unbound except as indicated in Horizontal commitments.	
Technical testing and analysis services (CPC 8676) and freight inspection (CPC 749, excluding statutory inspection services for freight inspection services)	1) None 2) None 3) Foreign services suppliers which have been engaged in inspection services in their home countries for more than 3 years are permitted to establish joint venture technical testing, analysis and freight inspection companies with no less than US $ 350,000 in registered capital. Within 2 years after China's accession, foreign majority ownership will be permitted and within 4 years after China's accession, wholly foreign-owned subsidiaries will be permitted. 4) Unbound except as indicated in Horizontal Commitments	1) None 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: 1) Cross-border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
OTHER BUSINESS SERVICES q. Packaging Services (CPC 876)	1) None 2) None 3) Foreign service suppliers will be permitted to establish joint venture in China. Within 1 year after China's accession, foreign majority ownership will be permitted. Within 3 years after China's accession, foreign service suppliers will be permitted to establish wholly foreign-owned subsidiaries. 4) Unbound, except as indicated in Horizontal commitments	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal commitments.	

CHINA (continued)

Modes of supply: (1)Cross-border supply (2)Consumption abroad (3)Commercial presence (4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
2. COMMUNICATION SERVICES[1 2 3] Value-added Services Including the following: h. Electronic mail 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)	2) None 1),3) Foreign service suppliers will be permitted to establish joint venture value-added telecommunication enterprises, without quantitative restrictions, and provide services in the cities of Shanghai, Guangzhou and Beijing. Foreign investment in joint venture shall be no more than 30%. Within 1 year after China's accession, the areas will be expanded to include Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 49%. Within 2 years after China's accession, there will be no geographic restriction and foreign investment shall be no more than 50%. 4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	China undertakes the obligations contained in the reference paper attached hereto.

[1] China's commitments are scheduled in accordance with the following: Notes for Scheduling Basic Telecom Services Commitments (S/GBT/W/2/REV/1) and Market Access Limitations on Spectrum Availability (S/GBT/W/3) attached hereto.

[2] 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.

[3] Further liberalization of this sector, including with respect to the level of equity participation permitted, will be discussed in the services negotiations during the new round of trade talks.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Basic Telecommunication Services A - Paging services	2) None 1),3) Foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in joint venture shall be no more than 30%. Within 1 year after China's accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 49%. Within 2 years after China's accession, there will be no geographic restriction and foreign investment shall be no more than 50%. 4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	China undertakes the obligations contained in Annex 1 attached hereto.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Mobile voice and data Services: Analogue/Digital/Cellular Services Personal Communication Services	2) None 1),3) Upon China's accession, foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in the joint venture shall be no more than 25%. Within 1 year after accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 35%. Within 3 years after accession, foreign investment shall be no more than 49%. Within 5 years after accession, there will be no geographic restriction. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
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 - International services (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)	2) None 1), 3) Within 3 years after China's accession, foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in the joint venture shall be no more than 25%. Within 5 years after accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan. And foreign investment shall be no more than 35%. Within 6 years after accession, there will be no geographic restriction and foreign investment shall be no more than 49%. 4) Unbound except as indicated in Horizontal Commitments.	1) None 2) None 3) None (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: 1)Cross-border supply 2) Consumption abroad 3) Commercial presence 4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
AUDIOVISUAL SERVICES Videos, including entertainment software and CPC 83202, distribution services Sound recording distribution services	1) None 2) None 3) Upon accession, foreign services suppliers will be permitted to establish joint ventures with Chinese partners with foreign investment less than 49% to engage in the distribution of audiovisual products, excluding motion pictures, without prejudice to China's right to examine the content of audio and video products. 4) Unbound, except as indicated in horizontal commitments	1) None 2) None 3) None 4) Unbound, except as indicated in horizontal commitments	Without prejudice to compliance with China's regulations on the administration of films, upon accession, China will allow the importation of motion pictures for theatrical release on a revenue-sharing basis and the number of such imports shall be 20 on an annual basis.
Cinema Theater Services	1) None 2) None 3) Upon accession, foreign services suppliers will be permitted to construct and/or renovate cinema theaters, with foreign investment no more than 49%. 4) Unbound, except as indicated in Horizontal Commitments	1) None 2) None 3) None 4) Unbound, except as indicated in Horizontal Commitments	

CHINA (continued)

Modes of supply: 1) Cross-border supply 2)Consumption abroad 3) Commercial presence 4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
B. COURIER SERVICES CPC 75121, except for those currently specifically reserved to Chinese postal authorities by law.	1) None 2) None 3) Upon accession, foreign service suppliers will be permitted to establish joint ventures with foreign investment not exceeding 49%. Within 1 year after China's accession, foreign majority ownership will be permitted. Within 4 years after China's accession, foreign service suppliers will be permitted to establish wholly foreign-owned subsidiaries. 4) Unbound, except as indicated in horizontal commitments	1) None 2) None 3) None 4) Unbound, except as indicated in horizontal commitments	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
3. Construction and related engineering services (CPC 511, 512, 513[1] 514, 515, 516, 517, 518[2])	(1) Unbound[3] (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. Within 3 years after China's accession to the WTO, wholly foreign-owned enterprises will be permitted. Wholly foreign-owned enterprises can only undertake the following 4 types of construction projects. 1. Construction projects wholly financed by foreign investment and/or grants. 2. Construction projects financed by loans of international financial institutions and awarded through international tendering according to the terms of loans. 3. Chinese-foreign jointly constructed projects with foreign investment equal to or more than 50%; and Chinese-foreign jointly constructed projects with foreign investment less than 50%	(1) Unbound (2) None (3) None except for the following: (a) The existing registered capital requirements for joint venture construction enterprises are slightly different from those of the domestic enterprises. (b) Joint venture construction enterprises have the obligation to undertake foreign-invested construction projects. Within 3 years after China's accession to the WTO, none.	

[1] including dredging services relating to infrastructure construction.

[2] 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.

[3] Unbound due to lack of technical feasibility.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	but technically difficult to be implemented by Chinese construction enterprises alone. 4. Chinese invested construction projects which are difficult to be implemented by Chinese construction enterprises alone can be jointly undertaken by Chinese and foreign construction enterprises with the approval of provincial government. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
4. DISTRIBUTION SERVICES (as defined in Annex 2) A. Commission agents' Services (excluding salt, tobacco) B. Wholesale trade services[1] (excluding salt, tobacco)	(1) Unbound (2) None (3) Within 1 year after China's accession to the WTO, foreign service suppliers may establish joint ventures to engage in the wholesale business of all imported and domestically produced products, except those products that immediately follow. For these products, foreign service suppliers will be permitted to engage in the distribution of books, newspapers, magazines, pharmaceutical products, pesticides and mulching films within 3 years after China's accession, and to engage in the distribution of chemical fertilizers, processed oil and crude oil within 5 years after China's accession. Within 2 years after China's accession to the WTO, foreign majority ownership will be permitted and no geographic or quantitative restrictions will apply. None, within 3 years after accession, except for chemical fertilizers, processed oil and crude oil within 5 years after accession. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	Foreign-invested enterprises are permitted to distribute their products manufactured in China, including the products listed in the market access or Sector or sub-sector column, and provide subordinate services as defined in Annex 2. Foreign service suppliers may provide the full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.

[1] The restrictions on mode 1 shall not undermine the rights of WTO Members to the right to trade as stipulated in Chapter 5 of China's Protocol of accession to the WTO.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
C. Retailing Services (CPC 61 and 63, excepting tobacco) excluding	(1) Unbound except for mail order. (2) None (3) Foreign service suppliers may supply services only in forms of joint ventures in five Special Economic Zones (Shenzhen, Zhuhai, Shantou, Xiamen and Hainan) and six cities (Beijing, Shanghai, Tianjin, Guangzhou, Dalian and Qingdao). In Beijing and Shanghai, a total of no more than four joint venture retailing enterprises are permitted respectively. In each of the other cities, no more than two joint venture retailing enterprises will be permitted. Two joint venture retailing enterprises among the four to be established in Beijing may set up their branches in the same city (i.e. Beijing).	(1) Unbound except mail order. (2) None (3) None	Foreign-invested enterprises may distribute their products manufactured in China, including those excepted products as listed in the market access or Sector or sub-sector column, and provide subordinate services as defined in Annex 2. Foreign service suppliers will be permitted to provide full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Upon China's accession to the WTO, Zhengzhou and Wuhan will be immediately open to joint venture retailing enterprises. Within 2 years after China's accession to the WTO, foreign majority control will be permitted in JV retailing enterprises and all provincial capitals, Chongqing and Ningbo will be open to joint venture retailing enterprises. Foreign service suppliers will be permitted to engage in the retailing of all products, except for the retailing of books, newspapers and magazines within 1 year after accession, the retailing of pharmaceutical products, pesticides, mulching films and processed oil within 3 years after accession and retailing of chemical fertilizers within 5 years after accession. None, within 3 years after accession, except for: -- chemical fertilizers, within 5 years after accession; and -- those chain stores which sell products of different types and brands from multiple suppliers with more than 30 outlets. For such chains stores with more than 30 outlets, foreign majority ownership will not be permitted if those chain stores distribute any of the following products: motor vehicles (for a period of 5 years after accession at which time the equity limitation will have been eliminated), and products listed above and in Annex 2a of the Protocol of China's WTO Accession. The foreign chain store operators will have the freedom of choice of any partner, legally established in China according to China's laws and regulations. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
D. Franchising	(1) None (2) None (3) Within 3 years after China's accession to the WTO, none.	(1) None (2) None (3) Within 3 years after China's accession to the WTO, none.	
E. Wholesale or retail trade services away from a fixed location For all sub-sectors above*	(1) None (2) None (3) Within 3 years after China's accession to the WTO, none*. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Within 3 years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	

*See paragraph of the Working Party Report.

Modes of supply: (1)Cross-border supply (2)Consumption abroad (3)Commercial presence (4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
5. EDUCATIONAL SERVICES (Excluding special education services e.g. military, police, political and party school education) A. Primary education services (CPC 921, excluding national compulsory education in CPC 92190) B. Secondary education services (CPC 922, excluding national compulsory education in CPC 92210) C. Higher education services (CPC 923) D. Adult education services (CPC 924) E. Other education services (CPC 929)	(1) Unbound (2) None (3) Joint schools will be established, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments and the following: foreign individual education service suppliers may enter into China to provide education services when invited or employed by Chinese schools and other education institutions.	(1) Unbound (2) None (3) Unbound (4) Qualifications are as follows: possession of Bachelor's degree or above and an appropriate professional title or certificate, with two years' professional experiences.	

CHINA (continued)

Modes of supply: (1)Cross-border supply (2)Consumption abroad (3)Commercial presence (4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
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)	(1) Unbound except for environmental consultation services. (2) None (3) Foreign services suppliers engaged in the environmental services are permitted to provide services only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply:	(1) Cross-border supply	(2) Consumption abroad	(3) Commercial presence	(4) Presence of natural persons
Sector or sub-sector	**Limitations on market access**		**Limitations on national treatment**	**Additional commitments**
7. FINANCIAL SERVICES A. All Insurance and Insurance-Related Services[1] (a) Life, health and pension/annuities insurance b) Non-life insurance c) Reinsurance d) Services auxiliary to insurance	(1)Unbound except for : a) international marine, aviation, and transport insurance and reinsurance; b) brokerage for insurance of large scale commercial risks and brokerage for international marine, aviation, and transport insurance and reinsurance. (2) Unbound for brokerage. Other, none. (3) A. Form of establishment Foreign non-life insurers will be permitted to establish as a branch or as a joint venture with 51% foreign ownership. Within 2 years after China's accession, foreign non-life insurers will be permitted to establish as a wholly-owned subsidiary; i.e., with no form of establishment restrictions. Upon accession, foreign life insurers will be permitted 50% foreign ownership in a joint venture with the partner of their choice. The joint venture partners can freely agree the terms of their engagement, provided they remain within the limits of the commitments contained in this schedule.		(1) None (2) None (3) None, except for: -- Foreign insurance institutions shall not engage in the statutory insurance business. -- Upon accession, a 20 percent cession of all lines of the primary risks for non-life, personal accident and health insurance business with an appointed Chinese Reinsurance Company shall be required; one year after accession, 15 percent shall be required; two years after accession, 10 percent shall be required; and three years after accession, 5 percent shall be required; and four years after accession, no compulsory cession shall be required.	

1 Any further authorization provided to foreign insurers after accession under more favorable 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.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	For brokerage for insurance of large scale commercial risks and brokerage for reinsurance and brokerage for international marine, aviation, and transport insurance and reinsurance: upon accession, joint venture with foreign equity no more than 50% will be permitted; within 3 years after China's accession, foreign equity share shall be no more than 51%; within 5 years after China's accession, wholly foreign owned subsidiary will be permitted. For other brokerage services: Unbound Internal branching for an insurance firm will be permitted consistent with the phase out of geographic restrictions. B. Geographic Coverage Upon accession, foreign life and non-life insurers, and insurance brokers will be permitted to provide services in Shanghai, Guangzhou, Dalian, Shenzhen and Foshan. Within 2 years after China's accession, foreign life and non-life insurers, and insurance brokers will be permitted to provide services in the following cities: Beijing, Chengdu, Chongqing, Fuzhou, Suzhou, Xiamen, Ningbo, Shenyang, Wuhan and Tianjin. Within 3 years after China's accession, there will be no geographic restrictions. C. Business Scope Upon accession, foreign non-life insurers will be 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 will be permitted to provide "Master policy" no later than Chinese brokers, under conditions no less favourable. Foreign non-life insurers are permitted to provide insurance of enterprises abroad as well as property insurance, related liability insurance and credit insurance of foreign-invested enterprises upon accession. Within 2 years after China's accession, foreign non-life insurers will be permitted to provide the full range of non-life insurance services to both foreign and domestic clients.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Foreign insurers are permitted to provide individual (not group) insurance to foreigners and Chinese citizens; within 3 years after accession, foreign insurers will be permitted to provide health insurance, group insurance and pension/annuities insurance to foreigners and Chinese. Upon accession, foreign insurers will be permitted to provide reinsurance services for life and non-life insurance as a branch, JV or wholly foreign-owned subsidiary, without geographic or quantitative restrictions on the number of licenses issued. D. Licenses: Upon accession, licenses will be issued with no economic needs test or quantitative limits on licenses. Qualifications for establishing a foreign insurance institution are as follows: - the investor shall be a foreign insurance company with more than 30 years of establishment experience in a WTO member; - it shall have a representative office for two consecutive years in China; - it shall have total assets of more than US $5 billion at the end of the year prior to application, except for insurance brokers. Insurance brokers shall have total assets of more than US$ 500 million. Within 1 year after accession, they shall have total assets of more than US$ 400 million. Within 2 years after accession, they shall have total assets of more than US$ 300 million. Within 4 years after accession, they shall have total assets of more than US$ 200 million. 4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
B. Banking and Other Financial Services (excluding insurance and securities) Banking services as listed below: (a) Acceptance of deposits and other repayable funds from the public; (b) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction; (c) Financial leasing; (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	(1) Unbound except for the following: --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. (2) None (3) A. Geographic coverage. For foreign currency business, there will be no geographic restriction upon accession. For local currency business, the geographic restriction will be phased out as follows: Upon accession, Shanghai, Shenzhen, Tianjin and Dalian; Within one year after accession, Guangzhou, Zhuhai, Qingdao, Nanjing and Wuhan; within 2 years after accession, Jinan, Fuzhou, Chengdu and Chongqing; within 3 years after accession, Kunming, Beijing and Xiamen; Within 4 years after accession, Shantou, Ningbo, Shenyang and Xian. Within 5 years after accession, all geographic restrictions will be removed.	(1) None (2) None (3) Except for geographic restrictions and client limitations on local currency business (listed in the market access column), 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.	For financial leasing services, foreign financial leasing corporations will be permitted to provide financial leasing service at the same time as domestic corporations.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	B. Clients. For foreign currency business, foreign financial institutions will be permitted to provide services in China without restriction as to clients upon accession. For local currency business, within 2 years after accession, foreign financial institutions will be permitted to provide services to Chinese enterprises. Within 5 years after accession, foreign financial institutions will be permitted to provide services to all Chinese clients. Foreign financial institutions licensed for local currency business in one region of China may service clients in any other region that has been opened for such business. C: Licensing. Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic need test or quantitative limits on licenses). Within 5 years after accession, any existing non-prudential measures restricting ownership, operation, and juridical form of foreign financial institutions, including on internal branching and licenses, shall be eliminated. Foreign financial institutions who meet the following condition are permitted to establish a subsidiary of a foreign bank or a foreign finance company in China: -- total assets of more than US $10 billion at the end of the year prior to filing the application. Foreign financial institutions who meet the following condition are permitted to establish a branch of a foreign bank in China:		

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	-- total assets of more than US $20 billion at the end of the year prior to filing the application. Foreign financial institutions who meet the following condition are permitted to establish a Chinese-foreign joint bank or a Chinese-foreign joint finance company in China: -- total assets of more than US $10 billion at the end of the year prior to filing the application; Qualifications for foreign financial institutions to engage in local currency business are as follows: -- three years business operation in China and being profitable for two consecutive years prior to the application; (4) Unbound except as indicated in Horizontal commitments.	(4) None	
Motor vehicle financing by non-bank financial institutions	(1) Unbound except for the following: --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. (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

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 research and advice, advice on acquisitions and on corporate restructuring and strategy.	(1) None (2) None (3) None (Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). Branches of foreign institutions are permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Securities	(1) Unbound except for the following: Foreign securities institutions may engage directly (without Chinese intermediary) in B share business. (2) None (3) a. Unbound, except for the following: Upon accession, representative offices in China of foreign securities institutions may become Special Members of all Chinese stock exchanges. Upon accession, foreign service suppliers will be permitted to establish joint ventures with foreign investment less than 33% to conduct domestic securities investment fund management business. Within 3 years after China's accession, foreign investment shall be no more than 49%. Within 3 years after accession, foreign securities institutions will be permitted to establish joint ventures, with foreign minority ownership not exceeding 1/3, to engage (without Chinese intermediary) in underwriting A shares and in underwriting and trading of B and H shares as well as government and corporate debts, launching of funds. b. Criteria for authorization to deal in China's financial industry are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of Supply: (1) Cross-border supply (2)Consumption abroad (3)Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
9. TOURISM AND TRAVEL RELATED SERVICES	1) None	1) None	
	2) None	2) None	
A. Hotels (including apartment buildings) and Restaurants (CPC 641-643)	3) Foreign services suppliers may construct, renovate and operate hotel and restaurant establishments in China in the form of joint ventures with foreign majority ownership permitted. Within 4 years after accession, wholly foreign-owned subsidiaries will be permitted.	3) None	
	4) Unbound, except as indicated in Horizontal commitments and as follows: Foreign managers, specialists including chefs and senior executives who have signed contracts with joint venture hotels and restaurants in China shall be permitted to provide services in China.	4) Unbound, except as indicated in Horizontal commitments.	
B. Travel agency and tour operator (CPC 7471)	1) None	1) None	
	2) None	2) None	
	3) Foreign services supplier who meet the following conditions are permitted to provide services in the form of joint venture travel agencies and tour operators in the holiday resorts designated by the Chinese government and in the cities of Beijing, Shanghai, Guangzhou and Xi'an upon accession. Within 3 years after accession foreign majority ownership will be permitted. Within 6 years after accession, wholly-foreign-owned subsidiary will be permitted and geographic restrictions will be removed. a) a travel agency and tour operator mainly engaged in travel business;	3) None except that joint ventures or wholly foreign-owned travel agencies and tour operators are not permitted to engage in the activities of Chinese travelling abroad and to Hong Kong, Macao and Taiwan region.	

Modes of Supply: (1) Cross-border supply (2)Consumption abroad (3)Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	b) Annual worldwide turnover exceeds US$ 40 million. The registered capital of JV travel agency/tour operator shall be no less than RMB 4 million. Within 3 years after China's accession, the registered capital shall be no less than RMB 2.5 million. The business scope of the travel agency/ tour operator is as follows: a) travel and hotel accommodation services for foreign travellers which can be made directly with transportation and hotel operators in China covering such operations; b) travel services and hotel accommodation services for domestic travellers which can be made directly with transportation and hotel operators in China covering such operations; c) conducting of tours within China for both domestic and foreign travellers, and d) travellers check cashing services within China. Within 6 years after accession, there will be no restriction on the establishment of branches of the JV travel agency/tour operator. And the requirement on registered capital of foreign-invested travel agency/tour operator will be the same as that of Chinese travel agency/tour operator. 4) Unbound, except as indicated in Horizontal Commitments.	4) Unbound, except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
11. TRANSPORT SERVICES C (d). Aircraft repair and maintenance services (CPC 8868)	(1) Unbound* (2) None (3) Foreign service suppliers are permitted to establish joint venture aircraft repair and maintenance enterprises in China. The Chinese side shall hold controlling shares or be in a dominant position in the joint ventures. Licenses for the establishments of joint ventures are subject to economic needs test. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) The joint ventures have the obligation to undertake business in the international market. (4) Unbound except as indicated in Horizontal Commitments.	

* Unbound due to lack of technical feasibility.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Computer reservation system (CRS) services	(1) A. Foreign Computer Reservation System, when having agreements with Chinese aviation enterprises and Chinese Computer Reservation System, may provide services to Chinese aviation enterprises and Chinese aviation agents by connecting with Chinese Computer Reservation System. B. 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. C. 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 General Administration of Civil Aviation of China(CAAC). (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. Maritime Transport Services			The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:
- International transport (freight and passengers) (CPC 7211 and 7212 less cabotage transport services)	(1) (a) Liner shipping (including passenger transportation): None (b) Bulk, tramp and other international shipping (including passenger transportation): None (2) None	(1) (a) None (b) None (2) None	1. Pilotage 2. Towing and tug assistance 3. Provisioning, fueling and watering 4. Garbage collecting and ballast waste disposal

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	(3) (a) Establishment of registered companies for the purpose of operating a fleet under the national flag of the People's Republic of China: Foreign service suppliers are permitted to establish joint venture shipping companies. Foreign investment shall not exceed 49 per cent of the total registered capital of the joint venture. The chairman of board of directors and the general manager of the joint venture shall be appointed by the Chinese side.	(3) (a) None	5. Port Captain's services 6. Navigation aids 7. Shore-based operational services essential to ship operations, including communications, water and electrical supplies 8. Emergency repair facilities 9. Anchorage, berth and berthing services
	(b) Other forms of commercial presence for the supply of international maritime transport services: Unbound	(b) Unbound	
	(4) (a) Ship's crew: Unbound except as indicated in Horizontal Commitments. (b) Key personnel employed by Commercial Presence as defined under mode (3) (b) above: Unbound except as indicated in Horizontal Commitments.	(4) (a) Unbound except as indicated in Horizontal Commitments. (b) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
H. Maritime Auxiliary Services			
(a) Maritime cargo-handling services (CPC 741)	(1) Unbound* (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
(c) Customs clearance services	(1) Unbound* (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

* [illegible] lack of technical feasibility.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(d) Container station and depot services	(1) Unbound*	(1) Unbound*	
	(2) None	(2) None	
	(3) Only in forms of joint ventures, with foreign majority ownership permitted.	(3) None	
	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	
(e) Maritime agency services	(1) None	(1) None	
	(2) None	(2) None	
	(3) Only in forms of joint ventures, with foreign equity share no more than 49%.	(3) None	
	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

* Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
B. Internal Waterway Transport Services			
(b) Freight transport (CPC 7222)	(1) Only international shipping in ports open to foreign vessels shall be permitted. (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	(1) Limitations as indicated under market access column. (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
TRANSPORT SERVICES	1) None	1) None	
Freight Transportation by rail (CPC7112)	2) None	2) None	
Freight Transportation by road in trucks or cars (CPC7123)	3) Only in the form of joint ventures, with foreign investment not to exceed 49%. For rail transport, within 3 years after China's accession, foreign majority ownership will be permitted and within 6 years after China's accession, wholly foreign-owned subsidiaries will be permitted. For road transport, within 1 year after China's accession, foreign majority ownership will be permitted. Within 3 years after China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	3) None (4) Unbound except as indicated in Horizontal Commitments.	
b) Storage and warehousing services (CPC742)	1) Unbound 2) None 3) Upon accession, only in the form of joint ventures, with foreign investment not to exceed 49%. Within 1 year after China's accession, foreign majority ownership will be permitted and within 3 years of China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	1) Unbound 2) None 3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Freight Forwarding agency services (CPC 748 and 749 excluding freight inspection)	1) None 2) None 3) Upon accession, foreign freight forwarding agencies which have at least 3 consecutive years experience are permitted to set up freight forwarding agency joint ventures in China, with foreign investment not to exceed 50%; within 1 year after China's accession, foreign majority ownership will be permitted. Within 4 years after China's accession, wholly foreign-owned subsidiaries will be permitted. The minimum registered capital of the joint venture shall be no less than US $ 1 million. Within 4 years after accession, national treatment will be accorded in this respect. Operation term of the joint ventures shall not exceed 20 years. After one year operating in China, the joint venture can set up branches when the registered capital of both sides has been provided. Another US$ 120,000 shall be added to the original registered capital of the joint venture for the set-up of each branch. Within two years after China's accession to the WTO, this additional registered capital requirement will be implemented on the national treatment basis. A foreign freight forwarding agency may set up a second joint venture after its first joint venture has been in operation for 5 years. Within two years after China's accession to WTO, this requirement will be reduced to 2 years. 4) Unbound except as indicated in Horizontal Commitments.	1) None 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments.	

LIST OF ARTICLE II EXEMPTION FOR CHINA

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Sub-sector	Description of Measures Indicating its Inconsistency with Article II	Countries to Which the Measures Applies	Intended Duration	Conditions Creating the Need for the Exemption
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.	Unforeseeable.	According to present state of trade between signatories.
	Agreements of cargo sharing.	Algeria, Argentina, Bangladesh, Brazil, Thailand, USA, Zaire.	Subject to the effective duration of the agreements concerned.	According to present state of trade between signatories.

Annexes to the China's Draft List of Specific Commitments

Annex 1. Two chairman's notes and reference paper in telecommunication sector (provided by the Secretariat)

Annex 2. Distribution services

Annex 3. Insurance: Definition of "Master Policy"

ANNEX 2
DISTRIBUTION SERVICES

Distribution trade services are comprised of four main sub-sectors:

1) commission agents services,
2) wholesaling,
3) retailing,
4) franchising,

The principal services rendered in each subsector can be characterized as reselling merchandise, accompanied by a variety of related subordinated services, including inventory management; assembly, sorting and grading of bulk lots; breaking bulk lots and redistributing into smaller lots; delivery services; refrigeration, storage, warehousing and garage services; sales promotion, marketing and advertising, installation and after sales services including maintenance and repair and training services. Distribution services are generally covered by CPC 61, 62, 63 and 8929.

COMMISSION AGENTS' SERVICES consist of sales on a fee or contract basis by an agent, broker or auctioneer or other wholesalers of goods/merchandise and related subordinated services.

WHOLESALING consist of the sale of goods/merchandise to retailers to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

RETAILING SERVICES consist of the sale of goods/merchandise for personal or household consumption either from a fixed location (e.g., store, kiosk, etc.) or away from a fixed location and related subordinated services.

FRANCHISING SERVICES consist of the sale of the use of a product, trade name or particular business format system in exchange for fees or royalties. Product and trade name franchising involves the use of a trade name in exchange for fees or royalties and may include an obligation for exclusive sale of trade name products. Business format franchising involves the use of an entire business concept in exchange for fees and royalties, and may include the use of a trade name, business plan, and training materials and related subordinated services.

ANNEX 3

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 authorized province-level branch offices. Other branches are not allowed to issue master policy.

(I) 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.

1. 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% of the total investment.

2. 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% 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.

(II) 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.

1. 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.

2. If over 50% 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 can not be underwritten or co-insured by insurers located other than where the subject-insured are located, or covered under a master policy.

中方对加拿大=服务部门减让表的技术修正

China's technical verification to the Services Schedule

1. Legal Services

Page 5, MA column, mode 3: Insert one sentence "Business scope of foreign representative offices:" before "(a) to provide its clients …".

Page 6, mode 3: Add "outside of China" at the end of the paragraph begins with "The representative of a foreign law firm shall …".

2. Technical testing and analysis Services

Page 12, Sector column, e. Delete the bracket which enclosing "CPC 749".

3. Audiovisual Services

Page 20, MA column, mode 3, Delete "**and foreign majority ownership is not allowed, for Equity Joint Venture, foreign investment should be**" and restore the original language, as follows, "foreign services suppliers will be permitted to establish joint ventures with Chinese partners with foreign investment less than 49 per cent to engage in the distribution of …".

4. Distribution Services

Page 23, wholesale, MA column, mode 3: First sentence, restore "may" before "establish joint ventures to engage in…", as follows, "foreign service suppliers **may** establish joint ventures to engage in the commission agents' business and wholesale business…".

Page 24, retailing, MA column, mode 3: restore "may" before "supply services only in forms of joint ventures…", as follows, "Foreign service suppliers **may** supply services only in forms of joint ventures…".

Page 23 and page 24, Additional Commitment for wholesale and retailing: Replace the 2 "may" with "are permitted to". On retailing, replace "will be permitted" with "are permitted", as before.

5. Maritime agency Services

Page 42, MA column, mode 3: Delete "**foreign majority ownership is not allowed, for Equity Joint Venture, foreign investment should be less than 49 per cent**" and restore the original language, as follows, "Only in forms of joint ventures, with foreign equity share no more than 49 per cent."

6. Rail Transport Services and Road Transport Services

Page 45, MA column, mode 3: Delete "None" before "within three years after…" and combine this sentence with the previous sentence, as follows, "For road transport, within one year after China's accession, foreign majority ownership will be permitted and within three years after China's accession, wholly foreign-owned subsidiaries will be permitted."

7. Services Auxiliary to all modes of transport

Page 45, storage and warehousing services, MA column, mode 3: Insert "None" before "within three years of China's accession".

PERMANENT MISSION OF THE PEOPLE'S REPUBLIC OF CHINA AT GENEVA
ECONOMIC AND TRADE OFFICE
ROUTE DE LAUSANNE 228, 1292 CHAMBESY GE, SWITZERLAND
FAX (022) 909 7699

July 19, 2001

Dear Mr. Arif Hussain,

We spent two-and-half hours to discuss with Mr. Adlung on the format and technical issues of China's Draft List of Specific Commitment on Services. I believe that Mr. Adlung already passed a note to you about our discussion. It was a very useful discussion. We have improved the List based on the advice and suggestions that Mr. Adlung provided during the discussion as far as they did not conflict with the commitment we have taken in the bilateral services agreements. Therefore, I am providing you together with this letter a newly revised List and a disk containing the files.

We hope the WTO Secretariat could circulate the draft Consolidated Schedule to the members of the Working Party as early as possible based on the new List that has been screened by Mr. Adlung from the Service Division of the WTO secretariat.

Thank you very much for your assistance.

With my best regards,

Sincerely yours,

Zhang Xiangchen
Deputy Director-General
DITEA, MOFTEC
China

CHINA-SCHEDULE OF SPECIFIC COMMITMENTS

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	(3) In China, foreign invested enterprises include foreign capital enterprises (also referred to as wholly foreign-owned enterprises) and joint venture enterprises and there are two types of joint venture enterprises: equity joint ventures and contractual joint ventures.[1] The proportion of foreign investment in an equity joint venture shall be no less than 25 per cent of the registered capital of the joint venture. The establishment of branches by foreign enterprises is unbound, unless otherwise indicated in specific sub-sectors, as the laws and regulations on branches of foreign enterprises are under formulation. Representative offices of foreign enterprises are permitted to be established in China, but they shall not engage in any profit-making activities except for the representative offices under CPC 861, 862, 863, 865 in the sectoral specific commitments.	(3) Unbound for all the existing subsidies to domestic services suppliers in the sectors of audio-visual, aviation and medical services.	

[1] The terms of the contract, concluded in accordance with China's laws, regulations and other measures, establishing a "contractual joint venture" govern matters such as the manner of operation and management of the joint venture as well as the investment or other contributions of the joint venture parties. Equity participation by all parties to the contractual joint venture is not required, but is determined pursuant to the joint venture contract.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	The conditions of ownership, operation and scope of activities, as set out in the respective contractual or shareholder agreement or in a license establishing or authorizing the operation or supply of services by an existing foreign service supplier, will not be made more restrictive than they exist as of the date of China's accession to the WTO. The land in the People's Republic of China is State-owned. Use of land by enterprises and individuals is subject to the following maximum term limitations: (a) 70 years for residential purposes; (b) 50 years for industrial purposes; (c) 50 years for the purpose of education, science, culture, public health and physical education; (d) 40 years for commercial, tourist and recreational purposes; (e) 50 years for comprehensive utilization or other purposes.		

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	(4) Unbound except for measures concerning the entry and temporary stay of natural persons who fall into one of the following categories: (a) Managers, executives and specialists defined as senior employees of a corporation of a WTO Member that has established a representative office, branch or subsidiary in the territory of the People's Republic of China, temporarily moving as intra-corporate transferees, shall be permitted entry for an initial stay of 3 years; (b) Managers, executives and specialists defined as senior employees of a corporation of other WTO Members, being engaged in the foreign invested enterprises in the territory of the People's Republic of China for conducting business, shall be granted a long-term stay permit as stipulated in the terms of contracts concerned or an initial stay of 3 years, whichever is shorter; (c) Service salespersons -- persons not based in the territory of the People's Republic of China and receiving no remuneration from a source located within China, and who are engaged in activities related to representing a service supplier for the purpose of negotiation for the sale of services of that supplier where (a) such sales are not directly made to the general public and (b) the salesperson is not engaged in supplying the service: entry for salespersons is limited to a 90-day period.	(4) Unbound except for the measures concerning the entry and temporary stay of natural persons who fall into the categories referred to in the market access column.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
II. SECTOR - SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES A. Professional Services a. Legal services (CPC 861, excluding Chinese law practice)	(1) None (2) None (3) Foreign law firms can provide legal services only in the form of representative offices in Beijing, Shanghai, Guangzhou, Shenzhen, Haikou, Dalian, Qingdao, Ningbo, Yantai, Tianjin, Suzhou, Xiamen, Zhuhai, Hangzhou, Fuzhou, Wuhan, Chengdu, Shenyang and Kunming only. Representative offices can engage in profit-making activities. Representative offices in China shall be no less than the number established upon the date of accession. A foreign law firm can only establish one representative office in China. The above-mentioned geographic and quantitative limitations will be eliminated within 1 year after China's accession to the WTO.	(1) None (2) None (3) All representatives shall be resident in China no less than six months each year. The representative office shall not employ Chinese national registered lawyers.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Business scope of foreign representative offices are only as follows: (a) to provide its clients with consultancy on the legislation of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work, and on international conventions and practices; (b) to handle, when entrusted by its clients or Chinese law firms, legal affairs of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work; (c) to entrust, on behalf of foreign clients, Chinese law firms to deal with the Chinese legal affairs; (d) to enter into contracts to maintain long-term entrustment relations with Chinese law firms for legal affairs; (e) to provide information on the impact of the Chinese legal environment. Entrustment allows the foreign representative office to directly instruct lawyers in the entrusted Chinese law firm, as agreed between both parties. The representatives of a foreign law firm shall be practitioner lawyers who are members of the bar or law society in a WTO member and have practiced for no less than two years outside of China. The Chief representative shall be a partner or equivalent (e.g., member of a law firm of a limited liability corporation) of a law firm of a WTO member and have practiced for no less than three years. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
b. Accounting, auditing and bookkeeping services (CPC 862)	(1) None (2) None (3) Partnerships or incorporated accounting firms are limited to Certified Public Accountants (CPAs) licensed by the Chinese authorities. (4) Unbound except as indicted in Horizontal Commitments.	(1) None (2) None (3) None. (4) Unbound except as indicted in Horizontal Commitments.	Foreign accounting firms are permitted to affiliate with Chinese firms and enter into contractual agreements with their affiliated firms in other WTO members. Upon accession to the WTO, issuance of licenses to those foreigners who have passed the Chinese national CPA examination shall be accorded national treatment. Applicants will be informed of results in writing no later than 30 days after submission of their applications. Existing contractual joint venture accounting firms are not limited only to CPAs licensed by Chinese authorities. Accounting firms providing services in CPC 862 can engage in taxation and management consulting services. They will not be subject to requirements on form of establishment in CPC 865 and 8630.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
c. Taxation services (CPC 8630)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. None, within 6 years of China's accession, foreign firms will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None. (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3) Commercial presence 4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
d. Architectural Services (CPC 8671) e. Engineering Services (CPC 8672) f. Integrated Engineering Services (CPC 8673) g. Urban Planning Services (except general urban planning) (CPC 8674)	(1) None for scheme design. Co-operation with Chinese professional organisations is required except scheme design. (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. Within 5 years after China's accession to the WTO, wholly foreign-owned Enterprises will be permitted. (4) Unbound, except as indicated in Horizontal Commitments.	(1) None (2) None (3) Foreign service suppliers shall be registered architects/engineers, or enterprises engaged in architectural/engineering/urban planning services, in their home country. 4) Unbound, except as indicated in Horizontal Commitments	

CHINA (continued)

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3) Commercial presence 4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
h. Medical and Dental Services (CPC 9312)	(1) None (2) None (3) Foreign service suppliers are permitted to establish joint venture hospitals or clinics with Chinese partners with quantitative limitations in line with China's needs, with foreign majority ownership permitted. (4) Unbound, except as indicated in Horizontal Commitments and as follows: Foreign doctors with professional certificates issued by their home country shall be permitted to provide short-term medical services in China after they obtain licenses from the Ministry of Public Health. The term of service is six months and may extend to one year.	(1) None (2) None (3) The majority of doctors and medical personnel of the joint venture hospital and clinics shall be of Chinese nationality. (4) Unbound, except as indicated in Horizontal Commitments	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
B. Computer and Related Services (a) Consultancy services related to the installation of computer hardware (CPC 841)	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and 3 years of experience in these fields.	
(b) Software implementation services (CPC 842) - Systems and software consulting services (CPC 8421) - Systems analysis services (CPC 8422)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and 3 years of experience in these fields.	

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CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
- Systems design services (CPC 8423) - Programming services (CPC 8424) - Systems maintenance services (CPC 8425)	(1) None. (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and 3 years of experience in these fields.	
(c) Data processing services (CPC 843) - Input preparation services (CPC 8431)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and 3 years of experience in these fields.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
- Data processing and tabulation services (CPC 8432) - Time-sharing services (CPC 8433)	(1) None. (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) None. (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and 3 years of experience in these fields.	

CHINA (continued)

Modes of supply: (1)Cross-border supply (2)Consumption abroad (3)Commercial presence (4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
D. Real Estate Services (a) Real estate services involving own or leased property (CPC 821)	(1) None (2) None (3) None except for the following: Wholly foreign-owned enterprises are not permitted for high standard real estate projects[1], such as apartments and office buildings, but excluding luxury hotels. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
(b) Real estate services on a fee or contract basis (CPC 822)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

[1] High standard real estate projects refer to the real estate projects with construction costs per unit two times more than the average construction costs per unit in the same city.

CHINA (continued)

Modes of supply: 1) Cross-border supply 2)Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
F. Other Business Services			
a. Advertising Services (CPC 871)	(1) Only through advertising agents registered in China who have the right to provide foreign advertising services. (2) Only through advertising agents registered in China who have the right to provide foreign advertising services. (3) Foreign service suppliers are permitted to establish advertising enterprises in China only in the form of joint ventures with foreign investment no more than 49%. Within 2 years after China's accession, foreign majority ownership will be permitted and within 4 years after China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
c. Management Consulting services (CPC 865)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. None, within 6 years of China's accession, foreign firms will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None. (4) Unbound except as indicated in Horizontal Commitments.	
e. Technical testing and analysis services (CPC 8676) and freight inspection covered by CPC 749, excluding statutory inspection services for freight inspection services)	1) None 2) None 3) Foreign services suppliers which have been engaged in inspection services in their home countries for more than 3 years are permitted to establish joint venture technical testing, analysis and freight inspection companies with no less than US $ 350,000 in registered capital. Within 2 years after China's accession, foreign majority ownership will be permitted and within 4 years after China's accession, wholly foreign-owned subsidiaries will be permitted. 4) Unbound except as indicated in Horizontal Commitments	1) None 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: 1) Cross-border supply 2)Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
f. Services incidental to agriculture, forestry, hunting and fishing (CPC 881, 882)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(m) Related scientific technical consulting services (CPC 8675)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
- Offshore oil-field services geological, geophysical and other scientific prospecting services (CPC 86751) Sub-surface surveying services (CPC 86752)	(1) None (2) None (3) Only in the form of petroleum exploitation in cooperation with Chinese partners. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
- Onshore oil-field services	(1) None (2) None (3) Only in the form of petroleum exploitation in cooperation with China National Petroleum Corp. (CNPC) in the designated areas approved by the Chinese government.	(1) None (2) None (3) The foreign service supplier shall furnish CNPC accurately and promptly with the reports on the petroleum operations, and shall submit to CNPC the data and samples as well as various technological, economic, accounting and administrative reports related to petroleum operations.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	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. 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. (4) Unbound except as indicated in Horizontal Commitments.	CNPC shall have the ownership of all of the data records, samples, vouchers and other original information acquired during the implementation of the petroleum operations. The investment of foreign service suppliers shall be made in US dollars or other hard currencies. (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(p) Photographic services (CPC 875)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
(s) Convention services (CPC 87909)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: 1)Cross-border supply 2)Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(f) Translation and interpretation services (CPC 87905)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: three years of experience in translation or interpretation and a good command of the working language(s).	
Maintenance and Repair services (CPC 63, 6112 and 6122) Maintenance and Repair services of office machinery and equipment including computers (CPC 845 and 886) Rental and Leasing Services (CPC 831, 832, excluding CPC 83202)	(1) None (2) None (3) Only in the form of joint ventures. Within 1 year after China's accession, foreign majority ownership will be permitted. Within 3 years after China's accession, wholly foreign-owned subsidiaries will be permitted. For Rental and Leasing services, service suppliers will have global assets of US $ 5 million. (4) Unbound, except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: 1) Cross-border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
q. Packaging Services (CPC 876)	(1) None (2) None (3) Foreign service suppliers will be permitted to establish joint venture in China. Within 1 year after China's accession, foreign majority ownership will be permitted. Within 3 years after China's accession, foreign service suppliers will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: 1) Cross-border supply 2)Consumption abroad 3) Commercial presence 4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
2. COMMUNICATION SERVICES B. Courier Services (CPC 75121, except for those currently specifically reserved to Chinese postal authorities by law.)	(1) None (2) None (3) Upon accession, foreign service suppliers will be permitted to establish joint ventures with foreign investment not exceeding 49%. Within 1 year after China's accession, foreign majority ownership will be permitted. Within 4 years after China's accession, foreign service suppliers will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	

CHINA (continued)

Modes of supply: (1)Cross-border supply (2)Consumption abroad (3)Commercial presence (4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
C. Telecommunication Services[1,2,3]	(1) See mode 3	(1) None	China undertakes the obligations contained in the reference paper attached hereto.
Value-added Services Including the following: h. Electronic mail 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)	(2) None (3) Foreign service suppliers will be permitted to establish joint venture value-added telecommunication enterprises, without quantitative restrictions, and provide services in the cities of Shanghai, Guangzhou and Beijing. Foreign investment in joint venture shall be no more than 30%. Within 1 year after China's accession, the areas will be expanded to include Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 49%. Within 2 years after China's accession, there will be no geographic restriction and foreign investment shall be no more than 50%.	(2) None (3) None	
	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

China's commitments are scheduled in accordance with the following: Notes for Scheduling Basic Telecom Services Commitments (S/GBT/W/2/REV/1) and Market Access Limitations on Spectrum Availability (S/GBT/W/3) attached hereto.

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.

Further liberalization of this sector, including with respect to the level of equity participation permitted, will be discussed in the services negotiations during the new round of trade talks.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Basic Telecommunication Services	(1) See mode 3	(1) None	China undertakes the obligations contained in Annex 1 attached hereto.
	(2) None	(2) None	
- Paging Services	(3) Foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in joint venture shall be no more than 30%. Within 1 year after China's accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 49%. Within 2 years after China's accession, there will be no geographic restriction and foreign investment shall be no more than 50%.	(3) None	
	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Mobile voice and data Services:	(1) See mode 3	(1) None	
Analogue/Digital/Cellular Services	(2) None	(2) None	
Personal Communication Services	(3) Upon China's accession, foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in the joint venture shall be no more than 25%. Within 1 year after accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 35%. Within 3 years after accession, foreign investment shall be no more than 49%. Within 5 years after accession, there will be no geographic restriction.	(3) None	
	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: **(1) Cross-border supply** **(2) Consumption abroad** **(3) Commercial presence** **(4) Presence of natural persons**

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
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 - International Services (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)	(1) See mode 3 (2) None (3) Within 3 years after China's accession, foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in the joint venture shall be no more than 25%. Within 5 years after accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan. And foreign investment shall be no more than 35%. Within 6 years after accession, there will be no geographic restriction and foreign investment shall be no more than 49%. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: 1)Cross-border supply 2) Consumption abroad 3) Commercial presence 4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
D. Audiovisual Services Videos, including entertainment software and CPC 83202, distribution services Sound recording distribution services	(1) None (2) None (3) ~~Upon accession~~, foreign services suppliers ~~will be~~ permitted to establish joint ventures with Chinese partners with foreign investment less than 49% to engage in the distribution of audiovisual products, excluding motion pictures, without prejudice to China's right to examine the content of audio and video products. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	Without prejudice to compliance with China's regulations on the administration of films, upon accession, China will allow the importation of motion pictures for theatrical release on a revenue-sharing basis and the number of such imports shall be 20 on an annual basis.
Cinema Theater Services	(1) None (2) None (3) ~~Upon accession,~~ foreign services suppliers ~~will be~~ permitted to construct and/or renovate cinema theaters, with foreign investment no more than 49%. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES (CPC 511, 512, 513[1] 514, 515, 516, 517, 518[2])	(1) Unbound[3] (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. Within 3 years after China's accession to the WTO, wholly foreign-owned enterprises will be permitted. Wholly foreign-owned enterprises can only undertake the following 4 types of construction projects. 1. Construction projects wholly financed by foreign investment and/or grants. 2. Construction projects financed by loans of international financial institutions and awarded through international tendering according to the terms of loans. 3. Chinese-foreign jointly constructed projects with foreign investment equal to or more than 50%; and Chinese-foreign jointly constructed projects with foreign investment less than 50%	(1) Unbound[3] (2) None (3) None except for the following: (a) The existing registered capital requirements for joint venture construction enterprises are slightly different from those of the domestic enterprises. (b) Joint venture construction enterprises are allowed only to undertake foreign-invested construction projects. Within 3 years after China's accession to the WTO, none.	

[1] Including dredging services relating to infrastructure construction.

[2] 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.

[3] Unbound due to lack of technical feasibility.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	but technically difficult to be implemented by Chinese construction enterprises alone. 4. Chinese invested construction projects which are difficult to be implemented by Chinese construction enterprises alone can be jointly undertaken by Chinese and foreign construction enterprises with the approval of provincial government. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
4. DISTRIBUTION SERVICES (as defined in Annex 2)	(1) Unbound (2) None	(1) Unbound (2) None	Foreign-invested enterprises are permitted to distribute their products manufactured in China, including the products listed in the market access or sector or sub-sector column, and provide subordinate services as defined in Annex 2. Foreign service suppliers may provide the full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.
A. Commission Agents' Services (excluding salt, tobacco) B. Wholesale Trade services[1] (excluding salt, tobacco)	(3) Within 1 year after China's accession to the WTO, foreign service suppliers may establish joint ventures to engage in the wholesale business of all imported and domestically produced products, except those products that immediately follow. For these products, foreign service suppliers will be permitted to engage in the distribution of books, newspapers, magazines, pharmaceutical products, pesticides and mulching films within 3 years after China's accession, and to engage in the distribution of chemical fertilizers, processed oil and crude oil within 5 years after China's accession. Within 2 years after China's accession to the WTO, foreign majority ownership will be permitted and no geographic or quantitative restrictions will apply. None, within 3 years after accession, except for chemical fertilizers, processed oil and crude oil within 5 years after accession.	(3) None	
	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

[1] The restrictions on mode 1 shall not undermine the rights of WTO Members to the right to trade as stipulated in Chapter 5 of China's Protocol of accession to the WTO.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
C. Retailing Services (CPC 61 and 63, excluding tobacco)	(1) Unbound except for mail order. (2) None (3) Foreign service suppliers may supply services only in forms of joint ventures in five Special Economic Zones (Shenzhen, Zhuhai, Shantou, Xiamen and Hainan) and six cities (Beijing, Shanghai, Tianjin, Guangzhou, Dalian and Qingdao). In Beijing and Shanghai, a total of no more than four joint venture retailing enterprises are permitted respectively. In each of the other cities, no more than two joint venture retailing enterprises will be permitted. Two joint venture retailing enterprises among the four to be established in Beijing may set up their branches in the same city (i.e. Beijing).	(1) Unbound except mail order. (2) None (3) None	Foreign-invested enterprises may distribute their products manufactured in China, including those excepted products as listed in the market access or sector or sub-sector column, and provide subordinate services as defined in Annex 2. Foreign service suppliers will be permitted to provide full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Upon China's accession to the WTO, Zhengzhou and Wuhan will be immediately open to joint venture retailing enterprises. Within 2 years after China's accession to the WTO, foreign majority control will be permitted in joint venture retailing enterprises and all provincial capitals, Chongqing and Ningbo will be open to joint venture retailing enterprises. Foreign service suppliers will be permitted to engage in the retailing of all products, except for the retailing of books, newspapers and magazines within 1 year after accession, the retailing of pharmaceutical products, pesticides, mulching films and processed oil within 3 years after accession and retailing of chemical fertilizers within 5 years after accession. None, within 3 years after accession, except for: -- chemical fertilizers, within 5 years after accession; and -- those chain stores which sell products of different types and brands from multiple suppliers with more than 30 outlets. For such chains stores with more than 30 outlets, foreign majority ownership will not be permitted if those chain stores distribute any of the following products: motor vehicles (for a period of 5 years after accession at which time the equity limitation will have been eliminated), and products listed above and in Annex 2a of the Protocol of China's WTO Accession. The foreign chain store operators will have the freedom of choice of any partner, legally established in China according to China's laws and regulations. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
D. Franchising	(1) None (2) None (3) Within 3 years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Within 3 years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	
E. Wholesale or retail trade services away from a fixed location For all sub-sectors listed in the Annex 2	(1) None (2) None (3) Within 3 years after China's accession to the WTO, none*. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Within 3 years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	

See paragraph of the Working Party Report.

CHINA (continued)

Modes of supply: (1)Cross-border supply (2)Consumption abroad (3)Commercial presence (4)Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
5. EDUCATIONAL SERVICES (Excluding special education services e.g. military, police, political and party school education)			
A. Primary education services (CPC 921, excluding national compulsory education in CPC 92190)	(1) Unbound (2) None (3) Joint schools will be established, with foreign majority ownership permitted.	(1) Unbound (2) None (3) Unbound	
B. Secondary education services (CPC 922, excluding national compulsory education in CPC 92210)	(4) Unbound except as indicated in Horizontal Commitments and the following: foreign individual education service suppliers may enter into China to provide education services when invited or employed by Chinese schools and other education institutions.	(4) Qualifications are as follows: possession of Bachelor's degree or above and an appropriate professional title or certificate, with two years' professional experiences.	
C. Higher education services (CPC 923)			
D. Adult education services (CPC 924)			
E. Other education services (CPC 929, including English language training)			

CHINA (continued)

Modes of supply: **(1)Cross-border supply** **(2)Consumption abroad** **(3)Commercial presence** **(4)Presence of natural persons**

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
6. ENVIRONMENTAL SERVICES (excluding environmental quality monitoring and pollution source inspection)			
A. Sewage Services (CPC 9401)	(1) Unbound except for environmental consultation services.	(1) None	
B. Solid Waste Disposal Services(CPC 9402)	(2) None	(2) None	
C. Cleaning Services of Exhaust Gases (CPC 9404)	(3) Foreign services suppliers engaged in environmental services are permitted to provide services only in the form of joint ventures, with foreign majority ownership permitted.	(3) None	
D. Noise Abatement Services (CPC 9405)			
E. Nature and Landscape Protection Services (CPC 9406)	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	
F. Other Environmental Protection Services (CPC 9409)			
G. Sanitation Services (CPC 9403)			

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
7. FINANCIAL SERVICES A. All Insurance and Insurance-Related Services[1] (a) Life, health and pension/annuities insurance b) Non-life insurance c) Reinsurance d) Services auxiliary to insurance	(1)Unbound except for : a) international marine, aviation, and transport insurance and reinsurance; b) brokerage for insurance of large scale commercial risks and brokerage for international marine, aviation, and transport insurance and reinsurance. (2) Unbound for brokerage. Other, none. (3) A. Form of establishment Foreign non-life insurers will be permitted to establish as a branch or as a joint venture with 51% foreign ownership. Within 2 years after China's accession, foreign non-life insurers will be permitted to establish as a wholly-owned subsidiary; i.e., with no form of establishment restrictions. Upon accession, foreign life insurers will be permitted 50% foreign ownership in a joint venture with the partner of their choice. The joint venture partners can freely agree the terms of their engagement, provided they remain within the limits of the commitments contained in this schedule.	(1) None (2) None (3) None, except for: -- Foreign insurance institutions shall not engage in the statutory insurance business. -- Upon accession, a 20 percent cession of all lines of the primary risks for non-life, personal accident and health insurance business with an appointed Chinese Reinsurance Company shall be required; one year after accession, 15 percent shall be required; two years after accession, 10 percent shall be required; and three years after accession, 5 percent shall be required; and four years after accession, no compulsory cession shall be required.	

1 Any further authorization provided to foreign insurers after accession under more favorable 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.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	For brokerage for insurance of large scale commercial risks and brokerage for reinsurance and brokerage for international marine, aviation, and transport insurance and reinsurance: upon accession, joint venture with foreign equity no more than 50% will be permitted; within 3 years after China's accession, foreign equity share shall be increased to 51%; within 5 years after China's accession, wholly foreign owned subsidiary will be permitted. For other brokerage services: Unbound Internal branching for an insurance firm will be permitted consistent with the phase out of geographic restrictions. B. Geographic Coverage Upon accession, foreign life and non-life insurers, and insurance brokers will be permitted to provide services in Shanghai, Guangzhou, Dalian, Shenzhen and Foshan. Within 2 years after China's accession, foreign life and non-life insurers, and insurance brokers will be permitted to provide services in the following cities: Beijing, Chengdu, Chongqing, Fuzhou, Suzhou, Xiamen, Ningbo, Shenyang, Wuhan and Tianjin. Within 3 years after China's accession, there will be no geographic restrictions. C. Business Scope Upon accession, foreign non-life insurers will be 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 will be permitted to provide "Master policy" no later than Chinese brokers, under conditions no less favourable. Foreign non-life insurers are permitted only to provide insurance of enterprises abroad as well as property insurance, related liability insurance and credit insurance of foreign-invested enterprises in China upon accession. Within 2 years after China's accession, foreign non-life insurers will be permitted to provide the full range of non-life insurance services to both foreign and domestic clients.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Foreign insurers are permitted to provide individual (not group) insurance to foreigners and Chinese citizens; within 3 years after accession, foreign insurers will be permitted to provide health insurance, group insurance and pension/annuities insurance to foreigners and Chinese. Upon accession, foreign insurers will be permitted to provide reinsurance services for life and non-life insurance as a branch, joint venture, or wholly foreign-owned subsidiary, without geographic or quantitative restrictions on the number of licenses issued. D. Licenses: Upon accession, licenses will be issued with no economic needs test or quantitative limits on licenses. Qualifications for establishing a foreign insurance institution are as follows: - the investor shall be a foreign insurance company with more than 30 years of establishment experience in a WTO member; - it shall have a representative office for two consecutive years in China; - it shall have total assets of more than US $5 billion at the end of the year prior to application, except for insurance brokers. Insurance brokers shall have total assets of more than US$ 500 million. Within 1 year after accession, they shall have total assets of more than US$ 400 million. Within 2 years after accession, they shall have total assets of more than US$ 300 million. Within 4 years after accession, they shall have total assets of more than US$ 200 million. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
B. Banking and Other Financial Services (excluding insurance and securities) Banking services as listed below: (a) Acceptance of deposits and other repayable funds from the public; (b) Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction; (c) Financial leasing; (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.	(1) Unbound except for the following: --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. (2) None (3) A. Geographic coverage. For foreign currency business, there will be no geographic restriction upon accession. For local currency business, the geographic restriction will be phased out as follows: Upon accession, Shanghai, Shenzhen, Tianjin and Dalian; Within one year after accession, Guangzhou, Zhuhai, Qingdao, Nanjing and Wuhan; within 2 years after accession, Jinan, Fuzhou, Chengdu and Chongqing; within 3 years after accession, Kunming, Beijing and Xiamen; Within 4 years after accession, Shantou, Ningbo, Shenyang and Xian. Within 5 years after accession, all geographic restrictions will be removed.	(1) None (2) None (3) Except for geographic restrictions and client limitations on local currency business (listed in the market access column), 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.	For financial leasing services, foreign financial leasing corporations will be permitted to provide financial leasing service at the same time as domestic corporations.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	B. Clients. For foreign currency business, foreign financial institutions will be permitted to provide services in China without restriction as to clients upon accession. For local currency business, within 2 years after accession, foreign financial institutions will be permitted to provide services to Chinese enterprises. Within 5 years after accession, foreign financial institutions will be permitted to provide services to all Chinese clients. Foreign financial institutions licensed for local currency business in one region of China may service clients in any other region that has been opened for such business. C: Licensing. Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic need test or quantitative limits on licenses). Within 5 years after accession, any existing non-prudential measures restricting ownership, operation, and juridical form of foreign financial institutions, including on internal branching and licenses, shall be eliminated. Foreign financial institutions who meet the following condition are permitted to establish a subsidiary of a foreign bank or a foreign finance company in China: -- total assets of more than US $10 billion at the end of the year prior to filing the application. Foreign financial institutions who meet the following condition are permitted to establish a branch of a foreign bank in China:		

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	-- total assets of more than US $20 billion at the end of the year prior to filing the application. Foreign financial institutions who meet the following condition are permitted to establish a Chinese-foreign joint bank or a Chinese-foreign joint finance company in China: -- total assets of more than US $10 billion at the end of the year prior to filing the application; Qualifications for foreign financial institutions to engage in local currency business are as follows: -- three years business operation in China and being profitable for two consecutive years prior to the application; (4) Unbound except as indicated in Horizontal Commitments.	4) Unbound except as indicated in Horizontal Commitments.	
Motor vehicle financing by non-bank financial institutions	(1) Unbound except for the following: --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. (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

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 research and advice, advice on acquisitions and on corporate restructuring and strategy.	(1) None (2) None (3) None (Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). Branches of foreign institutions are permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Securities	(1) Unbound except for the following: Foreign securities institutions may engage directly (without Chinese intermediary) in B share business. (2) None (3) a. Unbound, except for the following: Upon accession, representative offices in China of foreign securities institutions may become Special Members of all Chinese stock exchanges. Upon accession, foreign service suppliers will be permitted to establish joint ventures with foreign investment less than 33% to conduct domestic securities investment fund management business. Within 3 years after China's accession, foreign investment shall be increased to 49%. Within 3 years after accession, foreign securities institutions will be permitted to establish joint ventures, with foreign minority ownership not exceeding 1/3, to engage (without Chinese intermediary) in underwriting A shares and in underwriting and trading of B and H shares as well as government and corporate debts, launching of funds. b. Criteria for authorization to deal in China's financial industry are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of Supply: (1) Cross-border supply (2)Consumption abroad (3)Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
9. TOURISM AND TRAVEL RELATED SERVICES A. Hotels (including apartment buildings) and Restaurants (CPC 641-643)	(1) None (2) None (3) Foreign services suppliers may construct, renovate and operate hotel and restaurant establishments in China in the form of joint ventures with foreign majority ownership permitted. Within 4 years after accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound, except as indicated in Horizontal Commitments and as follows: Foreign managers, specialists including chefs and senior executives who have signed contracts with joint venture hotels and restaurants in China shall Be permitted to provide services in China.	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	
B. Travel agency and tour operator (CPC 7471)	(1) None (2) None (3) Foreign services suppliers who meet the following conditions are permitted to provide services in the form of joint venture travel agencies and tour operators in the holiday resorts designated by the Chinese government and in the cities of Beijing, Shanghai, Guangzhou and Xi'an upon accession: a) a travel agency and tour operator mainly engaged in travel business; b) Annual worldwide turnover exceeds US$ 40 million.	1) None 2) None 3) None except that joint ventures or wholly foreign-owned travel agencies and tour operators are not permitted to engage in the activities of Chinese travelling abroad and to Hong Kong China, Macao China and Chinese Taipai.	

CHINA (continued)

Modes of Supply: (1) Cross-border supply (2)Consumption abroad (3)Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Within 3 years after accession foreign majority ownership will be permitted. Within 6 years after accession, wholly-foreign-owned subsidiaries will be permitted and geographic restrictions will be removed: The registered capital of joint venture travel agency/tour operator shall be no less than RMB 4 million. Within 3 years after China's accession, the registered capital shall be no less than RMB 2.5 million. The business scope of the travel agency/ tour operator is as follows: a) travel and hotel accommodation services for foreign travellers which can be made directly with transportation and hotel operators in China covering such operations; b) travel services and hotel accommodation services for domestic travellers which can be made directly with transportation and hotel operators in China covering such operations; c) conducting of tours within China for both domestic and foreign travellers, and d) travellers check cashing services within China. Within 6 years after accession, there will be no restriction on the establishment of branches of the joint venture travel agency/tour operator. And the requirement on registered capital of foreign-invested travel agency/tour operator will be the same as that of Chinese travel agency/tour operator. 4) Unbound, except as indicated in Horizontal Commitments.	4) Unbound, except as indicated in Horizontal Commitments	

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
11. TRANSPORT SERVICES A. Maritime Transport Services - International transport (freight and passengers) (CPC 7211 and 7212 less cabotage transport services)	(1) (a) Liner shipping (including passenger transportation): None (b) Bulk, tramp and other international shipping (including passenger transportation): None (2) None	(1) (a) None (b) None (2) None	The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: 1. Pilotage 2. Towing and tug assistance 3. Provisioning, fueling and watering 4. Garbage collecting and ballast waste disposal

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	(3) (a) Establishment of registered companies for the purpose of operating a fleet under the national flag of the People's Republic of China: Foreign service suppliers are permitted to establish joint venture shipping companies. Foreign investment shall not exceed 49 per cent of the total registered capital of the joint venture. The chairman of board of directors and the general manager of the joint venture shall be appointed by the Chinese side. (b) Other forms of commercial presence for the supply of international maritime transport services: Unbound (4) (a) Ship's crew: Unbound except as indicated in Horizontal Commitments. (b) Key personnel employed by Commercial Presence as defined under mode (3) (b) above: Unbound except as indicated in Horizontal Commitments.	(3) (a) None (b) Unbound (4) (a) Unbound except as indicated in Horizontal Commitments. (b) Unbound except as indicated in Horizontal Commitments.	5. Port Captain's services 6. Navigation aids 7. Shore-based operational services essential to ship operations, including communications, water and electrical supplies 8. Emergency repair facilities 9. Anchorage, berth and berthing services.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
11. Auxiliary Services (a) Maritime cargo-handling services (CPC 741)	(1) Unbound* (2) None	(1) Unbound* (2) None	
(c) Customs clearance services for maritime transport	(3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(3) None (4) Unbound except as indicated in Horizontal Commitments.	

* Unbound due to lack of technical feasibility.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(d) Container station and depot services	(1) Unbound*	(1) Unbound*	
	(2) None	(2) None	
	(3) Only in forms of joint ventures, with foreign majority ownership permitted.	(3) None	
	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	
(e) Maritime agency services	(1) None	(1) None	
	(2) None	(2) None	
	(3) Only in forms of joint ventures, with foreign equity share no more than 49%.	(3) None	
	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

* Unbound due to lack of technical feasibility.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
B. Internal Waterway Transport Services			
(b) Freight transport (CPC 7222)	(1) Only international shipping in ports open to foreign vessels shall be permitted. (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	(1) Limitations as indicated under market access column. (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	

HINA (continued)

Modes of supply: **(1) Cross-border supply** **(2) Consumption abroad** **(3) Commercial presence** **(4) Presence of natural persons**

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
C. Air Transport Services			
(d). Aircraft repair and maintenance services (CPC 8868)	(1) Unbound* (2) None (3) Foreign service suppliers are permitted to establish joint venture aircraft repair and maintenance enterprises in China. The Chinese side shall hold controlling shares or be in a dominant position in the joint ventures. Licenses for the establishments of joint ventures are subject to economic needs test. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) The joint ventures are allowed only to undertake business in the international market. (4) Unbound except as indicated in Horizontal Commitments.	

* Unbound due to lack of technical feasibility.

CHINA (continued)

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Computer reservation system (CRS) services	(1) A. Foreign Computer Reservation System, when having agreements with Chinese aviation enterprises and Chinese Computer Reservation System, may provide services to Chinese aviation enterprises and Chinese aviation agents by connecting with Chinese Computer Reservation System. B. 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. C. 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 General Administration of Civil Aviation of China (CAAC). (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
E. Rail Transport Services F. Road Transport Services Freight Transportation by rail (CPC7112) Freight Transportation by road in trucks or cars (CPC7123)	1) None 2) None 3) Only in the form of joint ventures, with foreign investment not to exceed 49%. For rail transport, within 3 years after China's accession, foreign majority ownership will be permitted and within 6 years after China's accession, wholly foreign-owned subsidiaries will be permitted. For road transport, within 1 year after China's accession, foreign majority ownership will be permitted. Within 3 years after China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	1) None 2) None 3) None (4) Unbound except as indicated in Horizontal Commitments.	
Storage and warehousing services (CPC742)	1) Unbound 2) None 3) Upon accession, only in the form of joint ventures, with foreign investment not to exceed 49%. Within 1 year after China's accession, foreign majority ownership will be permitted and within 3 years of China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	1) Unbound 2) None 3) None (4) Unbound except as indicated in Horizontal Commitments.	

CHINA (continued)

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Freight Forwarding agency services (CPC 748 and 749 excluding freight inspection)	1) None 2) None 3) Upon accession, foreign freight forwarding agencies which have at least 3 consecutive years experience are permitted to set up freight forwarding agency joint ventures in China, with foreign investment not to exceed 50%; within 1 year after China's accession, foreign majority ownership will be permitted. Within 4 years after China's accession, wholly foreign-owned subsidiaries will be permitted. The minimum registered capital of the joint venture shall be no less than US $ 1 million. Within 4 years after accession, national treatment will be accorded in this respect. Operation term of the joint ventures shall not exceed 20 years. After one year operating in China, the joint venture can set up branches when the registered capital of both sides has been provided. Another US$ 120,000 shall be added to the original registered capital of the joint venture for the set-up of each branch. Within two years after China's accession to the WTO, this additional registered capital requirement will be implemented on the national treatment basis. A foreign freight forwarding agency may set up a second joint venture after its first joint venture has been in operation for 5 years. Within two years after China's accession to WTO, this requirement will be reduced to 2 years. 4) Unbound except as indicated in Horizontal Commitments.	1) None 2) None 3) None 4) Unbound except as indicated in Horizontal Commitments.	

LIST OF ARTICLE II EXEMPTION FOR CHINA

Modes of supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence 4) Presence of natural persons

Sector or Sub-sector	Description of Measures Indicating its Inconsistency with Article II	Countries to Which the Measures Applies	Intended Duration	Conditions Creating the Need for the Exemption
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.	Unforeseeable.	According to present state of trade between signatories.
	Agreements of cargo sharing.	Algeria, Argentina, Bangladesh, Brazil, Thailand, USA, Zaire.	Subject to the effective duration of the agreements concerned.	According to present state of trade between signatories.

Annexes to the China's Draft List of Specific Commitments

Annex 1. Two chairman's notes and reference paper in telecommunication sector (to be provided by the WTO Secretariat)

Annex 2. Distribution services

Annex 3. Insurance: Definition of "Master Policy"

ANNEX 2
DISTRIBUTION SERVICES

Distribution trade services are comprised of four main sub-sectors:

1) commission agents services,
2) wholesaling,
3) retailing,
4) franchising,

The principal services rendered in each subsector can be characterized as reselling merchandise, accompanied by a variety of related subordinated services, including inventory management; assembly, sorting and grading of bulk lots; breaking bulk lots and redistributing into smaller lots; delivery services; refrigeration, storage, warehousing and garage services; sales promotion, marketing and advertising, installation and after sales services including maintenance and repair and training services. Distribution services are generally covered by CPC 61, 62, 63 and 8929.

COMMISSION AGENTS' SERVICES consist of sales on a fee or contract basis by an agent, broker or auctioneer or other wholesalers of goods/merchandise and related subordinated services.

WHOLESALING consist of the sale of goods/merchandise to retailers to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

RETAILING SERVICES consist of the sale of goods/merchandise for personal or household consumption either from a fixed location (e.g., store, kiosk, etc.) or away from a fixed location and related subordinated services.

FRANCHISING SERVICES consist of the sale of the use of a product, trade name or particular business format system in exchange for fees or royalties. Product and trade name franchising involves the use of a trade name in exchange for fees or royalties and may include an obligation for exclusive sale of trade name products. Business format franchising involves the use of an entire business concept in exchange for fees and royalties, and may include the use of a trade name, business plan, and training materials and related subordinated services.

ANNEX 3

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 authorized province-level branch offices. Other branches are not allowed to issue master policy.

(I) 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.

1. 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% of the total investment.

2. 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% 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.

(II) 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.

1. 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.

2. If over 50% 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 can not be underwritten or co-insured by insurers located other than where the subject-insured are located, or covered under a master policy.

Proposed Revised Language for Rev.7 of the Draft Working Party Report
Proposals by China and the United States

17 July 2001

Foreign Exchange-Working Party Report Language Based on Rev.7

36. The representative of China stated that China would implement its obligations with respect to forex matters in accordance with the provisions of the WTO Agreement and related declarations and decisions of the WTO that concerned the International Monetary Fund. The representative further recalled ~~confirmed~~ China's acceptance of Article VIII of the IMF's Articles of Agreement, which provided that "no member shall, without the approval of the Fund, impose restrictions on the making of payments and transfers for current international transactions." He stated that, in accordance with these obligations, and unless otherwise provided for in the IMF's Articles of Agreement, China would not resort to any laws, regulations or other measures, including any requirements with respect to contractual terms, that would restrict the availability to any individual or enterprise of forex for current international transactions within its customs territory to an amount related to the forex inflows attributable to that individual or enterprise. ~~He stated, moreover, that China would not subject individual requests for forex for the making of payments and transfers for current international transactions including the issuance of credit or credit guarantees for current international transactions (e.g., letters of credit, direct loans, guarantees of loans by financial institutions or other entities), to any form of approval or restriction(including a requirement for the presentation of an invoice), in a manner inconsistent with its obligations under the IMF's Articles of Agreement.~~ The Working Party took note of China's commitment in accordance with China's obligations under the IMF Agreement.

37. *Same*

Balance of Payments

Paragraph 41: Revise the next to last sentence to read as follows:

The representative of China also confirmed that measures taken for BOPs reasons would only be applied to control the general level of imports and not to protect specific sectors, industries or products, except as noted in paragraph 39.

Customs Valuation

Paragraph 149: Modify the second sentence to read as follows:

In addition, China would apply the provisions of the Decision on the Treatment of Interest Charges in Customs Value of Imported Goods, and the Decision on the Valuation of Carrier Media Bearing Software for Data Processing Equipment, adopted by the WTO Committee on Customs Valuation (G/VAL/5) as soon as practicable, but in any event no later than two years from the date of entry into force of the draft protocol.

Export Subsidies

Paragraph 173

Revise the third sentence as follows:

This commitment covered subsidies granted at all levels of government~~, including tax exemptions, reductions, deferrals or forgiveness to enterprises~~, which were contingent, in law or in fact, upon an obligation to export.

Trade-Related Investment Measures

Paragraph 209

Replace the bracketed language in the next to the last sentence with the following:

Consistent with its obligations under the WTO Agreement and the draft protocol, China will respect enterprises' freedom of contract.

2001. 7.17 美方修改

Foreign Exchange - Draft WP Report Language

36. The representative of China stated that China would implement its obligations with respect to forex matters in accordance with the provisions of the WTO Agreement and related declarations and decisions that concerned the International Monetary Fund. The representative further confirmed China's acceptance of Article VIII of the IMF's Articles of Agreement, which provided that "no member shall, without the approval of the Fund, impose restrictions on the making of payments and transfers for current international transactions." He stated that, in accordance with these obligations, and unless otherwise provided for in the IMF's Articles of Agreement, China would not resort to any laws, regulations or other measures, including any requirements with respect to contractual terms, that would restrict the availability to any individual or enterprise of forex for current international transactions within its customs territory to an amount related to the forex inflows attributable to that individual or enterprise. The Working Party took note of this commitment. In addition, the representative of China stated that China would provide information on exchange measures as required under Article VIII, Section 5 of the IMF's Articles of Agreement, and such other information on its exchange measures as was deemed necessary in the context of the transitional review mechanism. The Working Party took note of this commitment.

38. ~~Some members expressed concern about China's practice of taxing non-concessional borrowings for the purposes of export financing. Such taxation of non-concessional financing pressures some foreign exporters to grant subsidized export credits. In response, the representative of China confirmed that China would not use taxes to discriminate between non-concessional official support and concessional official support used to finance current international transactions. The Working Party took note of this commitment.~~

July 2, 2001

Foreign Exchange

36. The representative of China stated that China would implement its obligations with respect to forex matters in accordance with the provisions of the WTO Agreement and related declarations and decisions of the WTO that concerned the International Monetary Fund. The representative further recalled China's acceptance of Article VIII of the IMF's Articles of Agreement, which provided that "no member shall, without the approval of the Fund, impose restrictions on the making of payments and transfers for current international transactions." He stated that, in accordance with these obligations, and unless otherwise provided for in the IMF's Articles of Agreement, China would not resort to any laws, regulations or other measures, including any requirements with respect to contractual terms, that would restrict the availability to any individual or enterprise of forex for current international transactions within its customs territory to an amount related to the forex inflows attributable to that individual or enterprise. The Working Party took note of these commitments.

37. *Same*

Foreign Exchange-Working Party Report Language

36. The representative of China stated that China would implement its obligations with respect to forex matters in accordance with the provisions of the WTO Agreement and related declarations and decisions of the WTO that concerned the International Monetary Fund. The representative further confirmed China's acceptance of Article VIII of the IMF's Articles of Agreement, which provided that "no member shall, without the approval of the Fund, impose restrictions on the making of payments and transfers for current international transactions." He stated that, in accordance with these obligations, and unless otherwise provided for in the IMF's Articles of Agreement, China would not resort to any laws, regulations or other measures, including any requirements with respect to contractual terms, that would restrict the availability to any individual or enterprise of forex for current international transactions within its customs territory to an amount related to the forex inflows attributable to that individual or enterprise. ~~He stated, moreover, that China would not subject individual requests for forex for the making of payments and transfers for current international transactions including the issuance of credit or credit guarantees for current international transactions (e.g., letters of credit, direct loans, guarantees of loans by financial institutions or other entities), to any form of approval or restriction(including a requirement for the presentation of an invoice), in a manner inconsistent with its obligations under the IMF's Articles of Agreement.~~ The Working Party took note of China s commitment in accordance with China's obligations under the IMF Agreement.

37. Same

Balance of Payments

Paragraph 41: Revise the next to last sentence to read as follows:

The representative of China also confirmed that measures taken for BOPs reasons would only be applied to control the general level of imports and not to protect specific sectors, industries or products, except as noted in paragraph 39.

Paragraph 149– Modify the second sentence to read as follows:

In addition, China would apply the provisions of the Decision on the Treatment of Interest Charges in Customs Value of Imported Goods, and the Decision on the Valuation of Carrier Media Bearing Software for Data Processing Equipment, adopted by the WTO Committee on Customs Valuation (G/VAL/5) as soon as practicable, but in any event no later than two years from the date of entry into force of the draft protocol.

Paragraph 173

Revise the third sentence as follows:

This commitment covered subsidies granted at all levels of government, ~~including tax exemptions, reductions, deferrals or forgiveness to enterprises~~, which were contingent, in law or in fact, upon an obligation to export.

Paragraph 209

Replace the bracketed language in the next to the last sentence with the following:

Consistent with its obligations under the WTO Agreement and the draft protocol, China will respect enterprises' freedom of contract.

Working Party Report Text on Price Controls

USA/Australia/Canada

July 18, 2001

60.(bis) Some Members expressed a concern that China could maintain prices below market-based ones in order to limit imports.

61. In response, the representative of China confirmed that China would apply its current price controls and any other price controls from the entry into force of the Draft Protocol in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. He also confirmed that price controls would not have the effect of limiting or otherwise impairing China's market access commitments on goods and services. The Working Party took note of these commitments.

Proposed revisions to Rev.7 of the China Draft Working Party Report

Joint Proposal by China and the United States

19 July 2001

Proposed Revisions to Section 7: Pricing Policies

54. The representative of China stated that when ~~the~~ government prices or government guidance prices needed to be adjusted or reset, the agencies concerned should apply to the competent pricing authorities for that purpose. ~~He further stated that in accordance with the Pricing Law of China, a system of public hearing on resetting of government price and government guidance price had been established. Under this system, the competent pricing authorities would hold public hearings and invite all parties concerned to comment and debate on the necessity and impact of price adjustment.~~ **There is not a fixed time frame for the adjustment of government prices or government guidance prices. Operators or competent agencies could, in the light of market changes and according to their purview of pricing, submit applications to the competent pricing authorities for pricing or adjustment of the original prices. The government pricing authorities would, in the light of such factors as market demand and supply, operational costs, effect on consumers as well as the quality of services, determine specific prices for the services concerned, or set guidance prices and floating ranges within which operators could determine specific prices. When setting prices for public utilities, important public welfare services and goods subject to natural monopolies and services which are of vital interest to the general public, government pricing authorities would hold public hearings and invite consumers, operators and other concerned parties to comment and debate on the necessity and impact of a price adjustment. The prices of important services are subject to the approval of the State Council.** This mechanism had helped to significantly improve the rationality and transparency of government pricing. All enterprises ~~in China~~, regardless of their nature and ownership, were free to participate in such hearings and voice their opinions and concerns which would be taken into consideration by the competent pricing authorities. Meanwhile, government pricing was product- or service-specific, regardless of the ownership of **the** enterprises concerned. All the enterprises and individuals in China enjoyed the same treatment in ~~the process of government pricing~~ **terms of participating in the process of setting government prices and government guidance prices.**

57. The representative of China recalled that Annex 4 of the Draft Protocol contained a comprehensive listing of all products and services presently subject to government guidance pricing and government pricing. **He stated that the services subject to price controls were listed in Annex 4 by their respective CPC codes.**

New Paragraph

57bis. **Members requested additional information on the specific activities subject to government pricing or government guidance pricing. In particular, Members requested information on professional services, educational services, and charges for settlement clearing and transmission services of banks. In response, the representative of China stated that "The Administrative Rules on Intermediate Services" promulgated in 1999 by six central government agencies led by the State Development and Planning Commission (SDPC) dealt with government pricing on intermediate services such as inspection authentication, notarisation and arbitration and services which are in limited supply due to their special requirements. For legal services, the Interim Regulation on Charges and Fees of Legal Services, jointly promulgated by the SDPC and the Ministry of Justice stipulates that for law firms practicing Chinese law, charges and fees for the following activities are subject to the approval of the SDPC: (1) representing a client in a civil case, including an appeal; (2) representing a client in a case contesting an administrative agency's decision; (3) providing legal advice to criminal suspects, acting for a client in connection with an appeal or prosecution, applying for bail, representing a defendant or victim in a criminal case; and (4) representing a client in an arbitration. For foreign legal service providers engaged in activities such as those listed in China's GATS schedule, the foreign legal service providers would determine the appropriate charges and fees which would not be subject to government pricing or guidance pricing.**

The representative of China noted that regulations also existed for the other services included in Annex 4. Government pricing and guidance pricing related to accounting and auditing services cover auditing and accounting review services. For architectural services, advisory and pre-design architectural services and contract administration activities were subject to government pricing or government guidance pricing. For engineering services, advisory and consultative services, engineering design services for the construction of foundations and building structures, design services for mechanical and electrical installations for buildings, construction of civil engineering works, and industrial processes and production were subject to government pricing or government guidance pricing. For education services, primary, secondary and higher educations

services were subject to government pricing or government guidance pricing unless the provider is a non-profit educational service provider.

The representative of China further explained that charges for settlement, clearing and transmission services of banks referred to in Annex 4 related to the charges and fees collected by banks for the services provided to enterprises and individuals when the banks conduct currency payments and transmission and fund settlements by using clearance methods such as bills and notes, collections and acceptances. These mainly include commission charges of bills, cashier's checques, checks, remittances, entrusted collections of payment, and collections and acceptances of banks.

17 July 2001

Proposed addition to Rev.7 of the Draft Working Party Report
Proposal by Australia

Paragraph 83

Insert as new sentence after fourth sentence:

> "During the transition period none of the criteria operating under the designated trading regime would constitute a quantitative restriction on imports or exports."

别FAX给他！

07.16 2ec/

Wood and Paper Products

x. The representative of China confirmed that for wood and paper products, the same rates of duty, including the rates applied under a preference program, customs union or free trade area, will be applied to all imports of wood and paper products. The Working Party took note of this commitment.

Tariffs

x. Without prejudice to its rights to participate in the WTO process, China stated its support for the tariff liberalization proposal outlined in WT/GC/W/138 Add.1 (22 April 1999) and that it will participate fully in any tariff liberalization program based on this proposal that WTO members accept for implementation. The Working Party took note of this commitment.

initiative

may

Proposed Additions to Rev.7 of the Draft Working Party Report
Joint Proposal by China and the United States

17 July 2001

Wood and Paper Products

x. The representative of China confirmed that for wood and paper products, the same rates of duty, including the rates applied under a preference programme, customs union or free-trade area, will be applied to all imports of wood and paper products. The Working Party took note of this commitment.

Tariffs

x. Without prejudice to its rights to participate in the WTO process, China stated its support for the tariff liberalization proposal outlined in WT/GC/W/138/Add.1 (22 April 1999) and that it will participate fully in any tariff liberalization initiative based on this proposal that WTO Members may accept for implementation. The Working Party took note of this commitment.

US Proposal on Additions to Section on Ordinary Customs Duties in Rev.7 of China Draft Working Party Report

20 July 2001

Tariffs

x. Without prejudice to its rights to participate in the WTO process, China confirmed its commitment to support the tariff liberalization proposal outlined in WT/GC/W/138 Add.1 (22 April 1999) and that it will participate fully in any tariff liberalization initiative based on this proposal that WTO members may accept for implementation.

Proposed Revised Language for Rev.7 of the Draft Working Party Report
Joint Proposal by China and the European Communities

17 July 2001

Export licensing and export restrictions

Paragraph 166

Insert at the end of para. 166:

> "These members noted that some of the criteria of the Foreign Trade Law referred to above did not at present meet the specific conditions laid down in Articles XI and XX GATT."

17 July 2001

Paragraph 209

Replace the bracketed language with the following:

Consistent with its obligations under the WTO Agreement and the draft protocol, China will, ~~however~~, respect the freedom of enterprises ~~to enter into contracts~~ contract of

or:
respect enterprise's freedom of contracts

Draft Report of the Working Party

Paragraph 312, sixth sentence: delete this bracketed sentence and replace it with the following unbracketed sentence.

"He also confirmed that a branch and a sub-branch were an extension of the parent enterprise and not a separate legal entity and that China would permit internal branching accordingly on that basis, and in compliance with China's Schedule of Specific Commitments, including provisions on MFN treatment."

Working Party report language on TRIPS—Proposal by Japan

19 June 2000

xx. Some members of the Working Party expressed concerns over the Chinese Act on the Administration of Contracts regarding Technology Imports and its implementing regulation in light of the Agreement on TRIPS and international practices concerned. They urged China to amend the Act and the Regulation. Members' concerns include the following:

- Continued use of licensed technology cannot be prevented after the expiration of the contract.

- The protection of confidential information is mandatory only during the contract period.

- The validity period of the contract on transfer of technology must not exceed 10 years unless specially approved.

xx. Members also raised the following issues, which are not necessarily in contravention with the TRIPS Agreement.

- A licensor needs to ensure that the licensed technology is capable of achieving the technological goals spelled out in the contract.

- A licensor needs to ensure that it is a lawful holder of the licensed technology, and that the technology will not be claimed by a third party.

- A licensor cannot include any restrictive conditions in the contract with the aim of limiting the region for exports.

xx. China undertook to amend domestic laws and regulations concerned to bring them into conformity with the WTO obligations and international practices. The Working Party took note of this commitment.

Beijing, 29/06/2000

Preliminary Comments on Proposed Language For Draft Protocol and Working Party Report by Japan

The following is the preliminary comments by the Chinese Delegation on Proposed Language for draft Protocol and Working Party Report by Japan:

1. On textile: The Chinese Delegation believes there has been a good understanding between our two sides concerning bilateral textile arrangement as reflected in the Minutes of Discussions initialed in Beijing, which means we would rather leave the Sino-US WTO Agreement unchanged at this stage.

2. On TBT: The Chinese Delegation has no objection to multilateralization of the 1997 Sino-Japanese WTO Agreement so long as it fully reflects the Agreement in letter and in spirit.

3. On NTMs: In your suggested paragraphs, we understand there are a number of issues that are bracketed language in May 1997 draft Protocol which China did not agree to. Clearly, these issues are subject to further negotiations.

4. On TRIPS: For paragraph 1, the Chinese Delegation prefers not to have "*a large number of*" in front of "*intellectual property right infringement cases*…", which does not reflect the actual situation. As for the rest of paragraphs concerning the "Chinese Act on Administration of Contract regarding Technology Imports", The Chinese Delegation believes this section is no longer necessary, as China is currently replacing this Law with a new one consistent with TRIPs Agreement.

The Chinese Delegation appreciates the opportunities to exchange views with your delegation prior to the multilateral discussion in Geneva.

As the negotiation enters into the final stage, the Chinese Delegation counts on Japanese Delegation's full support in the process.

(3)

29/7/01

[redacted] for Inclusion in the Working Party Report on the Accession of the Peoples' Republic of China to the WTO

IV.C.10 Agricultural Policies:

(At the end of the paragraph on product and non-product support)

Some Members of the Working Party noted that the domestic support tables of China in (WT/ACC/CHN/38/Rev.#) show China's base total AMS as zero despite the fact that the product specific support is negative. They also noted that Articles 6.2 and 6.4(b) are an integral part of Agreement on Agriculture as they operationalise the special and differential provisions in favour of developing country Members. Article 6.2 categorically recognizes the significance of governmental support and subsidies in agricultural and rural development programmes in developing countries and Article 6.4(b) that developing countries require and deserve greater flexibility in their domestic support policies. Article 20 of the Agreement on Agriculture also highlights the importance of special and differential treatment for developing country Members in its mandate for continuation of the reform process in agriculture. Any autonomous action by China should not alter the structure of the Agreement on Agriculture or affect the rights of Members or prejudice the on-going negotiations on agriculture.

Government Procurement 07/7 2007

238. same

239. **The representative of China responded that China would, upon entry into force of the Draft Protocol, become an observer to the GPA and would initiate negotiations for membership in the GPA by tabling an Appendix 1 offer as soon as possible.**

~~240. The representative of China stated that in 2005 and, as necessary, every two years thereafter, there would be a review to examine China's ability to accede to the GPA.~~ Until such time as China became a member of the GPA, China committed itself to apply the MFN principle to all procurement by public authorities at all levels. China would ensure that, if a procurement by one of its government bodies or authorities at central or sub-central level, or any of its public entities other than those engaged exclusively in commercial activities was opened to foreign suppliers, it would provide all foreign suppliers with equal opportunity to participate in that procurement (e.g. through the bidding process). The Working Party took note of these commitments.

Canada - July 18, 2001

WPR 237. The representative of China stated that China intended to become a signatory to the GPA and that until such time, all government entities at the central and sub-central level *or any of its public entities other than those engaged in exclusively commercial activities* would conduct their procurement of goods and services in a transparent manner and provide all foreign suppliers with equal opportunity to participate in that procurement pursuant to the principle of MFN treatment. Such procurements would be subject only to laws, regulations, judicial decisions, administrative rulings of general application, and procedures (including standard contract clauses) which had been published and made available to the public. The Working Party took note of these commitments. [Note: Could be modified and placed in Protocol.]

WPR 238. Noting China's intention to become a Signatory of the GPA, some members of the Working Party stated that China should, upon entry into force of the Draft Protocol, seek to become an observer to the GPA, and should initiate negotiations for membership in the Agreement by tabling an Appendix 1 offer within two years of accession.

WPR 239. The representative of China responded that China would initiate negotiations for membership in the GPA by tabling an Appendix 1 offer within [two] years of accession. The Working Party took note of this commitment.

WPR 240. ~~The representative of China stated that in 2005 and, as necessary, every two years thereafter, there would be a review to examine China's ability to accede to the GPA. Until such time as China became a member of the GPA, China committed itself to apply the MFN principle to all procurement by public authorities at all levels. China would ensure that, if a procurement by one of its government bodies or authorities at central or sub-central level, *or any of its public entities other than those engaged exclusively in commercial activities* was opened to foreign suppliers, it would provide all foreign suppliers with equal opportunity to participate in that procurement (e.g. through the bidding process). The Working Party took note of these commitments~~

Protocol 21. Procurement by Government Bodies and Authorities at Central and Sub-Central Levels, and Public Entities Other Than Those Engaged Exclusively in Commercial Activities

~~Notwithstanding Article III.8(a) of the GATT 1994 and Article XIII. 1 of the GATS, China shall ensure that its government bodies and authorities at central and sub-central levels, *as well as its public entities other than those engaged in exclusively commercial activities* procure in a transparent manner in accordance with laws, regulations, judicial decisions, administrative rulings of general application, and any procedure (including standard contract clauses) regarding government procurement, which must have been published. Copies of all such published provisions will be submitted to the WTO Secretariat.~~

Government Procurement – Proposal from Canada – July 19, 2001

VII. OTHER ISSUES [*All WPR text on procurement to be moved from the "Goods" section to the "Other Issues" section.*]

4. Government Procurement

348. The representative of China stated that in order to promote China's government procurement, the Ministry of Finance promulgated the Interim Regulations on Government Procurement in April 1998. The Interim Regulations were stipulated in line with the spirit of the WTO Agreement on Government Procurement ("GPA") and on the basis of the relevant provisions of the United Nations Model Law on Procurement of Goods, Construction and Services while making reference to the laws and regulations of some WTO Members on government procurement. The policy and procedure regarding government procurement provided for therein were consistent with international practice. China stuck to the fundamental principles of being open, fair, equitable, efficient and in the public interest when carrying out government procurement. At present, China was formulating the Government Procurement Law.

349. Some members of the Working Party stated that China should become a Party to the GPA and that prior to its accession to the GPA, China should conduct all government procurement, ~~within the meaning of the Draft Protocol,~~ in a transparent and non-discriminatory manner. Those members noted that China's public entities engaged exclusively in commercial activities would not be conducting government procurement and thus laws, regulations and other measures regulating these entities' procurement practices would be fully subject to WTO requirements.

350. The representative of China stated that China intended to become a Party to the GPA and that until such time, all government entities at the central and sub-national level as well as any of its public entities other than those engaged in exclusively commercial activities would conduct their procurement ~~of goods and services~~ in a transparent manner and provide all foreign suppliers with equal opportunity to participate in that procurement pursuant to the principle of MFN treatment. Such procurements would be subject only to laws, regulations, judicial decisions, administrative rulings of general application, and procedures (including standard contract clauses) which had been published and made available to the public. The Working Party took note of these commitments.

351. Noting China's intention to become a Party to the GPA, some members of the Working Party stated that China should, upon entry into force of the Draft Protocol, ~~seek to~~ become an observer to the GPA, and should initiate negotiations for membership in the Agreement by tabling an Appendix 1 offer within two years of accession.

352. The representative of China responded that China would ~~seek to~~ become an observer to the GPA upon accession to the WTO and initiate negotiations for membership in the GPA by tabling an Appendix 1 offer as soon as possible. The Working Party took note of ~~this~~ commitment.

Delete all of Protocol Paragraph 21

Government Procurement – Proposal from Canada and China – July 19, 2001

Notes:
- this proposal modifies all government procurement text appearing in paras 235 to 240 of WPR Rev.7 and para 21 of the Protocol
- it rationalizes text appearing in paras 237, 240 and Protocol para 21
- it provides a solution for the formerly square-bracketed text in para 237; and
- it includes some editorial changes.

Finally, we propose to move all the text to section VII (Other Issues) of the WPR.
==========

VII. OTHER ISSUES

4. Government Procurement

xx ~~235~~. The representative of China stated that in order to promote China's government procurement **regime**, the Ministry of Finance promulgated the Interim Regulations on Government Procurement in April 1998. The Interim Regulations were stipulated in line with the spirit of the WTO Agreement on Government Procurement ("GPA") and on the basis of the relevant provisions of the United Nations Model Law on Procurement of Goods, Construction and Services while making reference to the laws and regulations of some WTO Members on government procurement. The policy and procedure**s** regarding government procurement provided for therein were consistent with international practice. China stuck to the fundamental principles of being open, fair, equitable, efficient and in the public interest when carrying out government procurement. At present, China was formulating ~~the~~ **its** Government Procurement Law.

xx ~~236.~~ Some members of the Working Party stated that China should become a **Party** ~~Signatory~~ to the GPA and that prior to its accession to the GPA, China should conduct all government procurement~~, within the meaning of the Draft Protocol,~~ in a transparent and non-discriminatory manner. Those members noted that China's public entities engaged exclusively in commercial activities would not be conducting government procurement and thus laws, regulations and other measures regulating these entities' procurement practices would be fully subject to WTO requirements.

xx ~~237~~. The representative of China stated that China intended to become a **Party** ~~Signatory~~ to the GPA and that until such time, all government entities at the central and sub-**national** ~~central~~ level**, as well as any of its public entities other than those engaged in exclusively commercial activities,** would conduct their procurement in a transparent manner, and provide all foreign suppliers with equal opportunity to participate in that procurement pursuant to

the principle of MFN treatment**, i.e., if a procurement was opened to foreign suppliers, all foreign suppliers would be provided with equal opportunity to participate in that procurement (e.g., through the bidding process.)** Such **entities'** procurements would be subject only to laws, regulations, judicial decisions, administrative rulings of general application, and procedures (including standard contract clauses) which had been published and made available to the public. The Working Party took note of these commitments.

xx ~~238~~. Noting China's intention to become a Party to the GPA, some members of the Working Party stated that China should, upon entry into force of the Draft Protocol~~, seek to~~ become an observer to the GPA, and should initiate negotiations for membership in the Agreement by tabling an Appendix 1 offer within two years of accession.

xx ~~239~~. ~~[~~The representative of China responded that China would **become an observer to the GPA upon accession to the WTO and** initiate negotiations for membership in the GPA by tabling an Appendix 1 offer **as soon as possible** ~~within two years of accession~~. The Working Party took note of **these** ~~this~~ commitment**s**.~~]~~

~~**xx** 240.The representative of China stated that in 2005 and, as necessary, every two years thereafter, there would be a review to examine China's ability to accede to the GPA. Until such time as China became a member of the GPA, China committed itself to apply the MFN principle to all procurement by public authorities at all levels. China would ensure that, if a procurement by one of its government bodies or authorities at central or sub-central level, or any of its public entities other than those engaged exclusively in commercial activities was opened to foreign suppliers, it would provide all foreign suppliers with equal opportunity to participate in that procurement (e.g. through the bidding process). The Working Party took note of these commitments.~~

Delete all of Protocol Paragraph 21

Technical Corrections to Draft Working Party Report WT/ACC/SPEC/CHN\Rev. 7

1. Introduction: Paragraph 1, line 5–insert "Marrakesh" before Agreement Establishing the World Trade Organization.

2. Paragraph 3–Comment: WT/ACC/CHN/23 should be updated.

3. Paragraph 14–Line 3: delete the phrase "and in China's Schedules annexed" and replace with ", including the annexes". Several of the annexes to China's draft protocol and not just China's schedules reflect the discussions and commitments resulting therefrom.

4. Paragraph 27–Foreign Exchange–Second sentence should read: "In response, the representative of China stated that China was a member of the International Monetary Fund (IMF) and that recently its system of forex had undergone rapid change." As drafted, it appears that China only recently became an IMF member.

5. Paragraph 28–line 7 (4th sentence) Change "foreign investment enterprise" to foreign invested enterprise." The acronym for this term is used throughout the Report and it is important that the reference be accurate.

6. Paragraph 47–First sentence, third line–insert a comma after e.g., and second sentence, line 7–insert "on" between including and the quantity.

7. Heading "Authority of Sub-Central Governments" should be modified to conform to usage in the draft Protocol. It should read "Authority of Sub-National Governments"

8. Paragraph 66 should be moved to be the last paragraph in the Section on "Structure and Powers of the Government". The obligations undertaken in paragraph 66 related to the central government agencies and not the sub-national governments. Paragraphs should be renumbered appropriately.

9. Paragraph 68 should be moved to be the second paragraph under "Authority of Sub-National Governments." The first sentence of this paragraph refers explicitly to the authority of sub-national governments. Although the rest of the paragraph refers to the exercise of central government authority over sub-national regulations, rules and other measures, exercise of that authority is not simply to assure uniform administration.

10. Paragraph 109–Second sentence–line 3–change "state trading administration" to "administration of the state trading regime."
11. Paragraphs 113-114–change "sub-central" to "sub-national" each time it appears.

12. Paragraph 125–The indentation of the tics in this paragraph needs to be adjusted as follows: First item on page 35–starting "Historical performance" should have one indent. Second and Third items on page 35–starting "Production" and "Experience" respectively, should have two indents. Fourth item–starting "In cases in which average imports" should

have no indents, i.e., flush with the margin. The next three items after "In other cases" should have one indent. The last item on page 35, starting "In all cases, a quota holder" should have no indents.

13 Paragraph 144, delete last sentence as unnecessary since the corresponding provision was deleted from the headnote on TRQ administration for agricultural products.

14. Paragraph 158, insert ", and" at the end of sub-paragraph (a)(1).

15. Paragraph 175–Change 'sub-central" to "sub-national"

16. Paragraph 177–Second sentence, delete "and 29" to more accurately reflect the outcome of discussions on this paragraph. The third sentence would also be modified to read. The representative of China, in turn, considered that certain provisions of this Article (delete these Articles).

17. Paragraph 191--Believe that this should be a commitment paragraph with the appropriate last sentence.

18. Paragraph 216–Text does not reflect the US comments made in the transparency plurilateral to the effect that this paragraph should track the language in paragraph 344 to prevent confusion over interpretation. Delete the last phrase 'but stated that such notification should be without prejudice to the commercial interests of the state trading enterprises" and insert the following: " consistent with the requirements of paragraph [344] of this Working Party Report." The paragraph number to be adjusted appropriately.

19. Paragraphs 243-244 and 245–Typos–substitute apostrophes for the section signs in China's

20. Paragraph 256–First sentence–fourth line–insert "of the draft protocol". We need to clarify the reference to "this Section."

21. Paragraph 259–First sentence–first line–missing word–insert "to" before "be applied".

22. Table B–First 5 entries–second column– delete "to be revised". Since the column heading refers to date of implementation the language proposed for deletion is unneccary and confusing. ~~Table should include the Implementing Rules of the Patent Law (see commitments in paragraphs 281, 286 and others). In the chapeau to the table, revise the number 8 appropriately,~~ put a period after laws and regulations and delete "some of which had already been included in the lists submitted to the Working Party at its June and July meetings." (In the chapeau to the table,

23. Paragraph 268–First sentence-third line–reference to "the Provisions on the Implementation of the International Copyright Treaty"–China's table refers to the

"Regulations on the Implementation of the International Copyright Treaty." We assume that they are the same measures and all entries should refer to the "~~Regulations~~ Provisions on Implementation of the International Copyright Treaty."

24. Paragraph 270–last line on page 82–compilation–should be plural "compilations". ~~Also–fourth sentence refers to "Provisions on Implementation of the International Copyright Treaty"–same comment as for paragraph 268~~. Finally, the reference to the Implementing Rules of the Copyright Law should refer to the "Implementing Regulations of the Copyright Law."

25. Paragraph 290–First line–delete "UPOV" and insert "Universal" and (UPOV) at the end of the sentence.

26. Paragraph 323–(a)(1) insert "For" before Master Policy to parallel the rest of the text.

27. Paragraph 334–~~Could possibly~~ Delete since this commitment is present in the draft protocol.

28. Paragraph 335–second sentence–insert "other" before "local." China has explained in the relevant section of the working party report that provincial authorities are considered to be "local" authorities in China.

29. Paragraph 109 - insert "of" at the end of line 2 to refer to "out-of-quota".

30 Paragraph 126, line 7, insert "the holder" between "to" and "by."

Editorial Changes on the Working Party Report (Rev.7) Proposed by China
July 16, 2001

1. Paragraph 2, third line, delete "Agreement".

2. Paragraph 109, fifth line, delete ", and bonded import which was strictly monitored by Customs.

3. Paragraph 162, second line, change "36" into "84", to be in line with the number of tariff lines subject to export duties in the revised Annex 6.

4. Paragraph 186, fourth line, delete "Agreement".

~~5. Paragraph 191, last line, delete "Agreement".~~

6. Paragraph 194, second line, delete "WTO". and insert Agreement after TBT.

7. Paragraph 202(a), first indent, delete "Agreement".

8. Paragraph 234, second line, insert "foreign invested" before "enterprises".

9. Paragraph 263, first line and fifth line, delete "Agreement".

10. Paragraph 312, third line, change "custom" into "customs".

11. para 32 line 3, delete "Shanghai".

Editorial Changes on the Working Party Report (Rev.7) Proposed by China
July 16, 2001

1. Paragraph 2, third line, delete "Agreement".

2. Paragraph 109, fifth line, delete ", and bonded import which was strictly monitored by Customs.

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5. Paragraph 191, last line, delete "Agreement".

6. Paragraph 194, second line, delete "WTO".

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2001.7.16 王子龙

Technical Corrections to Draft Working Party Report WT/ACC/SPEC/CHN\Rev. 7

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2. Paragraph 3–Comment: WT/ACC/CHN/23 should be updated.

3. Paragraph 14–Line 3: delete the phrase "and in China's Schedules annexed" and replace with ", including the annexes". Several of the annexes to China's draft protocol and not just China's schedules reflect the discussions and commitments resulting therefrom.

4. Paragraph 27–Foreign Exchange–Second sentence should read: "In response, the representative of China stated that China was a member of the International Monetary Fund (IMF) and that recently its system of forex had undergone rapid change." As drafted, it appears that China only recently became an IMF member.

5. Paragraph 28–line 7 (4th sentence) Change "foreign investment enterprise" to foreign invested enterprise." The acronym for this term is used throughout the Report and it is important that the reference be accurate.

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Para 65

7. Heading "Authority of Sub-Central Governments" should be modified to conform to usage in the draft Protocol. It should read "Authority of Sub-National Governments"

8. Paragraph 66 should be moved to be the last paragraph in the Section on "Structure and Powers of the Government". The obligations undertaken in paragraph 66 related to the central government agencies and not the sub-national governments. Paragraphs should be renumbered appropriately.

9. Paragraph 68 should be moved to be the second paragraph under "Authority of Sub-National Governments." The first sentence of this paragraph refers explicitly to the authority of sub-national governments. Although the rest of the paragraph refers to the exercise of central government authority over sub-national regulations, rules and other measures, exercise of that authority is not simply to assure uniform administration.

10. Paragraph 80. We believe that the commitment sentence should be maintained. The subject of paragraph 81 differs from that in 80 and it should be clear that China is making commitments in both instances.

11. Paragraph 109–Second sentence–line 3–change "state trading administration" to "administration of the state trading regime."

12. Paragraphs 113-114–change "sub-central" to "sub-national" each time it appears.

13. Paragraph 125–The indentation of the tics in this paragraph needs to be adjusted as follows: First item on page 35–starting "Historical performance" should have one indent. Second and Third items on page 35–starting "Production" and "Experience" respectively, should have two indents. Fourth item–starting "In cases in which average imports" should have no indents, i.e., flush with the margin. The next three items after "In other cases" should have one indent. The last item on page 35, starting "In all cases, a quota holder" should have no indents.

14. Delete paragraphs 127 through 137 inclusive. Redundant and unrevised text.

15. Paragraph 144, delete last sentence as unnecessary since the corresponding provision was deleted from the headnote on TRQ administration for agricultural products.

16. Paragraph 158, insert ", and" at the end of sub-paragraph (a)(1).

17. Paragraph 175–Change 'sub-central" to "sub-national"

18. Paragraph 177–Second sentence, delete "and 29" to more accurately reflect the outcome of discussions on this paragraph. The third sentence would also be modified to read. The representative of China, in turn, considered that certain provisions of this Article (delete these Articles).

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21. Paragraphs 243-244 and 245–Typos–substitute apostrophes for the section signs in China's

22. Paragraph 256–First sentence–fourth line–insert "of the draft protocol". We need to clarify the reference to "this Section."

23. Paragraph 259–First sentence–first line–missing word–insert "to" before "be applied".

24. Consider moving tables A and B to an annex.

25. Table B–First 5 entries–second column–change "revised" to "implemented" in each case.

Necessary to be consistent with China's commitments on TRIPs implementation. Also we need to include references to the Implementing Rules and Regulations on Copyright (see commitment in paragraph 270) and reference to the Implementing Rules of the Patent Law (see commitments in paragraphs 281, 286 and others). In the chapeau to the table, revise the number 8 appropriately, put a period after laws and regulations and delete "some of which had already been included in the lists submitted to the Working Party at its June and July meetings."

26. Paragraph 268–First sentence-third line–reference to "the Provisions on the Implementation of the International Copyright Treaty"–China's table refers to the "Regulations on the Implementation of the International Copyright Treaty." We assume that they are the same measures and seek consistency in referring to them.

27. Paragraph 270–last line on page 82–compilation–should be plural "compilations". Also fourth sentence refers to "Provisions on Implementation of the International Copyright Treaty"–same comment as for paragraph 268.

28. Paragraph 290–First line–delete "UPOV" and insert "Universal" and (UPOV) at the end of the sentence.

29. Paragraph 323–(a)(1) insert "For" before Master Policy to parallel the rest of the text.

30. Paragraph 334–Could possibly delete since this commitment is present in the draft protocol.

31. Paragraph 335–second sentence–insert "other" before "local." China has explained in the relevant section of the working party report that provincial authorities are considered to be "local" authorities in China.

Canada

Technical Corrections to Draft Working Party Report, Rev 7

- Paragraph 66 should be inserted after paragraph 64 in the section entitled, "Structure and Powers of Government".

- Paragraph 68 should be inserted after paragraph 65 in the section entitled, "Authority of Sub-Central Governments".

- Paragraph 75 should read, "... The Working Party took note of ~~this~~ **these** commitments."

- Paragraph 83 should read, "... Annex 2b. The representative of China added that**, from the date of accession,** China would eliminate import and export volume as a ~~criteria~~ **criterion** for obtaining the right to trade these products, ..."

- Paragraph 97 should read, "... with the WTO Agreement on ~~the~~ Rules of Origin ..."

- Paragraph 125 should be laid-out as follows:
  "125. The representative of China stated that China would allocate quotas in accordance with the following criteria and procedures which would be published in advance and would be applied in conformity with WTO requirements, including the Agreement on Import Licensing Procedures. In applying these criteria, China would consider the need to allow for equitable participation by producers from WTO Members and take into account the need to maximize the potential for quota fill.

  - If the relevant quota quantity exceeded total requests for quota allocations, all requests would be approved.
  - In other cases, the criteria for allocation would be as follows:
    - Historical performance of applicants where relevant (in cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, amounted to less than 75 per cent of the relevant quota, it would be necessary to take into account other criteria inter alia as set forth below);
      - Production or processing capacity, in the case of intermediate products and raw materials;
      - Experience and ability in producing, importing, marketing, or servicing in international markets, in the case of finished products or products destined for wholesale or retail distribution;

  - In cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, exceeded 75 per cent of the relevant quota, applicants that had not previously been allocated quota would be allocated 10 per cent of the total quota in the first year and the majority of any quota growth in any subsequent year.
  - In other cases:
    - In the first year, twenty-five per cent of the total quota would be allocated to applicants that had not previously been allocated quota; however, an applicant that had imported under a quota on the relevant products in the year prior to China's accession would not receive a decrease in the absolute amount of its quota allocation.
    - In the second year, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year,

China would give priority consideration to requests from enterprises with foreign ownership equal to or less than fifty per cent.

- In the third and fourth year, if relevant, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership greater that fifty per cent.

- In all cases, a quota-holder receiving an initial allocation that had fully utilized or contracted for its quota allocation would, upon application, receive an allocation in the following year for a quantity no less than the quantity imported in the previous year. A quota-holder that did not import its full allocation would receive a proportional reduction in its quota allocation in the subsequent year unless the quantity was returned for reallocation by 1 September.

The Working Party took note of these commitments."

18. Paragraph 145 should read, "Some members expressed concern regarding the methods used by China to determine ~~duty-paying value~~ **value for duty** of goods, ..."

19. Paragraph 148 should read, "... The customs or ~~duty-paying value~~ **value for duty** of imported goods was assessed according to the c.i.f. price based on the transaction value, as defined in the Customs Valuation Agreement. If the transaction value of imported goods could not be determined, the ~~duty-paying value~~ **value for duty** was determined ..."

20. Paragraph 159 should treat countervail in a manner parallel to anti-dumping, and we feel it should therefore read, "(a) Ministry of Foreign Trade and Economic Cooperation (MOFTEC). Receiving anti-dumping and countervailing petitions; Conducting investigations **on foreign subsidies and** on dumping and dumping margins, and issuing relevant preliminary determination decisions and notices; ... (c) General Customs Administration (Customs). Coordinating anti-dumping investigations with MOFTEC; Enforcing anti-dumping measures such as collecting cash deposits **and** dumping **duties, enforcing countervailing measures by collecting** ~~or~~ countervailing duties, and monitoring ~~its~~ implementation. ..."

21. Paragraph 196 should read, "... Members of the Working Party agreed that WT/ACC/CHN/**31 and WT/ACC/CHN/32**, ~~a list~~ **lists** of products subject to Statutory Inspection, did not prejudge the legal status, nature or effects of notified technical regulations and standards under the WTO Agreement. ..."

Editorial Changes to the Working Party Report (Rev.7)
Proposed by China and the United States

17 July 2001

1. Paragraph 2, third line, delete "Agreement".

2. Paragraph 32, line 3, delete "Shanghai".

3. Paragraph 109, fifth line, delete ", and bonded import which was strictly monitored by Customs.

4. Paragraph 162, second line, change "36" into "84", to be in line with the number of tariff lines subject to export duties in the revised Annex 6.

5. Paragraph 186, fourth line, delete "Agreement".

6. Paragraph 194, second line, delete "WTO" and insert "Agreement" after "TBT".

7. Paragraph 202(a), first indent, delete "Agreement".

8. Paragraph 234, second line, insert "foreign invested" before "enterprises".

9. Paragraph 263, first line and fifth line, delete "Agreement".

10. Paragraph 312, third line, change "custom" into "customs".

Technical Corrections to Draft Working Party Report (Rev. 7)
Joint Proposal by China and the United States

17 July 2001

1. Introduction: Paragraph 1, line 5–insert "Marrakesh" before Agreement Establishing the World Trade Organization.

2. Paragraph 3–Comment: WT/ACC/CHN/23 should be updated.

3. Paragraph 14–Line 3: delete the phrase "and in China's Schedules annexed" and replace with ", including the annexes". Several of the annexes to China's draft protocol and not just China's schedules reflect the discussions and commitments resulting therefrom.

4. Paragraph 27–Foreign Exchange–Second sentence should read: "In response, the representative of China stated that China was a member of the International Monetary Fund (IMF) and that recently its system of forex had undergone rapid change." As drafted, it appears that China only recently became an IMF member.

5. Paragraph 28–line 7 (4th sentence) Change "foreign investment enterprise" to foreign invested enterprise." The acronym for this term is used throughout the Report and it is important that the reference be accurate.

6. Paragraph 47–First sentence, third line–insert a comma after e.g., and second sentence, line 7–insert "on" between including and the quantity.

7. Heading "Authority of Sub-Central Governments" should be modified to conform to usage in the draft Protocol. It should read "Authority of Sub-National Governments"

8. Paragraph 66 should be moved to be the last paragraph in the Section on "Structure and Powers of the Government". The obligations undertaken in paragraph 66 related to the central government agencies and not the sub-national governments. Paragraphs should be renumbered appropriately.

9. Paragraph 68 should be moved to be the second paragraph under "Authority of Sub-National Governments." The first sentence of this paragraph refers explicitly to the authority of sub-national governments. Although the rest of the paragraph refers to the exercise of central government authority over sub-national regulations, rules and other measures, exercise of that authority is not simply to assure uniform administration.

10. Paragraph 109–End of line 2, insert "of" so that the sentence refers to "out-of-quota." Also, second sentence –line 3–change "state trading administration" to "administration of the state trading regime' and

11. Paragraphs 113-114–change "sub-central" to "sub-national" each time it appears.

12. Paragraph 125–The indentation of the tics in this paragraph needs to be adjusted as follows: First item on page 35–starting "Historical performance" should have one indent. Second and Third items on page 35–starting "Production" and "Experience" respectively, should have two indents. Fourth item–starting "In cases in which average imports" should have no indents, i.e., flush with the margin. The next three items after "In other cases" should have one indent. The last item on page 35, starting "In all cases, a quota holder" should have no indents.

13. Paragraph 126, line 7, insert "the holder" between "to" and "by".

14. Paragraph 144, delete last sentence as unnecessary since the corresponding provision was deleted from the headnote on TRQ administration for agricultural products.

15. Paragraph 158, insert ", and" at the end of sub-paragraph (a)(1).

16. Paragraph 175–Change 'sub-central" to "sub-national"

17. Paragraph 177–Second sentence, delete "and 29" to more accurately reflect the outcome of discussions on this paragraph. The third sentence would also be modified to read. The representative of China, in turn, considered that certain provisions of this Article (delete these Articles).

18. Paragraph 191--Believe that this should be a commitment paragraph with the appropriate last sentence.

19. Paragraph 216–Text does not reflect the US comments made in the transparency plurilateral to the effect that this paragraph should track the language in paragraph 344 to prevent confusion over interpretation. Delete the last phrase 'but stated that such notification should be without prejudice to the commercial interests of the state trading enterprises " and insert the following: " consistent with the requirements of paragraph [344] of this Working Party Report." The paragraph number to be adjusted appropriately.

20. Paragraphs 243-244 and 245–Typos–substitute apostrophes for the section signs in the word "China's".

21. Paragraph 256–First sentence–fourth line–insert "of the draft protocol". We need to clarify the reference to "this Section."

22. Paragraph 259–First sentence–first line–missing word–insert "to" before "be applied".

23. Table B–First 5 entries–second column– delete "to be revised". Since the column heading refers to date of implementation the language proposed for deletion is unnecessary and confusing.. In the chapeau to the table, put a period after laws and regulations and delete "some of which had already been included in the lists submitted to the Working Party at its June and July meetings."

24. Paragraph 270–last line on page 82–compilation–should be plural "compilations". In addition, the reference to the Implementing Rules of the Copyright Law should refer to the " Regulations for the Implementation of the Copyright Law."

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18 July 2001

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allocated 10 per cent of the total quota in the first year and the majority of any quota growth in any subsequent year.

- In other cases:
  - In the first year, twenty-five per cent of the total quota would be allocated to applicants that had not previously been allocated quota; however, an applicant that had imported under a quota on the relevant products in the year prior to China's accession would not receive a decrease in the absolute amount of its quota allocation.
  - In the second year, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership equal to or less than fifty per cent.
  - In the third and fourth year, if relevant, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership greater that fifty per cent.

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5055
Revised Draft
10/07/2001

DRAFT PROTOCOL ON THE ACCESSION OF CHINA

Preamble

The World Trade Organization (hereinafter referred to as the "WTO"), pursuant to the approval of the General Council of the WTO accorded under Article XII of the Marrakesh Agreement Establishing the World Trade Organization (hereinafter referred to as the "WTO Agreement"), and the People's Republic of China (hereinafter referred to as "China"),

Recalling that China was an original contracting party to the General Agreement on Tariffs and Trade 1947,

Taking note that China is a signatory to the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations,

Taking note of the Report of the Working Party on the Accession of China to the WTO Agreement in document _____ (hereinafter referred to as the "Working Party Report"),

Having regard to the results of the negotiations concerning China's membership in the WTO,

Agree as follows:

Part I - General Provisions

1. General

1. Upon entry into force of this Draft Protocol, China accedes to the WTO Agreement pursuant to Article XII of that Agreement and thereby becomes a Member of the WTO.

2. The WTO Agreement to which China accedes shall be the WTO Agreement as rectified, amended or otherwise modified by such legal instruments as may have entered into force before the date of entry into force of this Draft Protocol. This Draft Protocol, which shall include the commitments referred to in paragraph [ ] of the Working Party Report, shall be an integral part of the WTO Agreement.

3. Except as otherwise provided for in paragraphs [ ] of this Draft Protocol and in the paragraphs referred to in paragraph [ ] of the Working Party Report, those obligations in the Multilateral Trade Agreements annexed to the WTO Agreement that are to be implemented over a period of time starting with entry into force of that Agreement shall be implemented by China as if it had accepted that Agreement on the date of its entry into force.

4. China may maintain a measure inconsistent with paragraph 1 of Article II of the General Agreement on Trade in Services (hereinafter referred to as the "GATS") provided that such a measure is recorded in the List of Article II Exemptions annexed to this Draft Protocol and meets the conditions of the Annex to the GATS on Article II Exemptions.

2. Administration of the Trade Regime

(A) Uniform Administration

1. The provisions of the WTO Agreement and this Draft Protocol shall apply to the entire customs territory of China, including border trade regions and minority autonomous areas, Special Economic Zones, open coastal cities, economic and technical development zones and other areas where special regimes for tariffs, taxes and regulations are established (hereinafter collectively referred to as "special economic areas").

2. China shall apply and administer in a uniform, impartial and reasonable manner all its laws, regulations and other measures of the central government as well as local regulations, rules and other measures issued or applied at the sub-national level (hereinafter collectively referred to as "laws, regulations and other measures") pertaining to or affecting trade in goods, services, trade-related aspects of intellectual property rights (hereinafter referred to as "TRIPS") or the control of foreign exchange.

3. China's local regulations, rules and other measures of local governments at the sub-national level shall conform to the obligations undertaken in the WTO Agreement and this Draft Protocol.

4. China shall establish a mechanism under which individuals and enterprises can bring to the attention of the national authorities cases of non-uniform application of the trade regime.

(B) Special Economic Areas

1. China shall notify to the WTO all the relevant laws, regulations and other measures relating to its special economic areas, listing these areas by name and indicating the geographic boundaries that define them. China shall notify the WTO promptly, but in any case within 60 days, of any additions or modifications to its special economic areas, including notification of the laws, regulations and other measures relating thereto.

2. China shall apply to imported products, including physically incorporated components, introduced into the other parts of China's customs territory from the special economic areas, all taxes, charges and measures affecting imports, including import restrictions and customs and tariff charges, that are normally applied to imports into the other parts of China's customs territory.

3. Except as otherwise provided for in this Draft Protocol, in providing preferential arrangements for enterprises within such special economic areas, WTO provisions on non-discrimination and national treatment shall be fully observed.

(C) Transparency

1. China undertakes that only those laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of foreign exchange that are published and readily available to other WTO Members, individuals and enterprises, shall be enforced. In addition, China shall make available to WTO Members, upon request, all laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of foreign exchange before such measures are implemented or enforced. In emergency situations, laws, regulations and other measures shall be made available at the latest when they are implemented or enforced.

2. China shall establish or designate an official journal dedicated to the publication of all laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of foreign exchange and, after publication of its laws, regulations or other measures in such journal, shall provide a reasonable period for comment to the appropriate authorities before such

measures are implemented, except for those laws, regulations and other measures involving national security, specific measures setting foreign exchange rates or monetary policy and other measures the publication of which would impede law enforcement. China shall publish this journal on a regular basis and make copies of all issues of this journal readily available to individuals and enterprises.

3. China shall establish or designate an enquiry point where, upon request of any individual, enterprise or WTO Member all information relating to the measures required to be published under paragraph 2(C)1 of this Draft Protocol may be obtained. Replies to requests for information shall generally be provided within 30 days after receipt of a request. In exceptional cases, replies may be provided within 45 days after receipt of a request. Notice of the delay and the reasons therefor shall be provided in writing to the interested party. Replies to WTO Members shall be complete and shall represent the authoritative view of the Chinese government. Accurate and reliable information shall be provided to individuals and enterprises.

(D) Judicial Review

1. China shall establish, or designate, and maintain tribunals, contact points and procedures for the prompt review of all administrative actions relating to the implementation of laws, regulations, judicial decisions and administrative rulings of general application referred to in Article X:1 of the GATT 1994, Article VI of the GATS and the relevant provisions of the TRIPS Agreement. Such tribunals shall be impartial and independent of the agency entrusted with administrative enforcement and shall not have any substantial interest in the outcome of the matter.

2. Review procedures shall include the opportunity for appeal, without penalty, by individuals or enterprises affected by any administrative action subject to review. If the initial right of appeal is to an administrative body, there shall in all cases be the opportunity to choose to appeal the decision to a judicial body. Notice of the decision on appeal shall be given to the appellant and the reasons for such decision shall be provided in writing. The appellant shall also be informed of any right to further appeal.

3. Non-discrimination

Except as otherwise provided for in this Draft Protocol, foreign individuals and enterprises and foreign-funded enterprises shall be accorded treatment no less favourable than that accorded to other individuals and enterprises in respect of:

(a) the procurement of inputs and goods and services necessary for production and the conditions under which their goods are produced, marketed or sold, in the domestic market and for export; and

(b) the prices and availability of goods and services supplied by national and sub-national authorities and public or state enterprises, in areas including transportation, energy, basic telecommunications, other utilities and factors of production.

4. Special Trade Arrangements

Upon accession, China shall eliminate or bring into conformity with the WTO Agreement all special trade arrangements, including barter trade arrangements, with third countries and separate customs territories, which are not in conformity with the WTO Agreement.

5. Right to Trade

1. Without prejudice to China's right to regulate trade in a manner consistent with the WTO Agreement, China shall progressively liberalize the availability and scope of the right to trade, so that, within three years of entry into force of this Draft Protocol, all enterprises in China shall have the right to trade in all goods throughout the customs territory of China, except for those goods listed in Annex 2a which continue to be subject to state trading in accordance with this Draft Protocol. Such right to trade shall be the right to import and export goods. All such goods shall be accorded national treatment under Article III of the GATT 1994, especially paragraph 4 thereof, in respect of their internal sale, offering for sale, purchase, transportation, distribution or use, including their direct access to end-users. For those goods listed in Annex 2b, China shall phase out limitation on the grant of trading rights pursuant to the schedule in that Annex. China shall complete all necessary legislative procedures to implement these provisions during the transition period.

2. Except as otherwise provided for in this Draft Protocol, all foreign individuals and enterprises, including those not invested or registered in China, shall be accorded treatment no less favourable than that accorded to enterprises in China with respect to the right to trade.

6. State Trading

1. China shall ensure that import purchasing procedures of state trading enterprises are fully transparent, and in compliance with the WTO Agreement, and shall refrain from taking any measure to influence or direct state trading enterprises as to the quantity, value, or country of origin of goods purchased or sold, except in accordance with the WTO Agreement.

2. As part of China's notification under the GATT 1994 and the Understanding on the Interpretation of Article XVII of the GATT 1994, China shall also provide full information on the pricing mechanisms of its state trading enterprises for exported goods.

7. Non-Tariff Measures

1. China shall implement the schedule for phased elimination of the measures contained in Annex 3. During the periods specified in Annex 3, the protection afforded by the measures listed in that Annex shall not be increased or expanded in size, scope or duration, nor shall any new measures be applied, unless in conformity with the provisions of the WTO Agreement.

2. In implementing the provisions of Articles III and XI of the GATT 1994 and the Agreement on Agriculture, China shall eliminate and shall not introduce, re-introduce or apply non-tariff measures that cannot be justified under the provisions of the WTO Agreement. For all non-tariff measures, whether or not referred to in Annex 3, that are applied after the date of entry into force of this Draft Protocol consistent with the WTO Agreement or this Draft Protocol, China shall allocate and otherwise administer such measures in strict conformity with the provisions of the WTO Agreement, including GATT 1994 and Article XIII thereof, and the Agreement on Import Licensing Procedures, including notification requirements.

3. China shall, upon accession, comply with the TRIMs Agreement, without recourse to the provisions of Article 5 of the TRIMs Agreement. China shall eliminate and cease to enforce trade and foreign exchange balancing requirements, local content and export performance requirements made effective through laws, regulations or other measures. Moreover, China will not enforce provisions of contracts imposing such requirements. Without prejudice to the relevant provisions of this Draft Protocol, China shall ensure that the distribution of import licences, quotas, tariff-rate quotas, or any other means of approval for importation, the right of importation or investment by national and

sub-national authorities, is not conditioned on: whether competing domestic suppliers of such products exist; performance requirements of any kind, such as local content, offsets, the transfer of technology, export performance or the conduct of research and development in China; or the nationality or nature of the enterprise. In addition, the allocation of quotas shall not be conditional upon the establishment of joint ventures.

4. Import and export prohibitions and restrictions, and licensing requirements affecting imports and exports shall only be imposed and enforced by the national authorities or by sub-national authorities with authorization from the national authorities. Such measures which are not imposed by the national authorities or by sub-national authorities with authorization from the national authorities, shall not be implemented or enforced.

8. Import and Export Licensing

1. In implementing the WTO Agreement and provisions of the Agreement on Import Licensing Procedures, China shall undertake the following measures to facilitate compliance with these agreements:

(a) China shall publish on a regular basis the following in the official journal referred to in paragraph 2(C)2 of this Draft Protocol:

- by product, the list of all organizations, including those organizations delegated such authority by the national authorities, that are responsible for authorizing or approving imports or exports, whether through grant of licence or other approval;

- procedures and criteria for obtaining such import or export licences or other approvals, and the conditions for deciding whether they should be granted;

- a list of all products, by tariff number, that are subject to tendering requirements, including information on products subject to such tendering requirements and any changes, pursuant to the Agreement on Import Licensing Procedures;

- a list of all goods and technologies whose import or export are restricted or prohibited; these goods shall also be notified to the Committee on Import Licensing;

- any changes to the list of goods and technologies whose import and export are restricted or prohibited.

Copies of these submissions in one or more official languages of the WTO shall be forwarded to the WTO for circulation to WTO Members and for submission to the Committee on Import Licensing within 75 days of each publication.

(b) China shall notify the WTO of all licensing and quota requirements remaining in effect after the date of entry into force of this Draft Protocol, listed separately by HS tariff line and with the quantities associated with the restriction, if any, and the justification for maintaining the restriction or its scheduled date of termination.

(c) China shall submit the notification of its import licensing procedures to the Committee on Import Licensing. China shall report annually to the Committee on Import Licensing on its automatic import licensing procedures, explaining the circumstances which give rise to these requirements and justifying the need for their continuation. This report shall also provide the information listed in Article 3 of the Agreement on Import Licensing Procedures.

(d) China shall issue import licences for a minimum duration of validity of six months, except where exceptional circumstances make this impossible. In such cases, China shall promptly notify the Committee on Import Licensing of the exceptional circumstances requiring the shorter period of licence validity.

2. Except as otherwise provided for in this Draft Protocol, foreign individuals and enterprises and foreign-funded enterprises shall be accorded treatment no less favourable than that accorded to other individuals and enterprises in respect of the distribution of import and export licences and quotas.

9. *[Deleted]*

10. Price Controls

1. China shall, subject to paragraph 2 below, allow prices for traded goods and services in every sector to be determined by market forces, and multi-tier pricing practices for such goods and services shall be eliminated.

2. The goods and services listed in Annex 4 may be subject to price controls, consistent with the WTO Agreement, in particular Article III of the GATT 1994 and Annex 2, paragraphs 3 and 4 of the Agreement on Agriculture. Except in exceptional circumstances, and subject to notification to the WTO, price controls shall not be extended to goods or services beyond those listed in Annex 4, and China shall make best efforts to reduce and eliminate these controls.

3. China shall publish in the official journal the list of goods and services subject to state pricing and changes thereto.

11. Subsidies

1. China shall notify the WTO of any subsidy within the meaning of Article 1 of the Agreement on Subsidies and Countervailing Measures (hereinafter referred to as the "SCM Agreement"), granted or maintained in its territory, organized by specific product, including those subsidies defined in Article 3 of the SCM Agreement. The information provided should be as specific as possible, following the requirements of the questionnaire on subsidies as noted in Article 25 of the SCM Agreement.

2. For purposes of applying Articles 1.2 and 2 of the SCM Agreement, without prejudice to Articles 8.2(a), 8.2(b) and 8.2(c) of the SCM Agreement, subsidies provided to state-owned enterprises will be viewed as specific if, inter alia, state-owned enterprises are the predominant recipients of such subsidies or state-owned enterprises receive disproportionately large amounts of such subsidies.

3. China shall eliminate all subsidy programmes falling within the scope of Article 3 of the SCM Agreement upon entry into force of this Draft Protocol.

12. *[Deleted]*

13. Taxes and Charges Levied on Imports and Exports

1. China shall ensure that customs fees or charges applied or administered by national or sub-national authorities, shall be in conformity with the GATT 1994.

2. China shall ensure that internal taxes and charges, including value-added taxes, applied or administered by national or sub-national authorities shall be in conformity with the GATT 1994.

3. China shall eliminate all taxes and charges applied to exports unless specifically provided for in Annex 6 of this Draft Protocol or applied in conformity with the provisions of Article VIII of the GATT 1994.

4. Foreign individuals and enterprises and foreign-funded enterprises shall, by [x date], be accorded treatment no less favourable than that accorded to other individuals and enterprises in respect of the provision of border tax adjustments.

14. Agriculture

1. China shall implement the provisions contained in China's Schedule of Concessions and Commitments on Goods and, as specifically provided in this Draft Protocol, those of the Agreement on Agriculture. In this context, China shall not maintain or introduce any export subsidies on agricultural products.

2. China shall, under the Transitional Review Mechanism, notify fiscal and other transfers between or among government-owned enterprises in the agricultural sector (whether national or sub-national) and other enterprises that operate as state trading enterprises in the agricultural sector.

15. Technical Barriers to Trade

1. China shall publish in the official journal all criteria, whether formal or informal, that are the basis for a technical regulation, standard or conformity assessment procedure.

2. China shall, by the date of entry into force of this Draft Protocol, bring into conformity with the TBT Agreement all technical regulations, standards and conformity assessment procedures.

3. China shall apply conformity assessment procedures to imported products only to determine compliance with technical regulations and standards that are consistent with the provisions of this Draft Protocol and the WTO Agreement. Conformity assessment bodies will determine the conformity of imported products with commercial terms of contracts only if authorized by the parties to such contract. China shall ensure that such inspection of products for compliance with the commercial terms of contracts does not affect customs clearance or the granting of import licences for such products.

4. (a) Upon entry into force of this Draft Protocol, China shall ensure that the same technical regulations, standards and conformity assessment procedures are applied to both imported and domestic products. In order to ensure a smooth transition from the current system, China shall ensure that, upon accession, all certification, safety licensing, and quality licensing bodies and agencies are authorized to undertake these activities for both imported and domestic products, and that, one year after accession, all conformity assessment bodies and agencies are authorized to undertake conformity assessment for both imported and domestic products. The choice of body or agency shall be at the discretion of the applicant. For imported and domestic products, all bodies and agencies shall issue the same mark and charge the same fee. They shall also provide the same

processing periods and complaint procedures. Imported products shall not be subject to more than one conformity assessment. China shall publish and make readily available to other WTO Members, individuals, and enterprises full information on the respective responsibilities of its conformity assessment bodies and agencies.

(b) No later than 18 months after entry into force of this Draft Protocol, China shall assign the respective responsibilities of its conformity assessment bodies solely on the basis of the scope of work and type of product without any consideration of the origin of a product. The respective responsibilities that will be assigned to China's conformity assessment bodies will be notified to the TBT Committee 12 months after entry into force of this Draft Protocol.

16. Sanitary and Phytosanitary Measures

China shall notify to the WTO all laws, regulations and other measures relating to its sanitary and phytosanitary measures, including product coverage and relevant international standards, guidelines and recommendations, within 30 days of entry into force of this Draft Protocol.

17. Reservations by WTO Members

All prohibitions, quantitative restrictions and other measures maintained by WTO Members against imports from China in a manner inconsistent with the WTO Agreement are listed in Annex 8 at the HS 8-digit level. All such prohibitions, quantitative restrictions and other measures shall be phased out or dealt with in accordance with mutually agreed terms and timetables as specified in said Annex.

18. Transitional Review Mechanism

1 Those subsidiary bodies[1] of the WTO which have a mandate covering China's commitments under the WTO Agreement or this Draft Protocol shall, within one year of entry into force of this Draft Protocol and in accordance with paragraph 18.4 below, review, as appropriate to their mandate, the implementation by China of the WTO Agreement and of the related provisions of this Draft Protocol. China shall provide relevant information, including information specified in Annex 1, to each subsidiary body in advance of the review. China can also raise issues relating to any reservations under Section 17 or to any other specific commitments made by other Members in this Draft Protocol, in those subsidiary bodies which have a relevant mandate. Each subsidiary body shall report the results of such review promptly to the relevant Council established by paragraph 5 of Article IV of the WTO Agreement, if applicable, which shall in turn report promptly to the General Council.

2. The General Council shall, within one year of the entry into force of this Draft Protocol, and in accordance with paragraph 18.4 below, review the implementation by China of the WTO Agreement and the provisions of this Draft Protocol. The General Council shall conduct such review in accordance with the framework set out in Annex 9 and in the light of the results of any reviews held pursuant to paragraph 18.1. China also can raise issues relating to any reservations under

[1] Council for Trade in Goods, Council for Trade-Related Aspects of Intellectual Property Rights, Council for Trade in Services, Committees on Balance-of-Payments Restrictions, Market Access (covering also ITA), Agriculture, Sanitary and Phytosanitary Measures, Technical Barriers to Trade, Subsidies and Countervailing Measures, Anti-Dumping Measures, Customs Valuation, Rules of Origin, Import Licensing, Trade-Related Investment Measures, Safeguards, Trade in Financial Services.

Section 17 or to any other specific commitments made by other Members in this Draft Protocol. The General Council may make recommendations to China and to other Members in these respects.

3. Consideration of issues pursuant to this Section shall be without prejudice to the rights and obligations of any Member, including China, under the WTO Agreement or any Plurilateral Trade Agreement, and shall not preclude or be a precondition to recourse to consultation or other provisions of the WTO Agreement or this Draft Protocol.

4. The review provided for in paragraphs 18.1 and 18.2 will take place after entry into force of this Draft Protocol in each year for eight years. Thereafter there will be a final review in year 10 or at an earlier date decided by the General Council.

19. Transitional Product-Specific Safeguard Mechanisms

1. In cases where products of Chinese origin are being imported into the territory of any WTO Member in such increased quantities or under such conditions as to cause or threaten to cause market disruption to the domestic producers of like or directly competitive products, the WTO Member so affected may request consultations with China with a view to seeking a mutually satisfactory solution, including whether the affected Member should pursue application of a measure under the Agreement on Safeguards. Any such request shall be notified immediately to the Committee on Safeguards.

2. If, in the course of these bilateral consultations, it is agreed that imports of Chinese originare such a cause and that action is necessary, China shall take such action as to prevent or remedy the market disruption. Any such action shall be notified immediately to the Committee on Safeguards.

3. If consultations do not lead to an agreement between China and the WTO Member concerned within 60 days of the receipt of a request for consultations, the WTO Member affected shall be free, in respect of such products, to withdraw concessions or otherwise to limit imports only to the extent necessary to prevent or remedy such market disruption. Any such action shall be notified immediately to the Committee on Safeguards.

4. Market disruption shall exist whenever imports of an article, like or directly competitive with an article produced by the domestic industry, are increasing rapidly, either absolutely or relatively, so as to be a significant cause of material injury, or threat of material injury to the domestic industry. In determining if market disruption exists, the affected WTO Member shall consider objective factors, including the volume of imports, the effect of imports on prices for like or directly competitive articles, and the effect of such imports on the domestic industry producing like or directly competitive products.

5. Prior to application of a measure pursuant to paragraph 3, the WTO Member taking such action shall provide reasonable public notice to all interested parties and provide adequate opportunity for importers, exporters and other interested parties to submit their views and evidence on the appropriateness of the proposed measure and whether it would be in the public interest. The WTO Member shall provide written notice of the decision to apply a measure, including the reasons for such measure and its scope and duration.

6. A Member shall apply a measure pursuant to this Section only for such period of time as may be necessary to prevent or remedy the market disruption. If a measure is taken as a result of a relative increase in the level of imports, China has the right to suspend the application of substantially equivalent concessions or obligations under the GATT 1994 to the trade of the Member applying the measure, if such measure remains in effect more than two years. However, if a measure is taken as a result of an absolute increase in imports, China has a right to suspend the application of substantially

equivalent concessions or obligations under the GATT 1994 to the trade of the Member applying the measure, if such measure remains in effect more than three years. Any such action by China shall be notified immediately to the Committee on Safeguards.

7. In critical circumstances, where delay would cause damage which it would be difficult to repair, the WTO Member so affected may take a provisional safeguard measure pursuant to a preliminary determination that imports have caused or threatened to cause market disruption. In this case, notification of the measures taken to the Committee on Safeguards and a request for bilateral consultations shall be effected immediately thereafter. The duration of the provisional measure shall not exceed 200 days during which the pertinent requirements of paragraphs 1, 2 and 5 shall be met. The duration of any provisional measure shall be counted toward the period provided for under paragraph 6.

8. If a WTO Member considers that an action taken under paragraphs 2, 3 or 7 causes or threatens to cause significant diversions of trade into its market, it may request consultations with China and/or the WTO Member concerned. Such consultations shall be held within 30 days after the request is notified to the Committee on Safeguards. If such consultations fail to lead to an agreement between China and the WTO Member or Members concerned within 60 days after the notification, the requesting WTO Member shall be free, in respect of such product, to withdraw concessions accorded to or otherwise limit imports from China, to the extent necessary to prevent or remedy such diversions. Such action shall be notified immediately to the Committee on Safeguards.

9. Application of this Section will be terminated 12 years after the date of entry into force of this Draft Protocol.

20. Price Comparability in Determining Subsidies and Dumping

Article VI of the GATT 1994, the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (hereinafter the "Anti-Dumping Agreement") and the SCM Agreement shall apply in proceedings involving imports of Chinese origin into a WTO Member consistent with the following:

(1) In determining price comparability under Article VI of the GATT 1994 and the Anti-Dumping Agreement, the importing WTO Member shall use either Chinese prices or costs for the industry under investigation or a methodology that is not based on a strict comparison with domestic prices or costs in China based on the following rules:

(a) If the producers under investigation can clearly show that market economy conditions prevail in the industry producing the like product with regard to the manufacture, production and sale of that product, the importing WTO Member shall use Chinese prices or costs for the industry under investigation in determining price comparability;

(b) The importing WTO Member may use a methodology that is not based on a strict comparison with domestic prices or costs in China if the producers under investigation cannot clearly show that market economy conditions prevail in the industry producing the like product with regard to manufacture, production and sale of that product.

(2) In proceedings under Parts II, III and V of the SCM Agreement, when addressing subsidies described in Articles 14(a), 14(b), 14(c) and 14(d), relevant provisions of the SCM Agreement shall apply; however, if there are special difficulties in that application, the importing WTO Member may then use methodologies for identifying and measuring the subsidy benefit which take into account the

possibility that prevailing terms and conditions in China may not always be available as appropriate benchmarks. In applying such methodologies, where practicable, the importing WTO Member should adjust such prevailing terms and conditions before considering the use of terms and conditions prevailing outside China.

(3) The importing WTO Member shall notify methodologies used in accordance with subparagraph (1) to the Committee on Anti-Dumping Practices and shall notify methodologies used in accordance with subparagraph (2) to the Committee on Subsidies and Countervailing Measures.

(4) Once China has established, under the national law of the importing WTO Member, that it is a market economy, the provisions of subparagraph (1) shall be terminated provided that the importing Member's national law contain market economy criteria as of the date of entry into force of China's Draft Protocol. In any event, the provisions of subparagraph (1)(b) shall expire 15 years after the date of entry into force of this Draft Protocol. In addition, should China establish, pursuant to the national law of the importing WTO Member, that market economy conditions prevail in a particular industry or sector, the non-market economy provisions of subparagraph (1) shall no longer apply to that industry or sector.

21. Procurement by Government Bodies and Authorities at Central and Sub-Central Levels, and Public Entities Other Than Those Engaged Exclusively in Commercial Activities

Notwithstanding Article III.8(a) of the GATT 1994 and Article XIII. 1 of the GATS, China shall ensure that its government bodies and authorities at central and sub-central levels, as well as its public entities other than those engaged in exclusively commercial activities procure in a transparent manner in accordance with laws, regulations, judicial decisions, administrative rulings of general application, and any procedure (including standard contract clauses) regarding government procurement, which must have been published. Copies of all such published provisions will be submitted to the WTO Secretariat.

Part II - Schedules

1. The Schedules annexed to this Draft Protocol shall become the Schedule of Concessions and Commitments annexed to the GATT 1994 and the Schedule of Specific Commitments annexed to the GATS relating to China. The staging of concessions and commitments listed in the Schedules shall be implemented as specified in the relevant parts of the relevant Schedules.

2. For the purpose of the reference in paragraph 6(a) of Article II of the GATT 1994 to the date of that Agreement, the applicable date in respect of the Schedules of Concessions and Commitments annexed to this Draft Protocol shall be the date of entry into force of this Draft Protocol.

Part III - Final Provisions

1. This Draft Protocol shall be open for acceptance, by signature or otherwise, by China until _____.

2. This Draft Protocol shall enter into force on the thirtieth day following the day of its acceptance.

3. This Draft Protocol shall be deposited with the Director-General of the WTO. The Director-General shall promptly furnish a certified copy of this Draft Protocol and a notification of acceptance

by China thereof, pursuant to paragraph 1 of Part III of this Draft Protocol, to each WTO Member and to China.

4. This Draft Protocol shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

Done at Geneva this [ ] day of [ ] two thousand, in a single copy, in the English, French and Spanish languages, each text being authentic, except that a Schedule annexed hereto may specify that it is authentic in only one or more of these languages.

WORLD TRADE ORGANIZATION

RESTRICTED

WT/ACC/SPEC/CHN/1/Rev.8
31 July 2001

(01-3845)

Working Party on the Accession of China

DRAFT REPORT OF THE WORKING PARTY ON THE ACCESSION OF CHINA

Revision

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I. INTRODUCTION

1. At its meeting on 4 March 1987, the Council established a Working Party to examine the request of the Government of the People's Republic of China ("China") (L/6017, submitted on 10 July 1986) for resumption of its status as a GATT contracting party, and to submit to the Council recommendations which may include a Draft Protocol on the Status of China. In a communication dated 7 December 1995, the Government of China applied for accession to the Marrakesh Agreement Establishing the World Trade Organization ("WTO Agreement") pursuant to Article XII of the WTO Agreement. Following China's application and pursuant to the decision of the General Council on 31 January 1995, the existing Working Party on China's Status as a GATT 1947 Contracting Party was transformed into a WTO Accession Working Party, effective from 7 December 1995. The terms of reference and the membership of the Working Party are reproduced in document WT/ACC/CHN/2/Rev.11 and Corr.1.

2. The Working Party on China's Status as a Contracting Party met on 20 occasions between 1987 and 1995 under the Chairmanship of H.E. Mr. Pierre-Louis Girard (Switzerland). The Working Party on the Accession of China met on 22 March 1996, 1 November 1996, 6 March 1997, 23 May 1997, 1 August 1997, 5 December 1997, 8 April 1998, 24 July 1998, 21 March 2000, 23 June 2000, 27 July 2000, 28 September 2000, 9 November 2000, 8 December 2000, 17 January 2001, 4 July 2001, 20 July 2001 and [13 September 2001] under the same Chairman. At meetings held on 9 November 2000, 8 December 2000 and 17 January 2001, Mr. Paul-Henri Ravier, Deputy Director-General of the WTO, served as Acting Chairman.

1. Documentation Provided

3. The Working Party had before it, to serve as a basis for its discussion, a Memorandum on China's Foreign Trade Regime (L/6125) and questions posed by members of the Working Party on the foreign trade regime of China, together with replies of the Chinese authorities thereto. In addition, the Government of China made available to the Working Party a substantial amount of documentation, which is listed in document WT/ACC/CHN/23/Rev.1.

2. Introductory Statements

4. In statements to the GATT 1947 Working Party and subsequently to the Working Party on the Accession of China, the representative of China stated that China's consistent efforts to resume its status as a contracting party to GATT and accession to the WTO Agreement were in line with its objective of economic reform to establish a socialist market economy as well as its basic national

policy of opening to the outside world. China believed that its WTO accession would increase its economic growth and enhance its economic and trade relations with WTO Members.

5. Members of the Working Party welcomed China's accession to the WTO Agreement and considered that its accession would contribute to a strengthening of the multilateral trading system, enhancing the universality of the WTO, bringing mutual benefits to China and to the other Members of the WTO, and ensuring the steady development of the world economy.

6. The representative of China said that China had a territory of 9.6 million square kilometres and, at the end of 1998 a population of 1.25 billion. Since 1979, China had been progressively reforming its economic system, with the objective of establishing and improving the socialist market economy. The reform package introduced in 1994, covering the banking, finance, taxation, investment, foreign exchange ("forex") and foreign trade sectors, had brought about major breakthroughs in China's socialist market economy. State-owned enterprises had been reformed by a clear definition of property rights and responsibilities, a separation of government from enterprise, and scientific management. A modern enterprise system had been created for the state-owned sector, and the latter was gradually getting on the track of growth through independent operation, responsible for its own profits and losses. A nation-wide unified and open market system had been developed. An improved macroeconomic regulatory system used indirect means and market forces to play a central role in economic management and the allocation of resources. A new tax and financial system was functioning effectively. Financial policy had been separated from commercial operations of the central bank, which now focussed on financial regulation and supervision. The exchange rate of the Chinese currency Renminbi (also "RMB") had been unified and remained stable. The Renminbi had been made convertible on current account. Further liberalization of pricing policy had resulted in the majority of consumer and producer products being subject to market prices. The market now played a much more significant role in boosting supply and meeting demand.

7. The representative of China further noted that as a result, in 1999, the Gross Domestic Product ("GDP") of China totaled RMB 8.2054 trillion yuan (approximately US$ 990 billion). In 1998, the net per capita income for rural residents was RMB 2,160 yuan (approximately US$ 260), and the per capita dispensable income for urban dwellers was RMB 5,425 yuan (approximately US$ 655). In recent years, foreign trade had grown substantially. In 1999, total imports and exports of goods reached US$ 360.65 billion, of which exports stood at US$ 194.93 billion, and imports, US$ 165.72 billion. Exports from China in 1998 accounted for 3.4 per cent of the world's total.

8. The representative of China stated that although important achievements have been made in its economic development, China was still a developing country and therefore should have the right to

enjoy all the special and preferential treatment accorded to developing country Members pursuant to the WTO Agreement.

9. Some members of the Working Party indicated that because of the significant size, rapid growth and transitional nature of the Chinese economy, a pragmatic approach should be taken in determining China's need for recourse to transitional periods and other special provisions in the WTO Agreement available to developing country WTO Members. Each agreement and China's situation should be carefully considered and specifically addressed. In this regard it was stressed that this pragmatic approach would be tailored to fit the specific cases of China's accession in a few areas, which were reflected in the relevant provisions set forth in China's Draft Protocol and Working Party Report. Noting the preceding statements, Members reiterated that all commitments taken by China in her accession process were solely those of China and would prejudice neither existing rights and obligations of Members under the WTO Agreement nor on-going and future WTO negotiations and any other process of accession. While noting the pragmatic approach taken in China's case in a few areas, Members also recognized the importance of differential and more favourable treatment for developing countries embodied in the WTO Agreement.

10. At the request of interested members of the Working Party, the representative of China agreed that China would undertake bilateral market access negotiations with respect to industrial and agricultural products, and initial commitments in services.

11. Some members of the Working Party stated that in addition to undertaking market access negotiations in goods and services, close attention should also be paid to China's multilateral commitments, in particular China's future obligations under the Multilateral Agreements on Trade in Goods and the General Agreement on Trade in Services ("GATS"). This was of vital importance to ensure that China would be able to take full benefit of WTO membership as quickly as possible, as well as to ensure that the value of any market access conditions undertaken were not adversely affected by inconsistent measures such as some types of non-tariff measures.

12. The representative of China stated that the achievement of balance between rights and obligations was the basic principle in its negotiation of WTO accession.

13. Some members of the Working Party expressed concern over discrepancies in statistical information supplied by the Government of China on trade volume/value. Members and China pursued this issue separately in an Informal Group of Experts on Export Statistics.

14. The Working Party reviewed the foreign trade regime of China. The discussions and commitments resulting therefrom are contained in paragraphs 15-341 below and in the Draft Protocol of Accession ("Draft Protocol"), including the annexes.

II. ECONOMIC POLICIES

1. Non-Discrimination (including national treatment)

15. Some members expressed concern regarding the application of the principle of non-discrimination in relation to foreign individuals and enterprises (whether wholly or partly foreign funded). Those members stated that China should enter a commitment to accord non-discriminatory treatment to all foreign individuals and enterprises and foreign-funded enterprises in respect of the procurement of inputs and goods and services necessary for production of goods and the conditions under which their goods were produced, marketed or sold, in the domestic market and for export. In addition, those members said that China should also enter a commitment to guarantee non-discriminatory treatment in respect of the prices and availability of goods and services supplied by national and sub-national authorities and public or state enterprises, in areas including transportation, energy, basic telecommunications, other utilities and factors of production.

16. Some members of the Working Party also raised concerns over China's practice of conditioning or imposing restrictions upon participation in the Chinese economy based upon the nationality of the entity concerned. Those members in particular raised concerns over such practices in relation to the pricing and procurement of goods and services, and the distribution of import and export licences. Members of the Working Party requested that China enter into a commitment not to condition such practices on the nationality of the entity concerned.

17. In response, the representative of China emphasized the importance of the commitments that the government was undertaking on non-discrimination. The representative of China noted, however, that any commitment to provide non-discriminatory treatment to Chinese enterprises, including foreign-funded enterprises, and foreign enterprises and individuals in China, would be subject to other provisions of the Draft Protocol and, in particular, would not prejudice China's rights under the GATS, China's Schedule of Specific Commitments or commitments undertaken in relation to trade-related investment measures.

18. The representative of China further confirmed that China would provide the same treatment to Chinese enterprises, including foreign-funded enterprises, and foreign enterprises and individuals in China. China would eliminate dual pricing practices as well as differences in treatment accorded to

goods produced for sale in China in comparison to those produced for export. The Working Party took note of these commitments.

19. The representative of China confirmed that, consistent with China's rights and obligations under the WTO Agreement and the Draft Protocol, China would provide non-discriminatory treatment to all WTO Members, including Members of the WTO that were separate customs territories. The Working Party took note of this commitment.

20. Some members of the Working Party expressed concern about certain provisions of Chinese laws, regulations, administrative notices and other requirements which could, directly or indirectly, result in less favourable treatment of imported products in contravention of Article III of the General Agreement on Tariffs and Trade ("GATT 1994"). Such requirements included product registration and certification, internal taxation, price and profit controls and all distinct forms of licensing for imports, and distribution or sale of imported goods. Even where such requirements existed in relation to domestically produced goods, those members reiterated that any de facto or de jure less favourable treatment of imported goods had to be eliminated in order to ensure full conformity with the principle of national treatment.

21. Some members of the Working Party drew China's attention to the variety of types of requirements which could contravene GATT Article III. Specific reference was made to the procedures, charges and conditions for granting of business licences, whether to import, distribute, re-sell or retail goods of non-Chinese origin. Reference was also made to taxes and fiscal provisions whose impact depended, directly or indirectly, upon the Chinese or non-Chinese origin of the goods imported or traded. Those members drew the attention of China to its obligation to ensure that product testing and certification requirements, including procedures for in situ inspections, posed no greater burden – whether financial or practical - on goods of non-Chinese origin than on domestic goods. Those members underlined that conformity assessment procedures and standards, including safety and other compliance requirements, had to respect the terms of the WTO Agreement on Technical Barriers to Trade ("TBT Agreement") as well as GATT Article III.

22. The representative of China confirmed that the full respect of all laws, regulations and administrative requirements with the principle of non-discrimination between domestically produced and imported products would be ensured and enforced by the date of China's accession unless otherwise provided in the Draft Protocol or Draft Report. The representative of China declared that, by accession, China would repeal and cease to apply all such existing laws, regulations and other measures whose effect was inconsistent with WTO rules on national treatment. This commitment was

made in relation to final or interim laws, administrative measures, rules and notices, or any other form of stipulation or guideline. The Working Party took note of these commitments.

23. In particular, the representative of China confirmed that measures would be taken at national and subnational level, including repeal or modification of legislation, to provide full GATT national treatment in respect of laws, regulations and other measures applying to internal sale, offering for sale, purchase, transportation, distribution or use of the following:

- After sales service (repair, maintenance and assistance), including any conditions applying to its provision, such as the MOFTEC third Decree of 6 September 1993, imposing mandatory licensing procedures for the supply of after-sales service on various imported products;

- Pharmaceutical products, including regulations, notices and measures which subjected imported pharmaceuticals to distinct procedures and formulas for pricing and classification, or which set limits on profit margins attainable and imports, or which created any other conditions regarding price or local content which could result in less favourable treatment of imported products;

- Cigarettes, including unification of the licensing requirements so that a single licence authorized the sale of all cigarettes, irrespective of their country of origin, and elimination of any other restrictions regarding points of sale for imported products, such as could be imposed by the China National Tobacco Corporation ("CNTC"). It was understood that in the case of cigarettes, China could avail itself of a transitional period of two years to fully unify the licensing requirements. Immediately upon accession, and during the two year transitional period, the number of retail outlets selling imported cigarettes would be substantially increased throughout the territory of China;

- Spirits, including requirements applied under China's "Administrative Measures on Imported Spirits in the Domestic Market", and other provisions which imposed distinct criteria and licensing for the distribution and sale of different categories of spirits, including unification of the licensing requirements so that a single licence authorized the sale of all spirits irrespective of their country of origin;

- Chemicals, including registration procedures applicable to imported products, such as those applied under China's "Environmental Control Regulations for Initial Imports of Chemical Products and Imports and Exports of Toxic Chemical Products";

- Boilers and pressure vessels, including certification and inspection procedures which had to be no less favourable than those applied to goods of Chinese origin, and fees applied by the relevant agencies or administrative bodies, which had to be equitable in relation to those chargeable for like products of domestic origin.

The representative of China stated that in the cases of pharmaceuticals, spirits and chemicals cited above, China would reserve the right to use a transitional period of one year from the date of accession in order to amend or repeal the relevant legislation. The Working Party took note of these commitments.

2. Monetary and Fiscal Policy

24. The representative of China stated that through the reform and opening up in the last two decades, China had established a fiscal management system which was compatible with the principles of a market economy. With respect to fiscal revenue, a taxation system with a value-added tax as the main element had been established since the taxation reform in 1994. With respect to fiscal expenditure, over recent years the government had, in line with the public fiscal requirement generally exercised by market economies, strengthened its adjustment of the structure of expenditure and given priority to public needs so as to ensure the normal operations of the government.

25. The representative of China further stated that in recent years, while pursuing proactive fiscal policy, China had implemented proper monetary policy and had taken a series of adjusting and reform measures which included lowering the interest rate for loans from financial institutions, improving the system of required deposit reserves and lowering the ratio of required reserves, positively increasing the input of base money and encouraging the commercial banks to expand their credit.

26. In respect of future fiscal policy, the representative of China noted that the Government of China would further improve its taxation system and would continue to improve the efficiency of fiscal expenditure through implementing reform measures such as sectoral budget, centralized payment by the national treasury and zero base budget, as well as improving management of fiscal expenditure. With respect to future monetary policy, the central bank would continue to pursue a prudent policy, maintain the stability of RMB, promote interest rate liberalization and establish a modern commercial banking system.

3. Foreign Exchange and Payments

27. Some members of the Working Party raised concerns about China's use of forex controls to regulate the level and composition of trade in goods and services. In response, the representative of

China stated that China was now a member of the International Monetary Fund ("IMF") and that recently its system of forex had undergone rapid change. Significant moves had been taken to reform, rationalize and liberalize the forex market. The practice of multiple exchange rates in swap centres had been abolished. China had already unified its forex market and removed many of the restrictions on the use of forex.

28. Outlining the historical development of China's forex reform, the representative of China stated that the purpose of China's forex reform was to reduce administrative intervention and increase the role of market forces. From 1979, a forex retention system was applied in China, although forex swap was gradually developing. In early 1994, official RMB exchange rates were unified with the market rates. The banking exchange system was adopted and a nationwide unified inter-bank forex market was established, with conditional convertibility of the Renminbi on current accounts. Since 1996, foreign invested enterprises ("FIEs") were also permitted into the banking exchange system, and the remaining exchange restrictions on current accounts were eliminated. On 1 December 1996, China had formally accepted the obligations of Article VIII of the IMF's Articles of Agreement, removing exchange restrictions on current account transactions. Accordingly, since then the Renminbi had been fully convertible on current accounts. It was confirmed by the IMF in its Staff Report on Article IV Consultations with China in 2000 that China had no existing forex restrictions for current account transactions.

29. The representative of China stated that the State Administration of Foreign Exchange ("SAFE") was under the auspices of the People's Bank of China ("PBC"), and was the administrative organ empowered to regulate forex. Its main functions were to monitor and advise on balance-of-payments and forex matters. SAFE was also required to draft appropriate regulations and monitor compliance. He further noted that domestic and foreign banks, and financial institutions could engage in forex business, with the approval of the PBC.

30. In response to requests from members of the Working Party for further information, the representative of China added that for forex payments under current accounts, domestic entities (including FIEs) could purchase forex at market exchange rates from designated banks or debit their forex accounts directly upon presentation of valid documents. For payments such as pre-payment, commission, etc., exceeding the proportion or limit, the entities could also purchase forex from the banks upon meeting the bona fide test administered by SAFE. Forex for personal use by individuals could be purchased directly from the banks upon presentation of valid documents (within a specified limit). For amounts exceeding the limit, individuals able to prove their need for additional forex could purchase it from the banks. He also noted that current account forex receipts owned by domestic entities had to be repatriated into China, some of which could be retained and some sold to

the designated banks at market rates. A verification system for forex payment (imports) and forex receipt (exports) had also been adopted.

31. Concerning the exchange rate regime in particular, the representative of China noted that since the unification of exchange rates on 1 January 1994, China had adopted a single and managed floating exchange rate regime based on supply and demand. PBC published the reference rates of RMB against the US dollar, the HK dollar and Japanese yen based on the weighted average prices of forex transactions at the interbank forex market during the previous day's trading. The buying and selling rates of RMB against the US dollar on the inter-bank forex market could fluctuate within 0.3 per cent of the reference rate. For the HK dollar and Japanese yen, the permitted range was 1 per cent. Designated forex banks could deal with their clients at an agreed rate. Under such contracts the exchange rate of the US dollar was required to be within 0.15 per cent of the reference rate, whereas for the HK dollar and Japanese yen, the permitted range was 1 per cent. The exchange rates for other foreign currencies were based on the rates of RMB against the US dollar and cross-exchange rates of other foreign currency on the international market. The permitted margin between the buying and selling rate could not exceed 0.5 per cent.

32. The representative of China further noted that since 1 January 1994, designated forex banks had become major participants in forex transactions. On 1 April 1994, the China Foreign Exchange Trading System was set up in Shanghai and branches were opened in dozens of cities. The Foreign Exchange Trading System had adopted a system of membership, respective quotation, concentrated trading and forex market settlement. Designated forex banks dealt on the inter-bank market according to the turnover position limit on banking exchange stipulated by SAFE and covered the position on the market. Depending on its macro-economic objectives, the PBC could intervene in the forex open market in order to regulate market supply and demand, and maintain the stability of the RMB exchange rate.

33. The representative of China noted that since 1 July 1996, forex dealing of the FIEs was carried out through the banking exchange system. He further noted that to encourage foreign direct investment, China had granted national treatment to FIEs in exchange administration. Accordingly, FIEs were allowed to open and hold forex settlement accounts to retain receipts under current accounts, up to a maximum amount stipulated by SAFE. Receipts in excess of the maximum amount were required to be sold to designated forex banks. No restrictions were maintained on the payment and transfer of current transactions by FIEs, and FIEs could purchase forex from designated forex banks or debit their forex accounts for any payment under current transactions, upon the presentation of valid documents to the designated forex banks or SAFE for the bona fide test. FIEs could also open forex accounts to hold foreign-invested capital, and they could sell from these accounts upon the

approval of SAFE. FIEs could also borrow forex directly from domestic and overseas banks, but were required to register with SAFE afterwards, and obtain approval by SAFE for debt repayment and services. FIEs could make payments from their forex accounts or in forex purchased from designated forex banks after liquidation, upon approval by SAFE according to law.

34. The representative of China further noted that the laws and regulations mentioned above were: Law of the People's Republic of China on Chinese-Foreign Equity Joint Venture; Law of the People's Republic of China on Chinese-Foreign Contractual Joint Venture; Regulations on the Exchange System of the People's Republic of China; and Regulations on the Sale and Purchase of and Payment in Foreign Exchange.

35. The representative of China stated that China would implement its obligations with respect to forex matters in accordance with the provisions of the WTO Agreement and related declarations and decisions of the WTO that concerned the IMF. The representative further recalled China's acceptance of Article VIII of the IMF's Articles of Agreement, which provided that "no member shall, without the approval of the Fund, impose restrictions on the making of payments and transfers for current international transactions". He stated that, in accordance with these obligations, and unless otherwise provided for in the IMF's Articles of Agreement, China would not resort to any laws, regulations or other measures, including any requirements with respect to contractual terms, that would restrict the availability to any individual or enterprise of forex for current international transactions within its customs territory to an amount related to the forex inflows attributable to that individual or enterprise. The Working Party took note of these commitments.

36. In addition, the representative of China stated that China would provide information on exchange measures as required under Article VIII, Section 5 of the IMF's Articles of Agreement, and such other information on its exchange measures as was deemed necessary in the context of the transitional review mechanism. The Working Party took note of this commitment.

4. Balance-of-Payments Measures

37. Some members of the Working Party stated that China should apply balance-of-payments ("BOPs") measures only under the circumstances provided for in the WTO Agreement and not as a justification for imposition of restrictions on imports for other protectionist purposes. Those members stated that measures taken for BOPs reasons should have the least trade disruptive effect possible and should be limited to temporary import surcharges, import deposit requirements or other equivalent price-based trade measures, and those measures should not be used to provide import protection for specific sectors, industries or products.

38. Those members of the Working Party further stated that any such measures should be notified pursuant to the Understanding on the Balance-of-Payments Provisions of the GATT 1994 ("BOPs Understanding") and to the General Council not later than the imposition of the measures, together with a time schedule for their elimination and a programme of external and domestic policy measures to be used to restore BOPs equilibrium. Those members also stated that following deposit of such a notification, the Committee on Balance-of-Payments Restrictions ("BOPs Committee") should meet to examine the notification. It was noted that paragraph 4 of the BOPs Understanding would be available to China in the case of "essential products". Some members stated that the BOPs Committee should review the operation of any BOPs measures taken by China, if so requested by China or a WTO Member.

39. Some other members of the Working Party considered that, in respect of measures taken for BOP purposes, China should enjoy the same rights as those accorded to other developing country WTO Members, as provided in GATT Article XVIII:B and the BOPs Understanding.

40. In response, the representative of China stated that China considered that it should have the right to make full use of WTO BOPs provisions to protect, if necessary, its BOPs situation. He confirmed that China would fully comply with the provisions of the GATT 1994 and the BOPs Understanding. Further to such compliance, China would give preference to application of price-based measures as set forth in the BOPs Understanding. If China resorted to measures that were not price-based, it would transform such measures into price-based measures as soon as possible. Any measures taken would be maintained strictly in accordance with the GATT 1994 and the BOPs Understanding, and would not exceed what was necessary to address the particular BOPs situation. The representative of China also confirmed that measures taken for BOPs reasons would only be applied to control the general level of imports and not to protect specific sectors, industries or products, except as noted in paragraph 38. The Working Party took note of these commitments.

5. Investment Regime

41. The representative of China stated that since the inception of the reform and opening up policy in the late 1970's, China had carried out a series of reforms of its investment regime. The highly centralized investment administration under the planned economy had been progressively transformed into a new pattern of diversification of investors, multi-channelling of capital sources and diversification of investment modalities. The government encouraged foreign investment into the Chinese market and had uninterruptedly opened and expanded the scope for investment. At the same time, the Government of China also encouraged the development of the non-state-operated economy and was speeding up the opening of areas for non-state investment. With China's programme in the

establishment of its market economy, the construction projects of various enterprises utilizing free capital and financed by the credit of the enterprise would be fully subject to the decision-making of the enterprise concerned and at their own risk. The commercial banks' credit activities to all kinds of investors would be based on their own evaluation and decision-making, and would be at their own risk. The business activities of intermediate investment agencies would be fully subject to the market and would provide service at the instruction of the investors. These agencies would break up their administrative relations with government agencies and the service activities financed by the government would also be subject to the terms and conditions agreed in the contracts concerned.

42. The representative of China further stated that China had promulgated investment guidelines and that the Government of China was in the process of revising and completing these guidelines. Responding to concerns raised by certain members of the Working Party, he confirmed that these investment guidelines and their implementation would be in full conformity with the WTO Agreement. The Working Party took note of this commitment.

6. State-Owned and State-Invested Enterprises

43. The representative of China stated that the state-owned enterprises of China basically operated in accordance with rules of market economy. The government would no longer directly administer the human, finance and material resources, and operational activities such as production, supply and marketing. The prices of commodities produced by state-owned enterprises were decided by the market and resources in operational areas were fundamentally allocated by the market. The state-owned banks had been commercialized and lending to state-owned enterprises took place exclusively under market conditions. China was furthering its reform of state-owned enterprises and establishing a modern enterprise system.

44. In light of the role that state-owned and state-invested enterprises played in China's economy, some members of the Working Party expressed concerns about the continuing governmental influence and guidance of the decisions and activities of such enterprises relating to the purchase and sale of goods and services. Such purchases and sales should be based solely on commercial considerations, without any governmental influence or application of discriminatory measures. In addition, those members indicated the need for China to clarify its understanding of the types of activities that would not come within the scope of Article III:8(a) of GATT 1994. For example, any measure relating to state-owned and state-invested enterprises importing materials and machinery used in the assembly of goods, which were then exported or otherwise made available for commercial sale or use or for non-governmental purposes, would not be considered to be a measure relating to government procurement.

45. The representative of China emphasized the evolving nature of China's economy and the significant role of FIEs and the private sector in the economy. Given the increasing need and desirability of competing with private enterprises in the market, decisions by state-owned and state-invested enterprises had to be based on commercial considerations as provided in the WTO Agreement.

46. The representative of China further confirmed that China would ensure that all state-owned and state-invested enterprises would make purchases and sales based solely on commercial considerations, e.g., price, quality, marketability and availability, and that the enterprises of other WTO Members would have an adequate opportunity to compete for sales to and purchases from these enterprises on non-discriminatory terms and conditions. In addition, the Government of China would not influence, directly or indirectly, commercial decisions on the part of state-owned or state-invested enterprises, including on the quantity, value or country of origin of any goods purchased or sold, except in a manner consistent with the WTO Agreement. The Working Party took note of these commitments.

47. The representative of China confirmed that, without prejudice to China's rights in future negotiations in the Government Procurement Agreement, all laws, regulations and measures relating to the procurement by state-owned and state-invested enterprises of goods and services for commercial sale, production of goods or supply of services for commercial sale, or for non-governmental purposes would not be considered to be laws, regulations and measures relating to government procurement. Thus, such purchases or sales would be subject to the provisions of Articles II, XVI and XVII of the GATS and Article III of the GATT 1994. The Working Party took note of this commitment.

48. Certain members of the Working Party expressed concern about laws, regulations and measures in China affecting the transfer of technology, in particular in the context of investment decisions. Moreover, these members expressed concern about measures conditioning the receipt of benefits, including investment approvals, upon technology transfer. In their view, the terms and conditions of technology transfer, particularly in the context of an investment, should be agreed between the parties to the investment without government interference. The government should not, for example, condition investment approval upon technology transfer.

49. The representative of China confirmed that China would only impose, apply or enforce laws, regulations or measures relating to the transfer of technology, production processes, or other proprietary knowledge to an individual or enterprise in its territory that were not inconsistent with the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights ("TRIPS Agreement") and

the Agreement on Trade-Related Investment Measures ("TRIMs Agreement"). China confirmed that the terms and conditions of technology transfer, production processes or other proprietary knowledge, particularly in the context of an investment, would only require agreement between the parties to the investment. The Working Party took note of these commitments.

7. Pricing Policies

50. Some members of the Working Party noted that China had made extensive use of price controls, for example in the agricultural sector. Those members requested that China undertake specific commitments concerning its system of state pricing. In particular, those members stated that China should allow prices for traded goods and services in every sector to be determined by market forces, and multi-tier pricing practices for such goods and services should be eliminated. Those members noted, however, that China expected to maintain price controls on the goods and services listed in Annex 4 to the Draft Protocol, and stated that any such controls should be maintained in a manner consistent with the WTO Agreement, in particular Article III of the GATT 1994 and Annex 2, paragraphs 3 and 4, of the Agreement on Agriculture. Those members noted that except in exceptional circumstances, and subject to notification to the WTO Secretariat, price controls should not be extended to goods or services beyond those listed in Annex 4, and China should make its best efforts to reduce and eliminate those controls. They also asked that China publish in the appropriate official journal the list of goods and services subject to state pricing and changes thereto.

51. Some members of the Working Party expressed the view that price controls and state pricing in China also encompassed "guidance pricing" and regulation of the range of profits that enterprises could enjoy. Such policies and practices would also be subject to China's commitments. In their view, price controls should be adopted only in extraordinary circumstances and should be removed as soon as the circumstances justifying their adoption were addressed.

52. The representative of China said that China currently applied a mechanism of market-based pricing under macro-economic adjustment. He noted that national treatment was applied in the areas of government pricing for all imported goods. There were presently three types of prices: government price, government guidance price and market-regulated price. The government price was set by price administration authorities and could not be changed without the approval of these authorities. Products and services subject to government pricing were those having a direct bearing on the national economy and the basic needs of the people's livelihood, including those products that were scarce in China.

53. The representative of China stated that when government prices or government guidance prices needed to be adjusted or reset, the agencies concerned should apply to the competent pricing

authorities for that purpose. There was not a fixed time frame for the adjustment of government prices or government guidance prices. Operators or competent agencies could, in the light of market changes and according to their purview of pricing, submit applications to the competent pricing authorities for pricing or adjustment of the original prices. The government pricing authorities would, in the light of such factors as market demand and supply, operational costs, effect on consumers as well as the quality of services, determine specific prices for the services concerned, or set guidance prices and floating ranges within which operators could determine specific prices. When setting prices for public utilities, important public welfare services and goods subject to natural monopolies and services which were of vital interest to the general public, government pricing authorities would hold public hearings and invite consumers, operators and other concerned parties to comment and debate on the necessity and impact of a price adjustment. The prices of important services were subject to the approval of the State Council. This mechanism had helped to significantly improve the rationality and transparency of government pricing. All enterprises, regardless of their nature and ownership, were free to participate in such hearings and voice their opinions and concerns which would be taken into consideration by the competent pricing authorities. Meanwhile, government pricing was product- or service-specific, regardless of the ownership of the enterprises concerned. All the enterprises and individuals enjoyed the same treatment in terms of participating in the process of setting government prices and government guidance prices.

54. The representative of China added that the government guidance price mechanism was a more flexible form of pricing. The price administration authorities stipulated either a basic price or floating ranges. The floating range of guidance pricing was generally 5 per cent to 15 per cent. Enterprises could, within the limits of the guidance and taking into account the market situation, make their own decisions on prices. With market-regulated prices, enterprises were free to set prices in accordance with supply and demand to the extent permitted by generally applicable laws, regulations and policies concerning prices.

55. The representative of China stated that in formulating government prices and government guidance prices, the following criteria were taken into account: normal production costs, supply and demand situation, relevant government policies and prices of related products. When fixing prices of consumer goods, consideration was given to the limits of consumers' purchasing power. He noted that due to the continued reform of China's price system, the share of government prices had dropped substantially and that of market-regulated prices had increased; of social retailing products, the share of government prices was about 4 per cent, that of government guidance prices 1.2 per cent, and that of market-regulated prices 94.7 per cent. For agricultural products, the share of government prices was 9.1 per cent, government guidance prices 7.1 per cent, and market-regulated 83.3 per cent. For production inputs, the share of government prices was 9.6 per cent, that of government guidance

prices 4.4 per cent, and market-regulated prices 86 per cent. The share of directly government-controlled prices had been much reduced. The Government of China considered that China's price system was becoming increasingly rationalized, creating a relatively fair marketplace for all enterprises to compete on an equal footing.

56. The representative of China recalled that Annex 4 of the Draft Protocol contained a comprehensive listing of all products and services presently subject to government guidance pricing and government pricing. He stated that the services subject to price controls were listed in Annex 4 by their respective CPC codes.

57. Some members of the Working Party requested additional information on the specific activities subject to government pricing or government guidance pricing. In particular, those members requested information on professional services, educational services, and charges for settlement clearing and transmission services of banks. In response, the representative of China stated that "The Administrative Rules on Intermediate Services" promulgated in 1999 by six central government agencies led by the State Development and Planning Commission ("SDPC") dealt with government pricing on intermediate services such as inspection authentication, notarization and arbitration and services which were in limited supply due to their special requirements. For legal services, the Interim Regulation on Charges and Fees of Legal Services, jointly promulgated by the SDPC and the Ministry of Justice stipulated that for law firms practising Chinese law, charges and fees for the following activities were subject to the approval of the SDPC: (1) representing a client in a civil case, including an appeal; (2) representing a client in a case contesting an administrative agency's decision; (3) providing legal advice to criminal suspects, acting for a client in connection with an appeal or prosecution, applying for bail, representing a defendant or victim in a criminal case; and (4) representing a client in an arbitration. For foreign legal service providers engaged in activities such as those listed in China's GATS schedule, the foreign legal service providers would determine the appropriate charges and fees which would not be subject to government pricing or guidance pricing.

58. The representative of China noted that regulations also existed for the other services included in Annex 4. Government pricing and guidance pricing related to accounting and auditing services cover auditing and accounting review services. For architectural services, advisory and pre-design architectural services and contract administration activities were subject to government pricing or government guidance pricing. For engineering services, advisory and consultative services, engineering design services for the construction of foundations and building structures, design services for mechanical and electrical installations for buildings, construction of civil engineering works, and industrial processes and production were subject to government pricing or government

guidance pricing. For education services, primary, secondary and higher education services were subject to government pricing or government guidance pricing unless the provider was a non-profit educational service provider.

59. The representative of China further explained that charges for settlement, clearing and transmission services of banks referred to in Annex 4 related to the charges and fees collected by banks for the services provided to enterprises and individuals when the banks conducted currency payments and transmission and fund settlements by using clearance methods such as bills and notes, collections and acceptances. These mainly included commission charges of bills, cashier's cheques, cheques, remittances, entrusted collections of payment, and collections and acceptances of banks.

60. The representative of China confirmed that it would publish in the official journal the list of goods and services subject to state pricing and changes thereto, together with price-setting mechanisms and policies. The Working Party took note of these commitments.

61. The representative of China confirmed that the official journal providing price information was the Pricing Monthly of the People's Republic of China, published in Beijing. It was a monthly magazine listing all products and services priced by the State. He further stated that China would continue to further its price reform, adjusting the catalogue subject to state pricing and further liberalize its pricing policies.

62. The representative of China further confirmed that price controls would not be used for purposes of affording protection to domestic industries or services providers. The Working Party took note of this commitment.

63. Some members of the Working Party expressed a concern that China could maintain prices below market-based ones in order to limit imports.

64. In response, the representative of China confirmed that China would apply its current price controls and any other price controls upon accession in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. He also confirmed that price controls would not have the effect of limiting or otherwise impairing China's market-access commitments on goods and services. The Working Party took note of these commitments.

8. Competition Policy

65. The representative of China noted that the Government of China encouraged fair competition and was against acts of unfair competition of all kinds. The Law of the People's Republic of China on

Combating Unfair Competition, promulgated on 2 September 1992 and implemented on 1 December 1992, was the basic law to maintain the order of competition in the market. In addition, the Price Law, the Law on Tendering and Bidding, the Criminal Law and other relevant laws also contained provisions on anti-monopoly and unfair competition. China was now formulating the Law on Anti-Monopoly.

III. FRAMEWORK FOR MAKING AND ENFORCING POLICIES

1. Structure and Powers of the Government

66. The representative of China informed members of the Working Party that in accordance with the Constitution and the Law on Legislation of the People's Republic of China, the National People's Congress was the highest organ of state power. Its permanent body was its Standing Committee. The National People's Congress and its Standing Committee exercised the legislative power of the State. They had the power to formulate the Constitution and laws. The State Council, i.e., the Central People's Government of China, was the executive body of the highest organ of state power. The State Council, in accordance with the Constitution and relevant laws, was entrusted with the power to formulate administrative regulations. The ministries, commissions and other competent departments (collectively referred to as "departments") of the State Council could issue departmental rules within the jurisdiction of their respective departments and in accordance with the laws and administrative regulations. The provincial people's congresses and their standing committees could adopt local regulations. The provincial governments had the power to make local government rules. The National People's Congress and its Standing Committee had the power to annul the administrative regulations that contradicted the Constitution and laws as well as the local regulations that contradicted the Constitution, laws and administrative regulations. The State Council had the power to annul departmental rules and local government rules that were inconsistent with the Constitution, laws or administrative regulations. The Government of China believed that these features of the Chinese legal system would ensure an effective and uniform implementation of the obligations after China's accession.

67. The representative of China stated that China had been consistently performing its international treaty obligations in good faith. According to the Constitution and the Law on the Procedures of Conclusion of Treaties, the WTO Agreement fell within the category of "important international agreements" subject to the ratification by the Standing Committee of the National People's Congress. China would ensure that its laws and regulations pertaining to or affecting trade were in conformity with the WTO Agreement and with its commitments so as to fully perform its international obligations. For this purpose, China had commenced a plan to systematically revise its

relevant domestic laws. Therefore, the WTO Agreement would be implemented by China in an effective and uniform manner through revising its existing domestic laws and enacting new ones fully in compliance with the WTO Agreement.

68. The representative of China confirmed that administrative regulations, departmental rules and other central government measures would be promulgated in a timely manner so that China's commitments would be fully implemented within the relevant time frames. If administrative regulations, departmental rules or other measures were not in place within such time frames, authorities would still honour China's obligations under the WTO Agreement and Draft Protocol. The representative of China further confirmed that the central government would undertake in a timely manner to revise or annul administrative regulations or departmental rules if they were inconsistent with China's obligations under the WTO and Draft Protocol. The Working Party took note of these commitments.

2. Authority of Sub-National Governments

69. Several members of the Working Party raised concerns about the continued presence of multiple trade instruments used by different levels of government within China. Those members considered that this situation resulted in a lessening of the security and predictability of access to the Chinese market. These Members raised specific concerns regarding the authority of sub-national governments in the areas of fiscal, financial and budgetary activities, specifically with respect to subsidies, taxation, trade policy and other issues covered by the WTO Agreement and the Draft Protocol. In addition, some members expressed concerns about whether the central government could effectively ensure that trade-related measures introduced at the sub-national level would conform to China's commitments in the WTO Agreement and the Draft Protocol.

70. The representative of China stated that sub-national governments had no autonomous authority over issues of trade policy to the extent that they were related to the WTO Agreement and the Draft Protocol. The representative of China confirmed that China would in a timely manner annul local regulations, government rules and other local measures that were inconsistent with China's obligations. The representative of China further confirmed that the central government would ensure that China's laws, regulations and other measures, including those of local governments at the sub-national level, conformed to China's obligations undertaken in the WTO Agreement and the Draft Protocol. The Working Party took note of these commitments.

3. Uniform Administration of the Trade Regime

71. Some members of the Working Party stated that it should be made clear that China would apply the requirements of the WTO Agreement and its other accession commitments throughout China's entire customs territory, including border trade regions, minority autonomous areas, Special Economic Zones ("SEZs"), open coastal cities, economic and technical development zones and other special economic areas and at all levels of government.

72. Those members of the Working Party also raised concerns about whether China's central government would be sufficiently informed about non-uniform practices and would take necessary enforcement actions. Those members stated that China should establish a mechanism by which any concerned person could bring to the attention of the central government cases of non-uniform application of the trade regime and receive prompt and effective action to address situations in which non-uniform application was established.

73. The representative of China confirmed that the provisions of the WTO Agreement, including the Draft Protocol, would be applied uniformly throughout its customs territory, including in SEZs and other areas where special regimes for tariffs, taxes and regulations were established and at all levels of government. The Working Party took note of this commitment.

74. In response to questions from certain members of the Working Party, the representative of China confirmed that laws, regulations and other measures included decrees, orders, directives, administrative guidance and provisional and interim measures. He stated that in China, local governments included provincial governments, including autonomous regions and municipalities directly under the central government, cities, counties and townships. The representative of China further stated that local regulations, rules and other measures were issued by local governments at the provincial, city and county levels acting within their respective constitutional powers and functions and applied at their corresponding local level. Townships were only authorized to implement measures. Special economic areas were also authorized to issue and implement local rules and regulations.

75. The representative of China further confirmed that the mechanism established pursuant to Section 2(A) of the Draft Protocol would be operative upon accession. All individuals and entities could bring to the attention of central government authorities cases of non-uniform application of China's trade regime, including its commitments under the WTO Agreement and the Draft Protocol. Such cases would be referred promptly to the responsible government agency, and when non-uniform application was established, the authorities would act promptly to address the situation utilizing the remedies available under China's laws, taking into consideration China's international obligations and

the need to provide a meaningful remedy. The individual or entity notifying China's authorities would be informed promptly in writing of any decision and action taken. The Working Party took note of these commitments.

4. Judicial Review

76. Some members of the Working Party stated that China should designate independent tribunals, contact points, and procedures for the prompt review of all administrative actions relating to the implementation of laws, regulations, judicial decisions and administrative rulings of general application referred to in Article X:1 of the GATT 1994, including administrative actions relating to import or export licences, non-tariff measures and tariff-rate quota administration, conformity assessment procedures and other measures. These members sought explicit confirmation that certain types of measures, such as decisions relating to standards and chemical registration, would be subject to judicial review. Some members of the Working Party also stated that the administrative actions subject to review should also include any actions required to be reviewed under the relevant provisions of the TRIPS Agreement and the GATS. These members stated that such tribunals should be independent of the agencies entrusted with administrative enforcement of the matter and should not have any substantial interest in the outcome of the matter.

77. Those members of the Working Party stated that such review procedures should include the opportunity for appeal, without penalty, by individuals or enterprises affected by any administrative action subject to review. If an initial right of appeal were to an administrative body, there should be an opportunity to choose to make a further appeal to a judicial body. Any decision by any appellate body and the reasons therefore would be communicated in writing to the appellant, together with notification of any right to further appeal.

78. The representative of China confirmed that it would revise its relevant laws and regulations so that its relevant domestic laws and regulations would be consistent with the requirements of the WTO Agreement and the Draft Protocol on procedures for judicial review of administrative actions. He further stated that the tribunals responsible for such reviews would be impartial and independent of the agency entrusted with administrative enforcement, and would not have any substantial interest in the outcome of the matter. The Working Party took note of these commitments.

79. In response to questions from certain members of the Working Party, the representative of China confirmed that administrative actions related to measures covered under Section 2(D)(1) of the Draft Protocol included those relating to national treatment, conformity assessment, the regulation, control, supply or promotion of a service, including the grant or denial of a licence to provide a service and other matters, and that such administrative actions would be subject to the procedures

established for prompt review under Section 2(D)(2) of the Draft Protocol, and information on such procedures would be available through the enquiry point that China would establish upon accession. The Working Party took note of these commitments.

IV. POLICIES AFFECTING TRADE IN GOODS

A. TRADING RIGHTS

1. General

80. Some members of the Working Party noted that China was in the process of liberalizing the availability of the right to import and export goods from China, but that such rights were now only available to some Chinese enterprises (totalling 35,000). In addition, foreign-invested enterprises had the right to trade, although this was restricted to the importation for production purposes and exportation, according to the enterprises' scope of business. Those members stated their view that such restrictions were inconsistent with WTO requirements, including Articles XI and III of GATT 1994, and welcomed China's commitment to progressively liberalize the availability and scope of the right to trade so that within three years after accession all enterprises would have the right to import and export all goods (except for the share of products listed in Annex 2A to the Draft Protocol reserved for importation and exportation by state trading enterprises) throughout the customs territory of China. Those members requested that China provide detailed information on the process and criteria that it would use to increase the number of enterprises with trading rights and the scope of products that enterprises could import and export during the transition period.

81. Some members of the Working Party also noted China's commitment to accord foreign enterprises and individuals, including those not invested or registered as enterprises in China, no less favorable treatment than that accorded enterprises in China with respect to the right to trade except as otherwise provided for in the Draft Protocol. Members of the Working Party requested that China provide detailed information regarding the process for such enterprises and individuals to obtain the right to import and export goods.

82. Some members of the Working Party expressed concerns that after the transition period any linkage between an enterprise's scope of business or business licence and the right to trade would constitute a restriction on the right to import and export. Those members noted that within three years after accession, China would have to permit all enterprises in China to trade in all goods throughout the customs territory of China (except as otherwise provided in the Draft Protocol).

83. The representative of China confirmed that during the three years of transition, China would progressively liberalize the scope and availability of trading rights.

(a) The representative of China confirmed that, upon accession, China would eliminate for both Chinese and foreign-invested enterprises any export performance, trade balancing, foreign exchange balancing and prior experience requirements, such as in importing and exporting, as criteria for obtaining or maintaining the right to import and export.

(b) With respect to wholly Chinese-invested enterprises, the representative of China stated that although foreign-invested enterprises obtained limited trading rights based on their approved scope of business, wholly Chinese-invested enterprises were now required to apply for such rights and the relevant authorities applied a threshold in approving such applications. In order to accelerate this approval process and increase the availability of trading rights, the representative of China confirmed that China would reduce the minimum registered capital requirement (which applied only to wholly Chinese-invested enterprises) to obtain trading rights to RMB 5,000,000 for year one, RMB 3,000,000 for year two, RMB 1,000,000 for year three and would eliminate the examination and approval system at the end of the phase-in period for trading rights.

(c) The representative of China also confirmed that during the phase-in period, China would progressively liberalize the scope and availability of trading rights for foreign-invested enterprises. Such enterprises would be granted new or additional trading rights based on the following schedule. Beginning one year after accession, joint-venture enterprises with minority share foreign-investment would be granted full rights to trade and beginning two years after accession majority share foreign-invested joint-ventures would be granted full rights to trade.

(d) The representative of China also confirmed that within three years after accession, all enterprises in China would be granted the right to trade. Foreign-invested enterprises would not be required to establish in a particular form or as a separate entity to engage in importing and exporting nor would new business licence encompassing distribution be required to engage in importing and exporting.

The Working Party took note of these commitments.

84. (a) The representative of China reconfirmed that China would eliminate its system of examination and approval of trading rights within three years after accession. At that time, China would permit all enterprises in China and foreign enterprises and individuals, including sole proprietorships of other WTO Members, to export and import all goods (except for the share of products listed in Annex 2A to the Draft Protocol reserved for importation and exportation by state trading enterprises) throughout the customs territory of

China. Such right, however, did not permit importers to distribute goods within China. Providing distribution services would be done in accordance with China's Schedule of Specific Commitments under the GATS.

(b) With respect to the grant of trading rights to foreign enterprises and individuals, including sole proprietorships of other WTO members, the representative of China confirmed that such rights would be granted in a non-discriminatory and non-discretionary way. He further confirmed that any requirements for obtaining trading rights would be for customs and fiscal purposes only and would not constitute a barrier to trade. The representative of China emphasized that foreign enterprises and individuals with trading rights had to comply with all WTO-consistent requirements related to importing and exporting, such as those concerning import licensing, TBT and SPS, but confirmed that requirements relating to minimum capital and prior experience would not apply.

The Working Party took note of these commitments.

2. Designated Trading

85. The representative of China stated that China would adjust and expand its list of enterprises under its designated trading regime annually during the transition period, leading up to full implementation of the commitment contained in Annex 2B. The current criteria for enterprises under the designated trading regime included registered capital, import and export volume and the import volume of products subject to designated trading in the previous year, bank credit rating and profits and losses.

86. Members of the Working Party noted China's commitment that it would phase out the limitation on the grant of trading rights for goods specified in Annex 2B of its Draft Protocol within three years after accession. In responding to questions raised by some members of the Working Party, the representative of China confirmed that China would progressively liberalize the right to trade in such goods by increasing the number of designated entities permitted to import goods in each of the three years of the transition period specified in Annex 2B. The representative of China added that China would eliminate import and export volume as a criterion for obtaining the right to trade these products, reduce minimum capitalization requirements and extend the right to register as designated importing and exporting enterprises to enterprises that used such goods in the production of finished goods and enterprises that distributed such goods in China. At the end of three years, all enterprises in China and all foreign enterprises and individuals would be permitted to import and export such goods throughout the customs territory of China. During the transition period, none of the criteria

applicable under the designated trading regime would constitute a quantitative restriction on imports or exports. The Working Party took note of these commitments.

B. IMPORT REGULATION

1. Ordinary Customs Duties

87. Members of the Working Party welcomed China's decision to bind tariffs for all products in its schedule on market access for goods. This action would increase the certainty and predictability of this aspect of China's trade regime. Members also noted the substantial unilateral tariff reductions made in many sectors by China in recent years.

88. The representative of China provided members of the Working Party with a copy of the Customs Import and Export Tariff of the People's Republic of China ("Customs Tariff") and related laws and regulations. He noted that the Customs Tariff of China was a charge imposed on imported goods. The purpose of levying tariffs was twofold: (a) to regulate imports so as to promote and support domestic production; and (b) to serve as an important source of revenue for the treasury of the central government. China's tariff policy was to promote economic reform and opening of the economy. The basic principles for establishing duty rates were as follows. Duty-free or low duty rates were applied to imported goods which were needed for the national economy and the people's livelihood but which were not produced sufficiently domestically. Import duty rates on raw materials were generally lower than those on semi-manufactured or manufactured products. For parts or components of machinery, equipment and instruments which were not produced domestically, or at a sufficiently high standard, the import duty was lower than the duty on finished products. Higher duty rates were applied to products which were produced domestically or which were considered non-essential for the national economy and the people's livelihood. A higher duty was applied to imported products, the equivalent of which were produced domestically and the local manufacturer of which needed protection.

89. The representative of China said that China had adopted the Harmonized Commodity Description and Coding System ("HS") as from 1 January 1992 and joined the International Convention on the Harmonized Commodity Description and Coding System in the same year. There were 21 sections, 97 chapters and 7062 eight-digit tariff headings based on the six-digit HS'96 version in the Customs Tariff for the year 2000. Tariff rates were fixed by the State Council. Partial adjustment to the duty rates was subject to deliberation and final decision by the State Council Tariff Commission. The simple average of China's import duties in 2000 was 16.4 per cent. Among the 7062 tariff headings, tariff rates for 525 headings were below 5 per cent, 1488 were between 5 per cent (inclusive) and 10 per cent (exclusive), 2022 between 10 per cent (inclusive) and 15 per cent

(inclusive) and 3027 were above 15 per cent. Information on tariff rates for specific products and import statistical data for recent years had been provided to the Working Party.

90. He also noted that currently there were two columns of import duty rates: general rates and preferential rates. The preferential rates applied to imports originating in countries and regions with which China had concluded reciprocal tariff agreements, whereas the general rates applied to imports from other sources.

91. The representative of China confirmed that for wood and paper products, the same rates of duty, including the rates applied under a preference programme, customs union or free-trade area, would be applied to all imports of wood and paper products. The Working Party took note of this commitment.

92. The representative of China confirmed that upon accession China would participate in the Information Technology Agreement ("ITA") and would eliminate tariffs on all information technology products as set out in China's schedule. Furthermore, upon accession, China would eliminate all other duties and charges for ITA products. The Working Party took note of these commitments.

93. Certain members of the Working Party expressed particular concerns about tariff treatment in the auto sector. In response to questions about the tariff treatment for kits for motor vehicles, China confirmed that it had no tariff lines for completely knocked-down kits for motor vehicles or semi-knocked down kits for motor vehicles. If China created such tariff lines, the tariff rates would be no more than 10 per cent. The Working Party took note of this commitment.

94. Without prejudice to its rights to participate in the WTO process, China confirmed its commitment to support the tariff liberalization proposal outlined in WT/GC/W/138/Add.1 (22 April 1999) and that it would participate fully in any tariff liberalization initiative based on this proposal that WTO Members might accept for implementation.

95. China undertook bilateral market access negotiations on goods with members of the Working Party. The results of those negotiations were contained in the Schedule of Concessions and Commitments on Goods and formed Annex 8 to the Draft Protocol.

2. Other Duties and Charges

96. The representative of China confirmed that China had agreed to bind at zero other duties and charges in its Schedule of Concessions and Commitments, pursuant to Article II:1(b) of the GATT 1994. The Working Party took note of that commitment.

3. Rules of Origin

97. Some members of the Working Party requested information about the adoption and application of rules of origin in China, whether in the context of free trade agreements or otherwise, and also requested China to confirm that its rules of origin for both preferential and non-preferential trade complied fully with the WTO Agreement on Rules of Origin.

98. The representative of China noted that the criteria for making the determination of substantial transformation was: (a) change in tariff classification of a four-digit tariff line in the Customs Tariff; or (b) the value-added component was 30 per cent or more in the total value of a new product.

99. He further noted that under current arrangements, and in accordance with the criteria outlined above, when an imported product was processed and manufactured in several countries, the country of origin of the product was determined to be the last country in which the product underwent substantial transformation. The rules of origin applied for statistical purposes were the same.

100. The representative of China stated that China's rules of origin for import and export were non-preferential rules of origin. Once the international harmonization of non-preferential rules of origin was concluded, China would fully adopt and apply the internationally harmonized non-preferential rules of origin. A mechanism that met the requirements of Articles 2(h) and 3(f), and Annex II, paragraph 3(d) of the Agreement, which required provision upon request of an assessment of the origin of an import or an export and outlined the terms under which it would be provided, would be established in China's legal framework by the date of accession. The Working Party took note of these commitments.

101. The representative of China further stated that China would not use the rules of origin as an instrument to pursue trade objectives directly or indirectly. He also confirmed that China would apply rules of origin equally for all purposes. The Working Party took note of these commitments.

102. The representative of China confirmed that from the date of accession, China would ensure that its laws, regulations and other measures relating to rules of origin would be in full conformity with the WTO Agreement on Rules of Origin and that it would implement such laws, regulations and other measures in full conformity with that Agreement. The Working Party took note of this commitment.

4. Fees and Charges for Services Rendered

103. Members of the Working Party noted that as a condition of accession, China should undertake a commitment to ensure conformity of Customs fees and charges with Article VIII of the GATT 1994.

The representative of China confirmed that China would comply with Article VIII of GATT 1994 in this regard. The Working Party took note of this commitment.

5. Application of Internal Taxes to Imports

104. Some members of the Working Party expressed concern that some internal taxes applied to imports, including a value-added tax ("VAT") were not administered in conformity with the requirements of the GATT 1994, particularly Article III. Those members of the Working Party noted that China appeared to permit the application of discriminatory internal taxes and charges to imported goods and services, including taxes and charges applied by sub-national authorities. Those members requested that China reaffirm that all such internal taxes and charges would be in conformity with the requirements of the GATT 1994.

105. In response, the representative of China noted that there were three major types of taxes levied on products and services: (a) VAT levied on goods and services for processing, maintenance and assembling; (b) the Consumption Tax on some selected consumer products; and (c) the Business Tax on providing services, transferring intangible assets and selling real estate. Both the VAT and the Consumption Tax were applicable to entities importing goods. VAT and the Consumption Tax on imported goods were collected by Customs at the point of entry. He noted that VAT was reimbursed once goods were exported. Exported goods were exempted from the Consumption Tax.

106. He further noted that the State Council determined all policies concerning the levying of VAT and the Consumption Tax, adjustment of tax types and tax rates (tax value), as well as the tax exemption of VAT, the Consumption Tax and the Business Tax. The laws and regulations were interpreted and implemented by the Ministry of Finance and the State Administration of Taxation. VAT and the Consumption Tax were levied and administered by the State competent departments of taxation, while the Business Tax was collected and administered by the local competent departments of taxation.

107. The representative of China confirmed that from the date of accession, China would ensure that its laws, regulations and other measures relating to internal taxes and charges levied on imports would be in full conformity with its WTO obligations and that it would implement such laws, regulations and other measures in full conformity with those obligations. The Working Party took note of this commitment.

6. Tariff Exemptions

108. The representative of China stated that the tariff exemption policy of China was developed and implemented in accordance with the Customs Law of the People's Republic of China and the Regulations of the People's Republic of China on Import and Export Duties. The coverage of specific tariff reduction or exemption was provided for by the State Council. All the tariff reductions and exemptions were applied on an MFN basis.

109. The representative of China noted that in accordance with international practices and provisions of China's Customs Law, import duty reductions or exemptions were available for the following goods:

(a) A consignment of goods, on which customs duties were estimated below RMB 10 yuan;

(b) advertising articles and samples, which were of no commercial value;

(c) goods and materials, which were rendered gratis by international organizations or foreign governments;

(d) fuels, stores, beverages and provisions for use en route loaded by any means of transport, which were in transit across the border;

(e) exported goods being replaced;

(f) goods damaged prior to Customs release;

(g) goods covered by international treaties providing for tariff reductions and exemptions which China had entered into or acceded to;

(h) goods temporarily imported;

(i) goods imported under inward processing programmes;

(j) goods imported at zero cost for replacement purposes;

(k) domestic- or foreign-funded projects encouraged by China;

(l) articles for scientific research, education and the disabled.

He noted that goods so imported were required to be put under Customs supervision and control. The Customs duty was required to be recovered if such goods were sold, transferred or used for other purposes during the time period of supervision and control.

110. Some members of the Working Party expressed concerns over the availability and application of tariff reductions and exemptions for a variety of enterprises and other entities, including state trading enterprises, state-owned enterprises, foreign-invested enterprises and not-for-profit entities. Similar concerns also existed for exemptions from application of other duties, taxes and charges. These members noted the negative effect such reductions or exemptions could have on revenues and predictability and certainty in application of tariff and other trade measures.

111. The representative of China confirmed that upon accession, China would adopt and apply tariff reductions and exemptions so as to ensure MFN treatment for imported goods. The Working Party took note of this commitment.

7. Tariff Rate Quotas

112. Several members of the Working Party expressed concern over the lack of transparency, uniformity and predictability of China's administration of its tariff rate quota ("TRQ") regime. Those members requested that China enter a commitment to administer TRQs in a simple, transparent, timely, predictable, uniform, non-discriminatory, and non-trade restrictive manner, and in a way that would not cause trade distortions. Those members asked that China ensure that its TRQ arrangements be no more administratively burdensome than absolutely necessary, and also expressed the hope that China would move as quickly as possible to a market-based TRQ allocation process.

113. Those members of the Working Party also raised concerns regarding the administration of China's TRQ system and the practices of state trading enterprises in relation to importing such products. These concerns included the current lack of transparent regulations for administering TRQs; use of administrative guidance; distortions introduced into the market due to allocations based on government determinations of subnational supply and utilization rather than consumer preferences and end-user demand; failure to establish and publish annual TRQ quantities; trade-restrictive and non-competitive practices of state trading enterprises; and general uncertainty, inconsistency and discrimination in trade of bulk commodities. Those members expressed similar concerns about the operation of China's TRQ system for products subject to designated trading. Those members requested that China reduce tariffs for commodities subject to TRQs, enter into access commitments for these commodities, improve the administration of the TRQ regime, and ensure that trade would not be distorted by unjustified government regulation. Certain members of the Working Party also

requested that a number of specified products be removed from China's TRQ system and that, upon import, these products be subject only to tariffs.

114. The representative of China noted that in 1996, for the first time, China published a list of import products subject to TRQs, together with the tariff rates applicable to imports both in and out of quota. Allocation of TRQ was based on historical performance and administration of the state trading regime, although China had also tried several other ways of administration, including import at applied tariff rates, first-come-first-served at the point of entry. China was trying to simplify the TRQ administration regime and procedures in a bid to facilitate use, enhance efficiency and implement further reform.

115. The representative of China further noted that, in undertaking market-oriented reform in the agricultural sector, China had made progress in freeing agricultural products from state pricing and in guiding farmers to adjust the structure of agricultural production based on the demands of the market. In connection with that reform process, in the bilateral negotiations with Members, China committed that, upon accession, it would eliminate TRQs on a number of products and subject these only to tariffs. The products concerned were barley, soybeans, rapeseed, peanut oil, sunflower seed oil, corn oil, and cottonseed oil. In addition, China would replace quantitative import restrictions on sugar, cotton and three types of fertilizers (DAP, NPK and urea) by TRQs. The Working Party took note of these commitments.

116. The representative of China stated that upon accession, China would ensure that TRQs were administered on a transparent, predictable, uniform, fair and non-discriminatory basis using clearly specified timeframes, administrative procedures and requirements that would provide effective import opportunities; that would reflect consumer preferences and end-user demand; and that would not inhibit the filling of each TRQ. China would apply TRQs fully in accordance with WTO rules and principles and with the provisions set out in China's Schedule of Concessions and Commitments on Goods. The Working Party took note of these commitments.

117. The representative of China confirmed that for the goods listed in Annex 2 of the Draft Protocol that were subject to a TRQ, China would also apply the provisions of its Schedule relating to TRQ administration and related commitments in the Draft Protocol, including the grant of trading rights to non-state trading entities to import the TRQ allocations set aside for importation by such entities. For products in Annex 2 of the Draft Protocol that were subject to designated trading, China confirmed that it would ensure that additional enterprises granted trading rights in accordance with China's commitments to phase out designated trading would not be disadvantaged in the allocation of TRQ. The Working Party took note of these commitments.

118. Some members of the Working Party expressed the view that allocation decisions were based, in large part, on government-determined provincial supply and utilization rather than on commercial market criteria that reflected consumer preferences and end-user demand. Those members expressed concern that China's stated intention to allocate quota to sub-national authorities and to authorize those authorities to then allocate that quota to end-users in separate processes would add an unnecessary, burdensome step in the procedures and reduce the likelihood that quotas would be filled. Further, those members stated that China's stated intention with regards to TRQ procedures would not be consistent with China's commitments to uniform administration of its trade regime. Those members sought confirmation that China would not establish a separate process of allocation to sub-national authorities, as well as confirmation that all allocation and reallocation decisions would be made by a single, central authority in China.

119. The representative of China confirmed that the role of sub-national bodies would be limited to purely administrative operations, such as receiving applications from end-users and forwarding them to the central authority; receiving queries and transmitting these to the central authority; reporting on allocation and reallocation decisions made by the central authority and providing information regarding such allocations and reallocations upon request; checking the information in the applications to verify that it met the published criteria; notifying applicants of any deficiencies in their applications; and providing applicants with an opportunity to cure deficiencies in their applications. After the central authority decided on allocations of quota to end-users, the sub-national bodies would issue TRQ certificates accordingly. The representative of China also confirmed that China would administer a consistent national allocation (and reallocation) policy for TRQs, that it would not establish a separate process of allocation to sub-national authorities and that decisions regarding all allocations and reallocations to end-users would be made by a single, central authority. The Working Party took note of these commitments.

120. The representative of China further confirmed that China would grant to any enterprise possessing the right to trade any product pursuant to Section 5 of the Draft Protocol, the right to import goods in Annex 2A (of the Draft Protocol) that were subject to a TRQ or to an agreed volume of imports by non-state trading enterprises. Such right to import would not extend to the quantity of goods specifically reserved for importation by state trading enterprises. Any enterprise possessing the right to trade pursuant to Section 5 of the Draft Protocol would also have the right to import that portion of a TRQ reallocated to non-state trading enterprises pursuant to the agreed rules on TRQ administration. The representative of China also confirmed that for goods in Annex 2A (of the Draft Protocol) subject to a TRQ, any enterprise granted the right to trade, pursuant to Section 5 of the Draft Protocol, would be permitted to import such goods at the out-of-quota rate. The Working Party took note of these commitments.

8. Quantitative Import Restrictions, including Prohibitions and Quotas

121. In response to requests for information from members of the Working Party, the representative of China noted that China prohibited or restricted the importation of certain commodities, including weapons, ammunition and explosives, narcotic drugs, poisons, obscene materials and those foodstuffs, medicines, animals and plants which were inconsistent with China's technical regulations on food, medicines, animals and plants.

122. Some members of the Working Party noted that there were a large number of non-tariff measures in existence in China, both at the national and sub-national levels, which appeared to have a trade restrictive or trade distorting effect. Those members requested that China undertake a commitment to eliminate and not to introduce, re-introduce or apply non-tariff measures other than those specifically identified and subject to phased elimination in Annex 3 to the Draft Protocol. The representative of China confirmed that China would not introduce, re-introduce or apply non-tariff measures other than listed in Annex 3 of the Draft Protocol unless justified under the WTO Agreement. The Working Party took note of this commitment.

123. Some members of the Working Party also raised concerns that many non-tariff measures were imposed by sub-national authorities in China on a non-transparent, discretionary and discriminatory basis. Those members of the Working Party asked that China undertake a commitment to ensure that non-tariff measures would only be imposed by the central government or by sub-national authorities with clear authorization from the central government. Actions lacking authorization from the national authorities should not be implemented or enforced. The representative of China clarified that only the central government could issue regulations on non-tariff measures and that these measures would be implemented or enforced only by the central government or sub-national authorities with authorization from the central government. He further stated that sub-national authorities had no right to formulate non-tariff measures. The Working Party took note of these commitments.

124. Some members of the Working Party noted that China had provided a list of non-tariff measures in respect of which China was prepared to commence phased elimination, contained in Annex 3 of the Draft Protocol. Those members stated that China should eliminate the measures listed in accordance with the schedule provided in Annex 3, during the periods specified in Annex 3. For measures subject to phased elimination, China should provide for growth in the quota over the relevant period specified in Annex 3. Those members also noted that the protection afforded by the measures listed in Annex 3 should not be increased or expanded in size, scope, or duration, nor any new measures be applied, unless justified under the provisions of the WTO Agreement.

125. Those members of the Working Party noted that all non-tariff measures administered by China, whether or not referred to in Annex 3 of the Draft Protocol, which were applied after China's accession, should be allocated and otherwise administered in strict conformity with the provisions of the WTO Agreement, including Article XIII of the GATT 1994 and the Agreement on Import Licensing Procedures, including notification requirements.

126. The representative of China stated that China had modified Annex 3 on the basis of the comments raised by certain members of the Working Party. He confirmed that only the machinery and electronic products listed in Annex 3 were subject to specific tendering requirements and that these requirements would be administered pursuant to Chapter III of the Regulation entitled "Interim Measures for Import Administration of Machinery and Electronics Products" (approved by the State Council on 22 September 1993 and promulgated in Order No. 1 by the State Economic and Trade Commission and Ministry of Foreign Trade and Economic Cooperation on 7 October 1993). He also confirmed that Annex 3 contained all of the products subject to quotas, licences and such tendering requirements in China and that, during the relevant phase-out period, China would implement the growth rates for quotas as indicated in Annex 3. The Working Party took note of these commitments.

127. Some members of the Working Party requested information on how China would implement the quota and licensing requirements for products listed in Annex 3, in particular the procedures and criteria for grant of quota allocations and licensing during the phase-out period for these restrictions. Members expressed concern about requirements for obtaining a licence or quota allocation which often required approvals from various authorities within an organization as well as approval from both the central and sub-national level. Those members sought a transparent, streamlined system that would issue quota allocations and licences through a simple, consolidated approval process that would ensure full use of the quota and its equitable distribution among importers. Those members also requested information on how China would establish the value of imports for those products whose quota was established in terms of value of imports. The representative of China confirmed that the administration of quotas and import licences would be consistent with the WTO Agreement, including Article XIII of the GATT 1994 and the Agreement on Import Licensing Procedures. The allocation of quotas and issuance of import licences would go through a simple and transparent procedure, so as to ensure the full utilization of quota. He further stated that the establishment of value of imports would be based on the information collected by the Customs authorities and provisions of the WTO Customs Valuation Agreement. For quota quantities specified in terms of value, China would determine the value of any shipment based on the c.i.f. ship value listed on the bill of lading. The Working Party took note of these commitments.

128. The representative of China confirmed that the products currently covered under the HS categories listed in Annex 3 as of the date of accession were the only products that would be subject to these quotas during the agreed phase-out periods. Any non-tariff measures covering additional products would need to be justified under the WTO Agreement. Further, the representative of China stated that for products listed in Annex 3 as being subject to quota and licensing requirements, any entity that will possess the right to trade in the quota year, including enterprises possessing trading rights to import such products or inputs for production purposes under a particular quota category, could apply for a quota allocation and licence to import products listed in Annex 3. The Working Party took note of these commitments.

129. The representative of China further confirmed that for products listed in Annex 3, China's system for quota allocation and licensing would ensure that those entities with quota allocations would also receive any necessary import licence. This system would conform to WTO rules, including the WTO Agreement on Import Licensing Procedures, and would be transparent, timely, responsive to market conditions and would minimize the burden on trade. Applications for a quota allocation would need to be submitted to only one organization, at one level (central or sub-national) for approval. The relevant organization would then issue an import licence based on the quota allocation, in most cases within 3 working days and, in exceptional cases, within a maximum of 10 working days after a request for the licence. A licence would be issued for the full amount of the quota and would be valid for the calendar year issued. Such licence would be extended once, upon request, for up to 3 months, if the request was made before 15 December of the current quota year. Imports occurring under an extended licence would be counted against the relevant quota amount for the year in which the allocation took place. The representative of China confirmed that the relevant organization for issuing quota allocations and licences, amount of quota, including the growth in quota provided for in Annex 3, the eight-digit tariff codes and full descriptions of all products covered by each quota and procedures for application for a quota allocation and licence, including the beginning and end date of the application period and any other relevant procedures or criteria, would be published in the official journal referred to in paragraph 2(C)(2) of the Draft Protocol at least 21 days prior to the beginning of the application period. Such application period would be from 1-31 August. Quotas would be allocated to applicants no later than 60 days after closure of the application period. The Working Party took note of these commitments.

130. The representative of China stated that China would allocate quotas in accordance with the following criteria and procedures which would be published in advance and would be applied in conformity with WTO requirements, including the Agreement on Import Licensing Procedures. In applying these criteria, China would consider the need to allow for equitable participation by producers from WTO Members and take into account the need to maximize the potential for quota fill.

(a) If the relevant quota quantity exceeded total requests for quota allocations, all requests would be approved.

(b) In other cases, the criteria for allocation would be as follows:

(i) Historical performance of applicants where relevant (in cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, amounted to less than 75 per cent of the relevant quota, it would be necessary to take into account other criteria *inter alia* as set forth below);

— Production or processing capacity, in the case of intermediate products and raw materials;

— Experience and ability in producing, importing, marketing, or servicing in international markets, in the case of finished products or products destined for wholesale or retail distribution;

(c) In cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, exceeded 75 per cent of the relevant quota, applicants that had not previously been allocated quota would be allocated 10 per cent of the total quota in the first year and the majority of any quota growth in any subsequent year.

(d) In other cases :

(i) In the first year, 25 per cent of the total quota would be allocated to applicants that had not previously been allocated quota; however, an applicant that had imported under a quota on the relevant products in the year prior to China's accession would not receive a decrease in the absolute amount of its quota allocation.

(ii) In the second year, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership equal to or less than fifty per cent.

(iii) In the third and fourth year, if relevant, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership greater that fifty per cent.

(e) In all cases, a quota-holder receiving an initial allocation that had fully utilized or contracted for its quota allocation would, upon application, receive an allocation in the following year for a quantity no less than the quantity imported in the previous year. A quota-holder that did not import its full allocation would receive a proportional reduction in its quota allocation in the subsequent year unless the quantity was returned for reallocation by1 September.

The Working Party took note of these commitments.

131. The representative of China confirmed that all commercial terms of trade, including product specifications, product mix, pricing, and packaging, would be at the sole discretion of the quota holder, so long as the products are within the relevant quota category. Allocations would be valid for any article or mixture of articles subject to the same quota as specified in Annex 3 of the Draft Protocol. Allocations would be valid for a period of one calendar year from the opening of the quota import period. However, if the holder of a quota allocation had not contracted for import of the total quantity allocated to the holder by 1 September, the holder was to immediately return the unused portion of the allocation to the relevant authority which would reallocate the quota immediately, if unfilled requests were pending, or otherwise within 10 days after receipt of a request for an allocation. The relevant organization would publish notice of the availability of additional allocations after collecting any unused quotas returned by the quota holders. Licences for goods imported under reallocated quota would be extended once, upon request, for up to 3 months, if the request was made before 15 December of the current quota year. Imports occurring under an extended licence would be counted against the relevant quota amount for the year in which the re-allocation took place. The Working Party took note of these commitments.

9. Import Licensing

132. The representative of China confirmed that the list of all entities responsible for the authorization or approval of imports would be updated and republished in the official journal, the MOFTEC Gazette, within one month of any change thereto. The Working Party took note of this commitment.

133. In response to requests for additional information about its system of import licensing, the representative of China said that the import licensing system was administered without discrimination among countries or regions. In 1984, the State Council had promulgated the "Interim Regulations on Licensing System for Import Commodities", and MOFTEC and Customs had issued "Detailed Rules for the Implementation of the Interim Regulations on Licensing System for Import Commodities". The Interim Regulations were uniformly implemented throughout China. In 1999, of the total import value of US$ 165.7 billion, imports subject to licensing represented 8.45 per cent, covering US$ 14

billion. MOFTEC determined which products should be subject to import licensing according to the relevant provisions of the "Foreign Trade Law".

134. The representative of China further stated that in 1993, China had applied import restrictions to 53 product categories. By 1999, the number had been reduced to 35. Products covered were (1) Processed oil; (2) Wool; (3) Polyester fibre; (4) Acrylic fibres; (5) Polyester fillet; (6) Natural rubber; (7) Vehicles tyres; (8) Sodium cyanide; (9) Sugar; (10) Fertilizer; (11) Tobacco and its products; (12) Acetate tow; (13) Cotton; (14) Motor vehicles and their key parts; (15) Motorcycles and their engines and chassises; (16) Colour television sets and TV kinescope; (17) Radios, tape recorders and their main parts; (18) Refrigerators and their compressor; (19) Washing machines; (20) Recording equipment and its key parts; (21) Cameras and their bodies (without lenses); (22) Watches; (23) Air conditioners and their compressor; (24) Audio and video tape duplication equipment; (25) Crane lorries and their chassises; (26) Electronic microscopes; (27) Open-end spinning machines; (28) Electronic colour scanners; (29) Grain; (30) Vegetable oil; (31) Wine; (32) Colour sensitive material; (33) Chemical under supervision and control that were used for chemical weapon; (34) Chemicals used to produce narcotics; and (35) Laser disc production facilities. He also noted that in 1999, there were 13 commodity categories which were imported by the foreign trade companies designated by MOFTEC. These categories were as follows: (1) Processed oil; (2) Fertilizer; (3) Tobacco; (4) Vegetable oil; (5) Grain; (6) Natural rubber; (7) Wool; (8) Acrylic fibers; (9) Sugar; (10) Cotton; (11) Crude oil; (12) Steel; and (13) Plywood.

135. Concerning the granting and administration of import licences, the representative of China said that the examination and approval of the licence took two to three working days. Applications for import licences could be submitted to the Quota and Licence Administrative Bureau of MOFTEC, or Special Commissioner Offices in 16 provinces, or Commissions of Foreign Economic Relations and Trade of various provinces, autonomous regions, and municipalities directly under the central government and those with independent budgetary status. Licensing agencies authorized by MOFTEC could issue import licences on the basis of import documents submitted by the applicants, approved by the competent departments. A licence could not be bought, sold or transferred, and was valid for one calendar year. Import licences could be extended once for up to three months.

136. Some members of the Working Party expressed concern that China's Provisional Procedures for the Administration of Automatic Registration for the Import of Special Commodities (13 August 1994), in particular the criteria for approval of registration, would act as a restraint on imports. The representative of China emphasized that the purpose of the registration system was only to gather statistical information. He confirmed that China would bring its automatic licensing system

into conformity with Article 2 of the Agreement on Import Licensing Procedures upon accession. The Working Party took note of this commitment.

137. Some members of the Working Party noted that enterprises and individuals seeking to import products subject to tariff quota administration requirements had to go through extensive procedures to receive a quota allocation and that the quota certificate would indicate whether the subject good was to be imported through a state trading enterprise or a non-state trading enterprise and would be valid for a certain period of time. Moreover, the entity importing the good would need trading rights. In the light of these multiple requirements, a quota allocation certificate should satisfy any import licensing requirement that might apply.

138. The representative of China confirmed that China would not require a separate import licence approval for goods subject to a TRQ allocation requirement but would provide any necessary import licence in the procedure that granted a quota allocation. The Working Party took note of this commitment.

10. Customs Valuation

139. Some members expressed concern regarding the methods used by China to determine the customs value of goods, in particular regarding the practice of using minimum or reference prices for certain goods, which would be inconsistent with the Agreement on Implementation of Article VII of the GATT 1994 ("Customs Valuation Agreement"). Other WTO-consistent means were available to Members doubting the veracity of declared transaction values.

140. In response, the representative of China stated that China had ceased to use and would not reintroduce minimum or reference prices as a means to determine customs value. The Working Party took note of this commitment.

141. The representative of China considered that there would not be situations where the "customs value" could not be "ascertained" since the Customs Valuation Agreement provided several methods for valuation.

142. The representative of China recalled that the overwhelming majority of China's customs duties were *ad valorem* duties. The customs value of imported goods was assessed according to the c.i.f. price based on the transaction value, as defined in the Customs Valuation Agreement. If the transaction value of imported goods could not be determined, the customs value was determined based on other means provided for in the Customs Valuation Agreement. He also noted that the Customs Law provided for appeal procedures. In the event of a dispute over calculation of duty paid

or payable with the Customs, the dissatisfied importer could apply to Customs for a reconsideration of the case. If the appeal was rejected the importer could sue at the People's Court.

143. The representative of China confirmed that, upon accession, China would apply fully the Customs Valuation Agreement, including the customs valuation methodologies set forth in Articles 1 through 8 of the Agreement. In addition, China would apply the provisions of the Decision on the Treatment of Interest Charges in Customs Value of Imported Goods, and the Decision on the Valuation of Carrier Media Bearing Software for Data Processing Equipment, adopted by the WTO Committee on Customs Valuation (G/VAL/5), as soon as practicable, but in any event no later than two years from the date of accession. In accordance with these latter provisions, only the cost of the carrier medium itself would be accounted for in determining the customs value of carrier media bearing software. The Working Party took note of these commitments.

11. Other Customs Formalities

144. The representative of China said that China joined the International Convention on the Simplification and Harmonisation of Customs System in 1988 and on 15 June 2000 signed the Draft Protocol on the Amendment of the International Convention on the Simplification and Harmonisation of Customs System. The Customs authorities of China had only adopted such customs formalities as declaration, examination, levying of duties and release which were consistent with international practices.

12. Preshipment Inspection

145. The representative of China stated that, currently, there were trade and commerce inspection agencies (including joint-venture agencies) engaged in preshipment inspection. China committed itself to comply with the Agreement on Preshipment Inspection, and would regulate the existing trade and commerce inspection agencies and permit the qualified agencies to be engaged in preshipment inspection in line with the government mandate or the terms and conditions of commercial contracts.

146. Some members of the Working Party requested information on whether China used the services of a private preshipment inspection entity. The representative of China confirmed that China would ensure that, upon accession, any laws and regulations relating to preshipment inspection by any inspection agency, including private entities, would be consistent with relevant WTO agreements, in particular, the Agreement on Preshipment Inspection and the Customs Valuation Agreement. Moreover, any fees charged in connection with such preshipment inspection would be commensurate with the service provided, in conformity with Article VIII:1 of the GATT 1994. The Working Party took note of these commitments.

13. Anti-Dumping, Countervailing Duties

147. Some members of the Working Party raised concerns that the current investigations by the Chinese authority would be judged to be inconsistent with the Agreement on Implementation of Article VI of GATT 1994("Anti-Dumping Agreement") if China were a Member of the WTO today. In certain cases, the basis for calculating dumping margins for a preliminary affirmative determination was not disclosed to interested parties. Furthermore, the determination of injury and causation did not appear to have been made on an objective examination of sufficient evidence. In the views of these members, bringing the Chinese anti-dumping rules into compliance with the WTO Agreement on its face was not sufficient. WTO-consistency had to be secured substantively as well.

148. In response, the representative of China stated that China promulgated regulations and procedures on anti-dumping and countervailing duties in 1997 with reference to the Anti-Dumping Agreement and Agreement on Subsidies and Countervailing Measures. He committed to revising China's current regulations and procedures prior to its accession in order to fully implement China's obligations under the Anti-Dumping and SCM Agreements. The Working Party took note of this commitment.

149. Members of the Working Party and the representative of China agreed that the term "national law" in paragraph (d) of Section 15 of the Draft Protocol, should be interpreted to cover not only laws but also decrees, regulations and administrative rules.

150. Several members of the Working Party noted that China was continuing the process of transition towards a full market economy. Those members noted that under those circumstances, in the case of imports of Chinese origin into a WTO Member, special difficulties could exist in determining cost and price comparability in the context of anti-dumping investigations and countervailing duty investigations. Those members stated that in such cases, the importing WTO Member might find it necessary to take into account the possibility that a strict comparison with domestic costs and prices in China might not always be appropriate.

151. The representative of China expressed concern with regard to past measures taken by certain WTO Members which had treated China as a non-market economy and imposed anti-dumping duties on Chinese companies without identifying or publishing the criteria used, without giving Chinese companies sufficient opportunity to present evidence and defend their interests in a fair manner, and without explaining the rationale underlying their determinations, including with respect to the method of price comparison in the determinations. In response to these concerns, members of the Working Party confirmed that in implementing paragraph (a)(ii) of Section 15 of the Draft Protocol, WTO Members would comply with the following:

(a) When determining price comparability in a particular case in a manner not based on a strict comparison with domestic prices or costs in China, the importing WTO Member should ensure that it had established and published in advance (1) the criteria that it used for determining whether market economy conditions prevailed in the industry or company producing the like product and (2) the methodology that it used in determining price comparability. With regard to importing WTO Members other than those that had an established practice of applying a methodology that included, inter alia, guidelines that the investigating authorities should normally utilize, to the extent possible, and where necessary cooperation was received, the prices or costs in one or more market economy countries that were significant producers of comparable merchandise and that either were at a level of economic development comparable to that of China or were otherwise an appropriate source for the prices or costs to be utilized in light of the nature of the industry under investigation, they should make best efforts to ensure that their methodology for determining price comparability included provisions similar to those described above.

(b) The importing WTO Member should ensure that it had notified its market-economy criteria and its methodology for determining price comparability to the Committee on Anti-Dumping Practices before they were applied.

(c) The process of investigation should be transparent and sufficient opportunities should be given to Chinese producers or exporters to make comments, especially comments on the application of the methodology for determining price comparability in a particular case.

(d) The importing WTO Member should give notice of information which it required and provide Chinese producers and exporters ample opportunity to present evidence in writing in particular case.

(e) The importing WTO Member should provide Chinese producers and exporters a full opportunity for the defence of their interests in a particular case.

(f) The importing WTO Member should provide a sufficiently detailed reasoning of its preliminary and final determinations in a particular case.

152. The representative of China stated that determinations made by China during investigations initiated pursuant to applications made before accession should be free from challenge under the Anti-Dumping Agreement by the Members of the WTO. He further confirmed that, notwithstanding Article 18.3 of the Anti-Dumping Agreement,

(a) China would apply the provisions of the Anti-Dumping Agreement to:

(i) proceedings under Article 9.3, including the calculation of margins of dumping, in connection with anti-dumping measures adopted before accession ("existing measures"); and

(ii) reviews of existing measures initiated under Articles 9.5, 11.2, and 11.3 pursuant to requests made following accession. Any review of an existing measure under Article 11.3 would be initiated no later than five years from the date of its imposition.

(b) China would also provide the type of judicial review described in Article 13 of the Anti-Dumping Agreement with regard to proceedings under Article 9.3 and reviews under Articles 9.5, 11.2, and 11.3.

The Working Party took note of these commitments.

153. The representative of China noted that pursuant to the provisions of "Regulation on Anti-dumping and Anti-subsidy of the People's Republic of China", there were four Chinese government bodies responsible for anti-dumping and countervailing duty investigations. Their identities and responsibilities were as follows:

(a) Ministry of Foreign Trade and Economic Cooperation ("MOFTEC")

Receiving anti-dumping and countervailing petitions; Conducting investigations on foreign subsidies and on dumping and dumping margins and issuing relevant preliminary determination decisions and notices; Negotiating with foreign interested parties on "Price Undertaking" if necessary; Providing proposal on imposition of definitive anti-dumping or countervailing duties or proposals on duty refund, etc. There was an Anti-dumping Division established under the Department of Treaties and Law of MOFTEC, with responsibility to handle anti-dumping and countervailing investigations on alleged imports.

(b) State Economics and Trade Commission ("SETC")

Responsible for the investigation of injury caused to the domestic industry by the dumped or subsidized imports, the extent of such injury and making injury findings.

There was a non-permanent decision and policy-making body in SETC, named the Injury Investigation and Determination Committee ("IIDC"), which was composed of six

commissioners from the relevant departments of SETC. There was a permanent executive office in charge of the investigation of injury to the industry and submitting its findings to the IIDC for approval.

(c) General Customs Administration ("Customs")

Coordinating anti-dumping investigations with MOFTEC; enforcing anti-dumping measures such as collecting cash deposits and dumping duties, enforcing countervailing measures by collecting countervailing duties, and monitoring implementation.

(d) Tariff Commission of State Council ("TCSC")

Making final decisions on whether or not to levy the anti-dumping or countervailing duties based on the suggestions by MOFTEC with regard to imposing anti-dumping or countervailing duties and reimbursing excess amount of duties, respectively.

14. Safeguards

154. The representative of China stated that upon accession, China would implement its Regulation on Safeguard by which the future safeguard measures would be regulated. The drafting work of this regulation was still under way. The contents of this new regulation would be fully consistent with the Agreement on Safeguards. He noted that, at present, China was in the process of drafting safeguard legislation in accordance with Article 29 of the Foreign Trade Law and the Agreement on Safeguards. The Working Party took note of this commitment.

C. EXPORT REGULATIONS

1. Customs Tariffs, Fees and Charges for Services Rendered, Application of Internal Taxes to Exports

155. Some members of the Working Party raised concerns over taxes and charges applied exclusively to exports. In their view, such taxes and charges should be eliminated unless applied in conformity with GATT Article VIII or listed in Annex 6 to the Draft Protocol.

156. The representative of China noted that the majority of products were free of export duty, although 84 items, including tungsten ore, ferrosilicon and some aluminum products, were subject to export duties. He noted that the duty-paying value of exported goods was the F.O.B. price of the goods.

2. Export Licensing and Export Restrictions

157. The representative of China confirmed that the list of all entities responsible for the authorization or approval of exports would be updated and republished in the official journal, the MOFTEC Gazette, within one month of any change thereto. The Working Party took note of this commitment.

158. The representative of China said that China applied its export licence system to certain agricultural products, resource products and chemicals. China's export licencing system was administered in accordance with the "Interim Procedures for the Export Licencing System". In 1992, there were 143 categories of products subject to export licencing which accounted for 48.3 per cent of the total value of the China's exports, but by 1999, the total number of products subject to export licensing had been reduced to 58 categories and 73 items with an export value of US$ 18.5 billion, taking up only 9.5 per cent of total exports. Export licences for these products were issued according to the stipulated commodity scope respectively by the Administrative Bureau of Quota and Licence ("ABQL"), the Special Commissioner Offices ("SCO") located in 16 provinces and the Commissions of Foreign Economic Relations and Trade ("COFTEC") of various provinces, autonomous regions, municipalities directly under the central government and those with independent budgetary status. The main criteria used in determining whether a product was subject to export licensing, as set down in the Foreign Trade Law, were: (1) maintenance of national security or public interests; (2) protection against shortage of supply in the domestic market or exhaustion of natural resources; (3) limited market capacity of importing countries or regions; or (4) obligations stipulated in international treaties. Export licensing was also used for statistical purposes.

159. He further noted that an application for an export licence had to be submitted to the licence issuing institutions authorized by MOFTEC, together with documents approving the export by the competent departments, and other relevant materials (such as the Export Qualification Certificate for the enterprises, export contract and so on). The procedures were the same for all export destinations. A decision on the request for an export licence normally took three working days. Licences were valid for six months and could be extended once. FIEs engaged in exporting products not produced by them were required to obtain export licences if the products to be exported were subject to the licensing requirement. If the products were not subject to licensing, customs clearance would be given after examination by Customs on the basis of export contracts and other relevant documents.

160. Certain members of the Working Party noted the conditions in the GATT 1994 in regard to non-automatic licensing and export restrictions. They pointed out that export prohibitions, restrictions and non-automatic licensing could only temporarily be applied under Article XI of the GATT 1994 to

prevent or relieve critical shortages of foodstuffs or other products essential to an exporting WTO Member. Article XX of the GATT 1994 also allowed for restrictive export measures, but only if such measures were made effective in conjunction with restrictions on domestic production or consumption. These members noted that some of the criteria of the Foreign Trade Law referred to above did not at present meet the specific conditions laid down in Articles XI and XX of the GATT 1994.

161. Members of the Working Party welcomed the steady reduction in the number products subject to export licensing in China. Certain members reiterated their request for the submission of a complete list of restrictions presently applied. These members expressed concern that the remaining number was still high, covering about ten per cent of export trade, and requested that they be either reduced further or eliminated by the date of accession in order to achieve full compatibility with GATT requirements. Some members expressed particular concern about export restrictions on raw materials or intermediate products that could be subject to further processing, such as tungsten ore concentrates, rare earths and other metals.

162. The representative of China confirmed that China would abide by WTO rules in respect of non-automatic export licensing and export restrictions. The Foreign Trade Law would also be brought into conformity with GATT requirements. Moreover, export restrictions and licensing would only be applied, after the date of accession, in those cases where this was justified by GATT provisions. The Working Party took note of these commitments.

163. The representative of China stated that China prohibited export of narcotic drugs, poisons, materials containing State secrets, precious and rare animals and plants.

164. Some members of the Working Party expressed concern about China's restrictions on exports of silk. Certain other members expressed concern about export restrictions on other goods, in particular raw materials or intermediate products that could be subject to further processing, such as tungsten ore concentrates, rare earths and other metals. Members of the Working Party urged China to ensure that any such restrictions that were imposed or maintained complied with the terms of the WTO Agreement and the Draft Protocol.

165. The representative of China confirmed that upon accession, remaining non-automatic restrictions on exports would be notified to the WTO annually and would be eliminated unless they could be justified under the WTO Agreement or the Draft Protocol. The Working Party took note of this commitment.

3. Export Subsidies

166. Some members of the Working Party noted that China had provided a list of prohibited subsidies falling within the scope of Article 3 of the SCM Agreement and a timetable for their elimination, in Annex 5B of the Draft Protocol. Those members considered this list to be incomplete.

167. The representative of China confirmed, as provided in Section 11.3 of the Draft Protocol, that it would eliminate all export subsidies, within the meaning of Article 3.1(a) of the SCM Agreement, by the time of accession. To this end, China would, by accession, cease to maintain all pre-existing export subsidy programmes and, upon accession, make no further payments or disbursements, nor forego revenue or confer any other benefit, under such programmes. This commitment covered subsidies granted at all levels of government which were contingent, in law or in fact, upon an obligation to export. The Working Party took note of this commitment.

168. On the same basis, the representative of China confirmed that China would eliminate, upon accession, all subsidies contingent upon the use of domestic over imported goods, within the meaning of Article 3.1(b) of the SCM Agreement. The Working Party took note of this commitment.

D. INTERNAL POLICIES AFFECTING FOREIGN TRADE IN GOODS

1. Taxes and Charges Levied on Imports and Exports

169. Some members of the Working Party expressed concern about the application of the VAT and additional charges levied by sub-national governments on imports. Non-discriminatory application of the VAT and other internal taxes was deemed essential.

170. The representative of China confirmed that upon accession, China would ensure that its laws and regulations relating to all fees, charges or taxes levied on imports and exports would be in full conformity with its WTO obligations, including Articles I, III:2 and 4, and XI:1 of the GATT 1994, and that it would also implement such laws and regulations in full conformity with these obligations. The Working Party took note of this commitment.

2. Industrial Policy, including Subsidies

171. Some members of the Working Party expressed concern that the special features of China's economy, in its present state of reform, still created the potential for a certain level of trade-distorting subsidization; this could have an impact not only on access to China's domestic market, but also on the performance of Chinese exports in the markets of other WTO Members, and should be subject to effective SCM Agreement disciplines. In view of this, some members felt that it would be inappropriate for China to benefit from certain provisions of Articles 27. The representative of China,

in turn, considered that certain provisions of this Article should be available to China, and informed the Working Party of the efforts being undertaken, as part of its ongoing reform process, to reduce the availability of certain types of subsidies. China was committed to implementing the SCM Agreement in a manner that was fair and equitable to China and to other WTO Members. In line with this approach, the representative of China stated his intention to reserve the right to benefit from the provisions of Articles 27.10, 27.11, 27.12 and 27.15 of the SCM Agreement, while confirming that China would not seek to invoke Articles 27.8, 27.9 and 27.13 of the SCM Agreement. The Working Party took note of these commitments.

172. Some members of the Working Party, in view of the special characteristics of China's economy, sought to clarify that when state-owned enterprises (including banks) provided financial contributions, they were doing so as government actors within the scope of Article 1.1(a) of the SCM Agreement. The representative of China noted, however, that such financial contributions would not necessarily give rise to a benefit within the meaning of Article 1.1(b) of the SCM Agreement. He pointed out that China's objective was that state-owned enterprises, including banks, should be run on a commercial basis and be responsible for their own profits and losses. The Working Party took note of this commitment.

173. Some members of the Working Party, while understanding the difficulties involved in gathering information, raised concerns over the comprehensiveness of the subsidy notification which China had provided in Annex 5A to the Draft Protocol, as last modified on 31 May 2000. Some members of the Working Party explained that, as an illustration of the above, certain types of subsidies did not appear in Annex 5A. Those members of the Working Party first identified state support through the banking system, notably government-owned banks, in the form of policy loans, the automatic roll-over of unpaid principal and interest, forgiven and non-performing loans, and the selective use of below-market interest rates. Some members also referred to unreported tax subsidies, investment subsidies and subsidies provided by sub-national governments, some of which favoured exporting firms. Other members mentioned subsidies granted to the telecommunications, footwear, coal and shipbuilding sectors. The representative of China explained that, in common with many other Members, China had experienced difficulty in obtaining accurate data about all types of subsidies. He also indicated that China was attempting to reduce the availability of certain types of subsidies, in particular by reforming its tax system and making government-owned banks operate on a commercial basis. The representative of China stated that China would progressively work towards a full notification of subsidies, as contemplated by Article 25 of the SCM Agreement. The Working Party took note of this commitment.

174. Some members of the Working Party also raised concerns regarding the subsidies that China provided in connection with SEZs and other special economic areas. Some of these appeared to be contingent upon export performance or on the use of domestic goods. The representative of China noted that the main purpose of such subsidies was to promote regional development and foreign investment. He confirmed that China would, upon accession, eliminate any such subsidies which were inconsistent with the SCM Agreement. The Working Party took note of this commitment.

175. Some members of the Working Party requested information from China on the Steel Import Substitution Programme, which appeared to provide export subsidies to the big four steel groups in China. In response, the representative of China clarified that China did not collect VAT on imported and domestically produced steel used as raw material for the processing trade. Such a policy, in his view, was consistent with WTO rules and the practices of many WTO Members, and thus should not be considered as subsidies.

176. Some members of the Working Party requested information from China on the "China High-Tech Product Export Catalogue", which set forth central government export policies for the telecommunications, computer software, aviation and aerospace, lasers, pharmaceuticals, medical equipment, new materials and energy industries. In response, the representative of China clarified that products listed in the Catalogue would enjoy full VAT rebate treatment, while other exported products would only be given partial VAT rebate treatment. Such a policy, in his view, was consistent with Article XVI of the GATT 1994 and relevant Annexes of the SCM Agreement. He further confirmed that the VAT rebates were applied only to exported products and not to domestically consumed products.

3. Technical Barriers to Trade

177. The representative of China stated that China had set up a TBT notification authority and two enquiry points which had been notified to the TBT Committee. Upon accession, notices of adopted and proposed technical regulations, standards and conformity assessment procedures would be published. The names of the publications where this information could be found would be included in China's Statement of Implementation and Administration under Article 15.2 of the TBT Agreement, which would be submitted upon accession. The Working Party took note of this commitment.

178. The representative of China stated that, further to China's implementation of WTO provisions, internal mechanisms would exist, upon accession, to inform and consult with, on an ongoing basis, government agencies and ministries (at national and sub-national levels), and private sector interests on the rights and obligations under the GATT 1994 and the TBT Agreement. Concerning questions from some members of the Working Party on the opportunity for public consultation and comment on

proposed standards and technical regulations, the representative of China confirmed that, upon accession, China's procedures would clearly indicate that such opportunity existed and that comments would be given due consideration regardless of origin. The representative of China also confirmed that, upon accession, China would have in place minimum timeframes for allowing public comment on proposed technical regulations, standards and conformity assessment procedures as set out in the TBT Agreement and relevant decisions and recommendations adopted by the TBT Committee. The Working Party took note of these commitments.

179. Several members of the Working Party requested information on the extent to which international standards were used as the basis for existing Chinese standards, details on China's plans for using international standards as the basis for new standards, and details on China's plans for reviewing existing standards so as to harmonize them with relevant international standards.

180. In response, the representative of China stated that, as a full member of, for example, ISO, IEC and ITU, China actively participated in the development of relevant international standards. With China's efforts in restructuring government agencies, China would, not later than four months after accession, notify acceptance of the Code of Good Practice. The representative of China stated that for government standardizing bodies, a clear policy existed to periodically review existing standards, *inter alia*, to harmonize them with relevant international standards where appropriate**.** Furthermore, China would speed up its process of revising the current voluntary national**,** local and sectoral standards so as to harmonize them with international standards. The Working Party took note of these commitments.

181. Some members of the Working Party expressed concern that China's use of the terms "technical regulations" and "standards" was not always consistent with the definitions found in the TBT Agreement, e.g., China sometimes used the word "standards" to refer to mandatory requirements that fell within the definition of "technical regulations". These members noted that China had developed a number of different types of measures, referred to as "standards", at levels other than the central government, in particular, regional, sectoral, and enterprise levels.

182. In response, the representative of China stated that China, in its notifications under the TBT Agreement, including its notifications under Article 15.2 and in publications referenced therein, and in modifications of existing measures, would use the terms "technical regulations" and "standards" according to their meanings under the TBT Agreement. The Working Party took note of these commitments.

183. Some members of the Working Party also expressed concern that China did not use relevant and available international standards as the basis for some of its existing technical regulations.

Several members asked for information on the extent to which international standards were used as the basis for existing technical regulations, details on China's plans for using international standards as the basis for new technical regulations, and details on China's plans for reviewing existing technical regulations so as to harmonize standards referenced in them with international standards or their relevant parts.

184. In response, the representative of China stated that since 1980, China had taken the active adoption of international standards as the basis for technical regulations as a basic policy of accelerating industrial modernization and promoting economic growth. The representative of China confirmed that this policy also required technical regulations to be reviewed every five years, *inter alia*, to ensure that international standards were used in accordance with Article 2.4 of the Agreement. He also confirmed that China would provide this policy as part of its notification under Article 15.2 of the Agreement**.** He noted that as a result of China's efforts in the past 20 years, the use of international standards as the basis for technical regulations had increased from 12 per cent to 40 per cent. China had begun formulating a standardization development programme in a bid to meet the challenges of the 21st century and the requirements provided for in the TBT Agreement, and had undertaken to further increase the use of international standards as the basis for technical regulations by 10 per cent in five years. The representative of China also confirmed that China would make publicly available procedures to implement Article 2.7 of the Agreement. The Working Party took note of these commitments.

185. Bearing in mind the relevant provisions of the TBT Agreement, some members of the Working Party asked China to identify local government bodies, directly below the central government level, and non-governmental organizations, that were authorized to adopt technical regulations or conformity assessment procedures. The representative of China replied that China would provide a list of relevant local governmental and non-governmental bodies, upon accession, as part of its notification under Article 15.2 of the TBT Agreement. The Working Party took note of this commitment.

186. With respect to conformity assessment procedures, several members of the Working Party asked for information about the extent to which international guides and recommendations were used as the basis for existing conformity assessment procedures, details on China's plans for using such guides and recommendations as the basis for new conformity assessment procedures, and details on China's plans for reviewing existing conformity assessment procedures so as to harmonize them with relevant international guides and recommendations.

187. In response, the representative of China stated that China played a full part in the preparation by appropriate international standardizing bodies of guides and recommendations for conformity assessment procedures, e.g., as a full member of ISO CASCO. He stated that it was difficult to quantify the extent to which such guides and recommendations were used as the basis for existing conformity assessment procedures. He confirmed that China would use relevant guides or recommendations issued by international standardizing bodies as the basis for new conformity assessment procedures in accordance with Article 5.4 of the TBT Agreement. The representative of China also stated that existing conformity assessment procedures were reviewed concurrently with and under the same policy as related technical regulations, *inter alia*, to ensure the use of relevant international guides or recommendations in accordance with Article 5.4 of the TBT Agreement. He also confirmed that, upon accession, China would ensure that the same conformity assessment procedures were applied to both imported and domestic products. The Working Party took note of these commitments.

188. Some members of the Working Party expressed concerns about the complexity and inconsistency of China's conformity assessment regime with the TBT Agreement requirements. In particular, those members noted that conformity assessment on imported and domestic products was not performed by the same governmental entities and that this situation could result in less favourable treatment for imports. In response, the representative of China stated that the Chinese government had already decided to merge CIQ-SA and CSBTS into the State General Administration of the People's Republic of China for Quality Supervision and Inspection and Quarantine ("AQSIQ"), under its policy of development of market economy and further reform and opening up in China. The representative of China confirmed that the AQSIQ was responsible for all policies and procedures related to conformity assessment in China. He further stated that other government ministries and agencies developed conformity assessment policies and procedures but that these had to be authorized by AQSIQ before they could be enacted.

189. Some members of the Working Party expressed concern about the consistency of the Law of the People's Republic of China on Import-Export Commodity Inspection ("the Law"), and the Regulations for the Implementation of that Law ("the Implementing Regulations"), with the TBT Agreement. In particular, provisions for technical regulations and conformity assessment procedures did not adequately address fundamental obligations such as transparency, non-discrimination, national treatment, and the avoidance of unnecessary barriers to trade.

190. Some members of the Working Party expressed concern about a conformity assessment procedure known as Statutory Inspection, which was described, *inter alia*, in Articles 4, 5, and 6 of the Law and Articles 4, 5, and 9 of the Implementing Regulations. They stated that it was inconsistent

with the principle of national treatment and constituted an unnecessary obstacle to international trade. Members of the Working Party agreed that WT/ACC/CHN/31 and WT/ACC/CHN/32, lists of products subject to Statutory Inspection, did not prejudge the legal status, nature or effects of notified technical regulations and standards under the WTO Agreement. The representative of China stated that China would bring the Law and Implementing Regulations, as well as other relevant legislation and regulations, into conformity with the TBT Agreement by the date of accession. The Working Party took note of this commitment.

191. Some members of the Working Party expressed concern about a conformity assessment procedure, and the application thereof, known as the Safety Licence System for Import Commodities ("the System"), which was described in Article 22 of the Law and Article 38 of the Implementing Regulations. They stated that it was inconsistent with the principle of national treatment and constituted an unnecessary obstacle to international trade (e.g., due to the frequent plant inspections required). In response, the representative of China confirmed that, for technical regulations and conformity assessment procedures related to goods currently subject to the Safety Licence System for Import Commodities, relevant legislation and regulations would be brought into full conformity with the TBT Agreement by the date of accession. The Working Party took note of this commitment

192. Responding to the concerns of members of the Working Party, the representative of China confirmed that to eliminate unnecessary barriers to trade, China would not maintain multiple or duplicative conformity assessment procedures, nor would it impose requirements exclusively on imported products. The Working Party took note of this commitment.

193. Some members of the Working Party expressed concern with respect to the confidentiality of information in connection with conformity assessment procedures undertaken by China. In response, the representative of China confirmed that China would fully implement the obligations of Article 5.2.4 of the TBT Agreement in this regard. The Working Party took note of this commitment.

194. Some members of the Working Party expressed concern about China's practice of not accepting the results of conformity assessment by bodies in other WTO Members. In this regard, those members noted the obligation of unilateral acceptance of the results of conformity assessment as described in Article 6.1 of the TBT Agreement. The representative of China responded that products certified by bodies recognized by China would require no additional conformity assessment procedures in China, except for random sampling of said products. Furthermore, where random sampling was undertaken and China's test results differed from the test results of competent bodies in other WTO Members, the representative of China confirmed that China would act in accordance with international guidelines and recommendations, where these existed, or would provide a process of

review with the objective of resolving such differences. Some members of the Working Party requested China to make public and update on an ongoing basis information on conformity assessment bodies that were recognized by China. The representative of China confirmed that China would provide this information. The Working Party took note of these commitments.

195. Concerning foreign and joint-venture conformity assessment bodies, certain members of the Working Party noted that China should not maintain requirements which had the effect of acting as barriers to their operation, unless otherwise specified in China's Schedule of Specific Commitments. The representative of China replied that China would not maintain such requirements. Some members also observed that all foreign or joint venture conformity assessment bodies that met China's requirements should be eligible for accreditation and accorded national treatment. The representative of China confirmed that the accreditation requirements would be transparent and provide national treatment to foreign conformity assessment bodies. The Working Party took note of these commitments.

196. Some members of the Working Party raised specific concerns regarding such matters as (a) registration of initial imports of chemical products, (b) procedures to obtain and apply "CCIB" safety mark and the "Great Wall" mark, (c) automobiles and parts, and (d) the safety and quality licence system for boilers and pressure vessels. In response, the representative of China stated that China would implement the following measures prior to accession, unless otherwise indicated:

(a) Registration of Initial Imports of Chemical Products

- Enact and implement, within one year after its accession, a new law and relevant regulations regarding assessment and control of chemicals for the protection of the environment, in which complete national treatment and full consistency with international practices would be ensured.

- Ensure that chemicals listed in the "inventory chemicals" annexed to the above new law and its regulations would be exempted from a registration obligation and that a unified assessment procedure would be established for domestic and imported products under the new law and its regulations.

(b) CCIB Safety Mark and the "Great Wall" Mark

- Unify the existing certification marks, i.e., the "CCIB" mark and the "Great Wall" mark into a new certification mark. For like imported and domestic goods, all bodies and agencies would issue the same mark and charge the same fee.

– Accept testing reports for products subject to the International Electrotechnical Commission's System for Conformity Testing to Standards for Safety of Electrical Equipment ("IECEE CB Scheme") to which China was a party, and simplify the procedures for obtaining the new, unified certification mark

– Shorten the time period needed for importers to obtain both marks regarding the same products, to no more than three months.

(c) Automobiles and Parts

– Unify its laws, regulations and standards applied to domestic and imported automobiles and parts.

– Formulate, publish and implement laws and regulations, standards and implementing regulations to establish a transparent system under which all the laws and regulations would be applied so as to accord imported products treatment no less favourable than that accorded to like products of national origin.

(d) Safety and Quality Licence System for Boilers and Pressure Vessels

– Accord imported products treatment no less favourable than that accorded to products of national origin, including fees imposed for conformity assessment and the effective period of factory certification.

– Adopt international standards as the basis for technical regulations and exempt imported products from inspection where like domestic products were not subject to such inspection.

The Working Party took note of these commitments.

197. The representative of China confirmed that, except as otherwise specified in the Draft Protocol, China would apply all obligations under the TBT Agreement from the date of accession. The Working Party took note of this commitment.

4. Sanitary and Phytosanitary Measures

198. Some Members of the Working Party expressed concerns in relation to the use by China of sanitary and phytosanitary ("SPS") procedures as non-tariff barriers and raised specific instances where they considered that China's measures were not consistent with the WTO Agreement on the Application of Sanitary and Phytosanitary Measures ("SPS Agreement"). Members sought assurances

that China would only use SPS measures to the extent necessary to protect human, animal or plant life or health, and that such measures would be based fully on scientific principles.

199. The representative of China stated that pursuant to the provisions of the SPS Agreement, China applied SPS measures only to the extent necessary to protect the life and health of human beings, animals and plants. He also noted that most of China's SPS measures were based on international standards, guidelines and recommendations. China would not apply SPS measures in a manner which would act as a disguised restriction on trade. In accordance with the SPS Agreement, China would ensure that SPS measures would not be maintained without sufficient scientific evidence. The Working Party took note of these commitments.

200. Members of the Working Party expressed the view that China should comply with the SPS Agreement from the date of China's accession and should ensure conformity with the SPS Agreement of all its laws, regulations, decrees, requirements and procedures relating to SPS measures. In response, the representative of China confirmed that China would fully comply with the SPS Agreement and would ensure the conformity with the SPS Agreement of all of its laws, regulations, decrees, requirements and procedures relating to SPS measures from the date of accession. The Working Party took note of these commitments.

201. Members of the Working Party noted that China's notification of laws, regulations and other SPS measures, referred to in the Draft Protocol, was provided in document WT/ACC/CHN/33. Members of the Working Party agreed that this notification did not prejudge the legal status under the WTO Agreement of the nature or effects of the notified laws, regulations and other SPS measures.

202. The representative of China said that China had set up an SPS notification authority and an SPS enquiry point which would be notified to the SPS Committee. SPS measures, including those relating to inspection, had been published in publications such as the MOFTEC Gazette. Information could also be gathered from the SPS notification authority or from China's SPS enquiry point.

5. Trade-Related Investment Measures

203. The representative of China confirmed that upon accession, as set forth in the Draft Protocol, China would comply fully with the TRIMs Agreement, without recourse to Article 5 thereof, and would eliminate foreign-exchange balancing and trade balancing requirements, local content requirements and export performance requirements. Chinese authorities would not enforce the terms of contracts containing such requirements. The allocation, permission or rights for importation and investment would not be conditional upon performance requirements set by national or sub-national authorities, or subject to secondary conditions covering, for example, the conduct of research, the

provision of offsets or other forms of industrial compensation including specified types or volumes of business opportunities, the use of local inputs or the transfer of technology. Permission to invest, import licences, quotas and tariff rate quotas would be granted without regard to the existence of competing Chinese domestic suppliers. Consistent with its obligations under the WTO Agreement and the Draft Protocol, China would respect enterprises' freedom of contract. The Working Party took note of this commitment.

204. In the context of discussions on the government's Industrial Policy for the Automotive Sector, the representative of China confirmed that this policy would be amended to ensure compatibility with WTO rules and principles. The Working Party took note of this commitment.

205. The representative of China added that amendments would be made to ensure that all measures applicable to motor vehicle producers restricting the categories, types or models of vehicle permitted for production, would gradually be lifted. Such measures would be completely removed two years after accession, thus ensuring that motor vehicle producers would be free to choose the categories, types and models they produced. However, it was understood that category authorizations by the government could continue to distinguish between trucks and buses, light commercial vehicles, and passenger cars (including multi-purpose vehicles and sport utility vehicles). The Working Party took note of this commitment.

206. The representative of China confirmed that China also agreed to raise the limit within which investments in motor vehicle manufacturing could be approved at provincial government level only, from the current level of US$30 million, to US$60 million one year after accession, US$90 million two years after accession, and US$150 million four years after accession. The Working Party took note of this commitment.

207. With respect to the manufacture of motor vehicle engines, the representative of China also confirmed that China agreed to remove the 50 per cent foreign equity limit for joint-ventures upon accession. The Working Party took note of this commitment.

6. State Trading Entities

208. Some members of the Working Party expressed concern that the activities of China's state trading enterprises were not sufficiently transparent and were not in accordance with WTO obligations. The representative of China indicated, however, that China's state trading enterprises had full management autonomy and responsibility for their own profits and losses and that China had undertaken broad and significant commitments to improve the transparency of state trading enterprises' operation and the measures relating to such operation.

209. The same members of the Working Party also stated that China should ensure that the import purchasing practices and procedures of state trading enterprises were fully transparent, and in compliance with the requirements of the WTO Agreement. They considered that China should also refrain from taking any measure to influence or direct state trading enterprises as to the quantity, value, or country of origin of goods purchased or sold, except in accordance with the requirements of the WTO Agreement. Those members also stated that as part of China's notification under the GATT 1994 and the Understanding on the Interpretation of Article XVII of the GATT 1994, China should also notify information on state trading, including, in the case of state trading of exported goods, domestic procurement prices, contract terms for delivery and financing terms and conditions.

210. In response, the representative of China stated that its state trading enterprises had full management autonomy and responsibility for their own profits and losses. However, some members of the Working Party again stated that China should undertake a commitment to ensure that all state trading enterprises complied with the requirements of the WTO Agreement. The representative of China noted that a list of products subject to state trading had been provided in Annex 2A of the Draft Protocol. He also confirmed that information on state trading enterprises, as required by the Draft Protocol, would be supplied, consistent with the requirements of paragraph 332 of this Draft Report.

211. Members of the Working Party took note of the specific arrangements that would apply for fertilizers and crude and processed oil. A key feature of those arrangements related to the annual allocation of import quantities. The differences in the regimes that would apply to those products were noted, in particular in regard to the obligation on state enterprises trading in fertilizers to carry over to the next year any unused import quantities.

212. Some members of the Working Party requested assurances that, for oil products, quantities reserved for non-state traders would be allocated in such a manner that they would be fully utilized. In this respect, the representative of China confirmed that imports allocated to non-state traders of crude and processed oil, as specified in Annex 2A of the Draft Protocol, would be carried over to the next year if they were not fully utilized. In addition, the representative of China agreed that China would publish, on a quarterly basis, the requests for imports that had been made by non-state traders, as well as the licences granted, and would supply information relevant to such traders upon request. The Working Party took note of these commitments.

213. Some members of the Working Party noted that prior to accession, some enterprises in China were permitted to import goods for their production purposes, including those goods included in Annex 2A. The representative of China confirmed that, notwithstanding Section 5, paragraph 1, of the Draft Protocol, non-state trading enterprises, including private enterprises, would still be permitted

to import such goods for production purposes and that national treatment would be provided to such imports. The Working Party took note of these commitments.

214. Some members of the Working Party expressed concerns about supplies of raw materials in the textiles sector, and particularly in regard to supplies of silk, in the light of China's position as the major world supplier of silk, currently subject to state trading rights concerning exports.

215. In this regard, the representative of China confirmed that China would progressively abolish the system of state trading in respect of silk by measures increasing and extending trading rights, with the result that China would remove completely the silk products set out in numbers 10 and 11 of Annex 2A2 to the Draft Protocol (list of products subject to state trading on exports) and grant the right to trade in such products to all individuals and enterprises no later than 1 January 2005. Pending the implementation of this right, China undertook not to introduce any changes of a more restrictive nature to the existing structures in place for the supply of silk. The representative of China further confirmed that access to supplies of raw materials in the textiles sector would remain at conditions no less favorable than for domestic users, and gave his assurance that access to supplies of raw materials as enjoyed under existing arrangements would not be adversely affected following China's accession. The Working Party took note of these commitments.

216. Members of the Working Party noted that domestic prices for most agricultural commodities in China were higher than world prices, and this differential allowed China's state trading enterprises to import at low prices and then mark up the price when selling the product to wholesalers and end-users. Some members expressed concern that this practice could become more widespread when access opportunities were created under TRQs. Those members were particularly concerned that mark-ups could be used to reduce the competitiveness of imported products and limit the range of qualities and grades available to end-users in China. The representative of China stated that currently state trading enterprises did not mark up imported products; instead, they only charged a nominal transaction fee. Consequently, China claimed that its practice was consistent with WTO obligations, did not result in any trade-distorting effect, and that under China's law limits existed on the fees that could be charged by state trading enterprises.

217. The representative of China stated that China would ensure that no price increase in respect to imports, in particular by state trading enterprises, would result in protection beyond that allowed in its Schedule of Concessions and Commitments on Goods or that was not otherwise justified under WTO rules. The Working Party took note of this commitment.

7. Special Economic Areas

218. Members of the Working Party noted that there was insufficient information available concerning special economic areas within China's customs territory, including border trade regions and minority autonomous areas, Special Economic Zones ("SEZs"), open coastal cities, economic and technical development zones and other areas where special regimes for tariffs, taxes and regulations had been established (collectively referred to as "special economic areas"), in particular their names, geographic boundaries, and relevant laws, regulations and other measures relating thereto.

219. In response, the representative of China stated that since 1979 China had established a number of special economic areas where more open policies were applied. They included five SEZs, 14 open coastal cities, six open cities along the Yangtze River, 21 provincial capital cities and 13 inland boundary cities. Those special economic areas enjoyed greater flexibility in utilizing foreign capital, introducing foreign technology and conducting economic cooperation overseas. At present, foreign investors were entitled to certain preferential treatment.

220. The representative of China further stated that FIEs located in SEZs or the Economic and Technical Development Zones of open coastal cities were entitled to a corporate income tax rate of 15 per cent (the normal income tax was 33 per cent). Profits remitted abroad by foreign investors were exempted from income tax. The preferential income tax rate of 15 per cent was applicable to technology-intensive or knowledge-intensive items or projects with foreign investment of over US$30 million, as well as enterprises that operated in the fields of energy, transport and port construction.

221. The representative of China noted that throughout the customs territory of China, a socialist market economy system was applied. In 1999, the foreign trade volume of SEZs accounted for nearly one fifth of the nation's total. The national laws and regulations on taxation were applicable to SEZs in a uniform manner.

222. In response to further requests for information, the representative of China indicated that there was no plan to establish any new SEZs. The special preferential tariff policies applied to SEZs had been eliminated. With the development of China's economic reform and opening up, China would implement its tariff policy uniformly throughout its customs territory. Members of the Working Party expressed concern that imported products introduced from these special economic areas into other parts of China's customs territory should be subject to the same treatment in the application of all taxes, import restrictions and customs duties and other charges as that normally applied to imports into the other parts of China's customs territory. The representative of China stated that China would

undertake to ensure such non-discriminatory treatment. The Working Party took note of this commitment.

223. Some members of the Working Party also raised concerns as to whether the assistance provided to minority autonomous regions and other areas of economic poverty was consistent with WTO requirements. In response, the representative of China confirmed that China had a clear commitment to uniform administration of the trade regime within each such area and that, upon accession, China would ensure that such assistance would be implemented consistent with WTO obligations. The Working Party took note of this commitment.

224. Some members of the Working Party requested that China take steps to ensure that all products imported into the other parts of the customs territory of China from special economic areas would be subject to the same normal customs duties and charges as any other product imported into the customs territory of China. In particular, those members requested that China undertake a commitment to apply all taxes, charges and measures affecting imports, including import restrictions and customs and tariff charges, that were normally applied to imports into the other parts of China's customs territory to all imported products, including physically incorporated components, entering China's customs territory from the special economic areas.

225. The representative of China confirmed that China would strengthen the uniform enforcement of taxes, tariffs and non-tariff measures on trade between its special economic areas and the other parts of China's customs territory. China further confirmed that statistics on trade between China's special economic areas and the other parts of its customs territory would be maintained and improved, and would be notified to the WTO on a regular basis. The Working Party took note of these commitments.

226. Some members of the Working Party requested that China notify the WTO Secretariat of all the relevant laws, regulations and other measures relating to its special economic areas. They asked that the notification list and identify all those special economic areas. Those members also requested that China notify the WTO Secretariat promptly, but in any case within 60 days, of any additions or modifications to its special economic areas, including notification of the laws, regulations and other measures relating thereto.

227. The representative of China confirmed that China would provide information in its notifications describing how the special trade, tariff, and tax regulations applied were limited to the designated special economic areas, including information concerning their enforcement. The Working Party took note of this commitment.

228. In response to concerns raised by some members of the Working Party, the representative of China confirmed that any preferential arrangements provided to foreign invested enterprises located within the special economic areas would be provided on a non-discriminatory basis. The Working Party took note of this commitment.

8. Transit

229. The representative of China stated that the current regulation of transit in China, the Regulations of the Customs of the People's Republic of China on the Supervision and Administration of Transit Goods, was consistent with Article V of the GATT 1994.

9. Agricultural Policies

230. The representative of China stated that since China was a country with a vast agricultural base, as well as a vast population, agricultural security and food security in particular, was an issue of supreme importance. China based its policies on domestic agricultural supply, especially on balanced supply and demand of grains. Meanwhile, China actively sought international resources as a necessary supplement.

231. While noting this statement, some members of the Working Party expressed concerns about China's linkage of import policies for agriculture, including TRQ allocations, to domestic production policy and the sub-national supply and utilization situation. Those members requested that China undertake an appropriate commitment to eliminate these practices. In response China confirmed that it would base import policies for agriculture on commercial considerations only. The Working Party took note of this commitment.

232. Some members of the Working Party expressed further concerns in relation to administrative guidance provided at the national and sub-national level which could have the effect of influencing the quantity and composition of agricultural imports. Those members considered reform of these practices toward full WTO consistency as an essential element of China's accession. To ensure effective market access opportunities were created for imported products, some members requested assurances from China that agricultural and trade policies would not discriminate in a WTO inconsistent manner against imported products. Consistent with China's commitment to uniform administration, the representative of China confirmed that, by the date of accession, China would not maintain, resort or revert to guidance plans or administrative guidance at the national or sub-national level that regulate the quantity, quality or treatment of imports, or constitute import substitution practices or other non-tariff measures, including those maintained through state trading enterprises at the national or sub-national level. The Working Party took note of this commitment.

233. Some members of the Working Party expressed concern that large stocks in China of grain and cotton had been procured at relatively high prices by state-trading enterprises or other state-affiliated, state-run, or state-controlled entities and noted that exports of these or other government-purchased products at prices lower than the comparable price charged for the like product to buyers in the domestic market could be challenged as an export subsidy or as inconsistent with other WTO obligations. These members requested that China ensure that all entities, including state trading enterprises and any other state-affiliated, state-run, or state-controlled entity at the national or sub-national level operated in accordance with China's WTO obligations, including those on export subsidies. In response, the representative of China confirmed that all entities in China would operate in accordance with China's WTO obligations, including those on export subsidies. Further, the representative of China stated that national and sub-national authorities would not provide fund transfers or other benefits to any entities in China that would be inconsistent with its WTO obligations, including to offset losses accrued through exports. The Working Party took note of these commitments.

234. The representative of China confirmed that by the date of accession, China would not maintain or introduce any export subsidies on agricultural products. The Working Party took note of this commitment.

235. In implementing Article 6.2 and 6.4 of the Agreement on Agriculture, the representative of China confirmed that while China could provide support through government measures of the types described in Article 6.2, the amount of such support would be included in China's calculation of its Aggregate Measurement of Support ("AMS"). He noted that China's Total AMS Commitment Level was set forth in Part IV, Section I of China's Schedule. The representative of China further confirmed that China would have recourse to a *de minimis* exemption for product-specific support equivalent to 8.5 per cent of the total value of production of a basic agricultural product during the relevant year. The representative of China confirmed that China would have recourse to a *de minimis* exemption for non-product-specific support of 8.5 per cent of the value of China's total agricultural production during the relevant year. Accordingly, these percentages would constitute China's *de minimis* exemption under Article 6.4 of the Agreement on Agriculture. The Working Party took note of these commitments.

236. China's concessions on agricultural tariffs, and commitments on domestic support and on export subsidies for agricultural products were contained in the Schedule of Concessions and Commitments on Goods annexed to the Draft Protocol as Annex 8.

237. Some members of the Working Party noted that the domestic support tables of China in WT/ACC/CHN/38/Rev.3 showed China's base total AMS as zero in DS:4. They also noted that product specific support was negative in DS:5.

10. Trade in Civil Aircraft

238. In response to questions from members of the Working Party, the representative of China indicated that China was not in a position to commit to joining the Agreement on Trade in Civil Aircraft at the present stage.

239. The representative of China confirmed that China would not impose any provisions of offsets or other forms of industrial compensation when purchasing civil aircraft, including specified types or volumes of business opportunities. The Working Party took note of this commitment.

11. Textiles

240. Some members of the Working Party proposed and the representative of China accepted that the quantitative restrictions maintained by WTO Members on imports of textiles and apparel products originating in China that were in force on the date prior to the date of China's accession should be notified to the Textiles Monitoring Body ("TMB") as being the base levels for the purpose of application of Articles 2 and 3 of the WTO Agreement on Textiles and Clothing ("ATC"). For such WTO Members, the phrase "day prior to the date of entry into force of the WTO Agreement", contained in Article 2.1 of the ATC, should be deemed to refer to the day prior to the date of China's accession. To these base levels, the increase in growth rates provided for in Articles 2.13 and 2.14 of the ATC should be applied, as appropriate, from the date of China's accession. The Working Party took note of these commitments.

241. The representative of China agreed that the following provisions would apply to trade in textiles and clothing products until 31 December 2008 and be part of the terms and conditions for China's accession:

(a) In the event that a WTO Member believed that imports of Chinese origin of textiles and apparel products covered by the ATC as of the date the WTO Agreement entered into force**,** were, due to market disruption, threatening to impede the orderly development of trade in these products, such Member could request consultations with China with a view to easing or avoiding such market disruption. The Member requesting consultations would provide China, at the time of the request, with a detailed factual statement of reasons and justifications for its request for consultations with current data which, in the view of the

requesting Member, showed: (1) the existence or threat of market disruption; and (2) the role of products of Chinese origin in that disruption;

(b) Consultations would be held within 30 days of receipt of the request. Every effort would be made to reach agreement on a mutually satisfactory solution within 90 days of the receipt of such request, unless extended by mutual agreement;

(c) Upon receipt of the request for consultations, China agreed to hold its shipments to the requesting Member of textile or textile products in the category or categories subject to these consultations to a level no greater than 7.5 per cent (6 per cent for wool product categories) above the amount entered during the first 12 months of the most recent 14 months preceding the month in which the request for consultations was made;

(d) If no mutually satisfactory solution were reached during the 90-day consultation period, consultations would continue and the Member requesting consultations could continue the limits under subparagraph (c) for textiles or textile products in the category or categories subject to these consultations;

(e) The term of any restraint limit established under subparagraph (d) would be effective for the period beginning on the date of the request for consultations and ending on 31 December of the year in which consultations were requested, or where three or fewer months remained in the year at the time of the request for consultations, for the period ending 12 months after the request for consultations;

(f) No action taken under this provision would remain in effect beyond one year, without reapplication, unless otherwise agreed between the Member concerned and China.

(g) Measures could not be applied to the same product at the same time under this provision and the provisions of Section 16 of the Draft Protocol.

The Working Party took note of these commitments.

12. Measures Maintained Against China

242. The representative of China stated that WTO Members should eliminate all discriminatory non-tariff measures maintained against Chinese exports from the date of China's accession. In response, some members of the Working Party stated that, in their view, such measures did not need to be phased out until such time as China's foreign trade regime fully conformed to WTO obligations.

243. In light of the above, it was agreed that any prohibitions, quantitative restrictions or other measures maintained against imports from China in a manner inconsistent with the WTO Agreement would be listed in Annex 7 to the Draft Protocol. It was further agreed that all such measures would be phased out or otherwise dealt with in accordance with mutually agreed terms and timetables as specified in said annex.

13. Transitional Safeguards

244. With respect to implementation of the product-specific safeguard, the representative of China expressed particular concern that WTO Members provide due process and use objective criteria in determining the existence of market disruption or trade diversion, because WTO Members did not have wide experience in implementing the provisions of Section 16 of the Draft Protocol. He stated that with respect to trade diversion, WTO Members needed to apply objective criteria to determine whether an action by China or another WTO Member under the product-specific safeguard to prevent or remedy market disruption caused or threatened to cause significant diversion of trade. Such criteria should include the actual or imminent increase in market share or volume of imports from China, the nature or extent of the action taken by China or the other WTO Member and other similar criteria. In addition, WTO Members should provide an opportunity for importers, exporters and all interested parties to submit their views on the matter.

245. Members of the Working Party noted that the Draft Protocol included specific requirements that WTO Members needed to follow in connection with an action under that Section. Members of the Working Party confirmed that in implementing the provisions on market disruption, WTO Members would comply with those provisions and the following:

(a) An action to address market disruption would be taken only after an investigation by the competent authorities of the importing WTO Member pursuant to procedures previously established and made available to the public.

(b) The competent authority of the importing Member would publish notice of the commencement of any investigation under the product-specific safeguard provisions of the Draft Protocol and would, within a reasonable time thereafter, hold a public hearing or provide other appropriate means for the purpose of permitting interested parties to present evidence and their views as to the appropriateness of whether or not to take a measure and to respond to the presentations of other parties.

(c) In determining whether market disruption existed, including the causal link between imports which were increasing rapidly, either absolutely or relatively, and any material injury or

threat of material injury to the domestic industry, the competent authorities would consider objective factors, including (1) the volume of imports of the product which was the subject of the investigation; (2) the effect of imports of such product on prices in the importing WTO Member's market for the like or directly competitive products; (3) the effect of imports of such product on the domestic industry producing like or directly competitive products.

(d) The competent authorities would publish any measure proposed to be taken and provide the opportunity, including a public hearing, if requested, or provide other appropriate means, for importers, exporters and other interested parties to submit their views and evidence on the appropriateness of the proposed measure and whether it would be in the public interest.

(e) The competent authority would promptly publish notice of the decision to apply a measure, including an explanation of the basis for the decision and the scope and duration of the measure.

(f) The period of application of the measure could be extended, provided that the competent authorities of the importing WTO Member had determined that action continued to be necessary to prevent or remedy market disruption. The competent authorities of the importing WTO Member would publish notice of the commencement of any proceeding to consider whether to extend the duration of an action and would, within a reasonable time thereafter, hold a public hearing or provide other appropriate means for the purpose of permitting all interested parties to have an opportunity to present evidence or their views and to respond to the presentations of other parties.

(g) Except for good cause, no investigation under Section 16 of the Protocol on the same subject matter could be initiated less than one year after the completion of a previous investigation.

(h) A WTO Member would apply a measure only for such period of time as was necessary to prevent or remedy market disruption.

246. Trade diversion referred to an increase in imports from China of a product into a WTO Member as the result of an action by China or other WTO Members pursuant to paragraphs 2, 3 or 7 of Section 16 of the Draft Protocol. Members of the Working Party also noted that the Draft Protocol required a determination that any trade diversion was significant and that the action taken to address market disruption had caused or threatened to cause the diversion.

247. Members of the Working Party agreed that objective criteria had to be applied in determining whether actions to prevent or remedy market disruption caused or threatened to cause significant diversion of trade. Among the factors to be examined were:

(a) the actual or imminent increase in market share of imports from China in the importing WTO Member;

(b) the nature or extent of the action taken or proposed by China or other WTO Members;

(c) the actual or imminent increase in the volume of imports from China due to the action taken or proposed;

(d) conditions of demand and supply in the importing WTO Member's market for the products at issue; and

(e) the extent of exports from China to the WTO Member(s) applying a measure pursuant to paragraphs 2, 3 or 7 of Section 16 of the Draft Protocol and to the importing WTO Member.

248. A measure taken to address significant diversions of trade would be terminated not later than 30 days after the expiration of the action taken by the WTO Member or Members involved against imports from China.

249. If the WTO Member or Members taking an action to address market disruption notified the WTO Committee on Safeguards of any modification of an action, the competent authorities of the WTO Member addressing trade diversion would determine whether a significant diversion of trade continued to exist and determine whether to modify, withdraw or keep in place the action taken.

V. TRADE-RELATED INTELLECTUAL PROPERTY REGIME

A. GENERAL

1. Overview

250. The representative of China stated that China had made the protection of intellectual property rights ("IPRs") an essential component of its reform and opening-up policy and socialist legal construction. The formulation of laws and regulations in this field could be traced back to the late 1970s. Since then, China had joined relevant international conventions and had actively participated in the activities sponsored by relevant international organizations. It had intensified its exchanges and cooperation with countries throughout the world in the field of IPR protection. As a result, notwithstanding the initial stage of its development, China's IPR protection system aimed at achieving

world dimension and world standards. Lists of administrative rules concerning intellectual property rights currently in force in China were presented below in Table A. The status of ongoing reforms and other relevant information was presented in Table B in the following paragraph.

Table A: The Administrative Rules of China Concerning Intellectual Property Rights

The following three parts were the administrative rules regarding protection of intellectual property right, which were still in force in China. As an important part of China's IPR legal system, these rules have a great effect on IPR protection, enforcing the IPR law, etc. Part I Lists of Administrative Rules Regarding Protection of Patent Right Part II Lists of Administrative Rules Regarding Protection of Trademark Part III Lists of Administrative Rules Regarding Protection of Copyright
Part I Lists of Administrative Rules Regarding Protection of Patent Right
(i) Regulations Relating to Implementation Patent Cooperation Treaty in China (23 November 1993)
(ii) Methods on the Showing the Identification of Right of Priority to Applicant made by Patent Office of China (1 March 1988)
(iii) Regulations on Patent Commissioning (4 March 1991)
(iv) Opinions of the Patent Office of China concerning the Implementation of the Regulations on Patent Commissioning (19 April 1991)
(v) Explanation of the Patent Office of China on Certain Matters Relating to the Commissioning Involving Foreign Interests (16 November 1987)
(vi) Decree of Patent Office of China (No.26) (20 November 1989)
(vii) Decree of Patent Office of China (No.27) (21 December 1989)
(viii) Decree of Patent Office of China (No.31) (14 March 1991)
(ix) Procedures for Administrative Reconsideration of Patent Office of the People's Republic of China (for Trial Implementation) (21 December 1992)
(x) Methods of Handling the Patent Disputes by the Administrative Authorities for Patent Affairs (4 December 1989)
Part II Lists of Administrative Rules Regarding Protection of Trademark
(i) Rules for the Implementation of the Trademark Law of the People's Republic of China (15 July 1993)

(ii)	Supplementary Provisions Concerning the Punishment of Crimes of Counterfeiting Registered Trademarks made by the Standing Committee National People's Congress (22 February 1993)
(iii)	Circular on the Commodities Demanded to Use Registered Trademark made by the State Administration for Industry and Commerce (14 January 1988)
(iv)	Circular on the Prohibition from Registering the Other Person's Trademark Abroad without Being Authorized made by State Administration for Industry and Commerce and the Ministry of Economy and Trade (19 November 1990)
(v)	Interim Provisions on Claims for Priority in Applying for Registration of Trademarks made by State Administration for Industry and Commerce (15 March 1983)
(vi)	Methods of the Application International Registration of Trademark of Madrid made by the State Administration for Industry and Commerce (2 March 1989)
(vii)	Circular on the Stopping Using the Literal of "Xiang Bin" or "Champagne" in Varieties of Commodities of Alcohol made by the State Administration for Industry and Commerce (26 October 1989)
(viii)	Circular on Printing and distributing " the Rules regarding the Question of Using Trademark in Can Food for Export" (15 October 1991)
(ix)	Regulations on the Control over the Surrogate of Trademark
(x)	Regulations on the Registration of and the Control over the Collective Trademark and Certified Trademark (issued on 30 December 1994, revised on 3 December 1998)
(xi)	Interim Provisions on the Cognizance of and the Control over the Renowned Trademark (issued on 24 August 199, revised on 3 December 1998)
(xii)	Regulations on the Control over the Printing of Trademark (issued on 5 September 1996, revised on 3 December 1998)
	Part III Lists of Administrative Rules Regarding Protection of Copyright
(i)	Copyright Law of the People's Republic of China (7 September 1990)
(ii)	Regulations for Implementation of Copyright Law of the People's Republic of China (30 May 1991)
(iii)	Provisions on the Implementation of the International Copyright Treaty (25 September 1992)
(iv)	Circular of the Supreme People's Court on Matters regarding Further Implementing the Copyright Law of the People's Republic of China (24 December 1993)
(v)	Circular of the State Press Administration regarding Establishment the Agency of Copyright Management in Every Provinces Autonomous Regions and Municipalities Directly under the Central Government (5 February 1986)
(vi)	Regulations for Management of the Audio/visual Producers (25 August 1994)

(vii)	Opinions of the National Copyright Administration on Questions Relating to Reprinting the Programs in Advance in Broadcast and Television (12 December 1987)
(viii)	Circular of the National Copyright Administration of Printing and Distribution "Report Relating to Appropriate Handling the Copyright Question in the Process of Culture Communication with Taiwan" and "Interim Provisions Relating to the Copyright Question of Pressing the Works Written by Taiwan Compatriots" (8 February 1988)
(ix)	Circular of National Copyright Administration regarding the Points for Attention of Transferring Copyright to Taiwan's Press Person (26 December 1987)
(x)	Circular of Newspaper Management Department of the Press and Publication Administration of the People's Republic of China on Questions Relating to Reprinting the Programs in Advance in Broadcast and Television (30 March 1988)
(xi)	Opinions of National Copyright Administration on Matters Relating to Local Work on Copyright Management (5. 1988)
(xii)	Circular of the National Copyright Administration concerning Procedures of Examining and Verifying the Copyright Trading Contract Between the Mainland and Hong Kong, Macao and Taiwan (2 November 1988)
(xiii)	Opinions on Certain Matters of the National Copyright Administration concerning Handling Copyright Cases (27 December 1988)
(xiv)	Opinion of the Press and Publication Administration, the National Copyright Administration concerning Cooperating in Handling the Reproducing without Consent by the Administration of Publishing and Copyright (18 July 1989)
(xv)	Circular of the National Copyright Administration concerning the Standard of Paying Author's Remuneration When the Press Reprint and Extract the Published Works at Present (27 August 1991)
(xvi)	Interim Provisions of the Standard of Paying Author's Remuneration When the Press Reprint and Extract the Published Works with the Consent by Law (1 August 1993)
(xvii)	Interim Provisions of the Standard of Paying Author's Remuneration When Perform the Published Works with the Consent by Law (1 August 1993)
(xviii)	Interim Provisions of the Standard of Paying Author's Remuneration When Record the Published Works with the Consent by Law (1 August 1993)
(xix)	Direction of the Chinese Center of Receiving and Transmitting Author's Remuneration concerning Receiving and Transmitting Remuneration About the Press Extract the Published Works
(xx)	Circular of the National Copyright Administration concerning Enforcing "the Memorandum of Understanding between the Government of the People's Republic of China and the Government of the United States of America on the Protection of Intellectual Property" (29 February 1992)
(xxi)	Urgent Circular concerning Strengthening Administration of Reproducing Compact Discs and Laser Discs (12 April 1994)

(xxii)	Circular of Enforcing "Urgent Circular concerning Strengthening Administration of Reproducing Compact Discs and Laser Discs" (12 May 1994)
(xxiii)	Circular concerning Registration of the Organization Reproducing Compact Discs and Laser Discs (29 June 1994)
(xxiv)	Cooperate Circular of the Ministry of Judicial and National Copyright Administration concerning Bringing Notary Office into Play in Dealing with the Infringing Copyright Cases (29 August 1994)
(xxv)	Regulations for the Protection of Copyright of Computer Software (4 June 1991)
(xxvi)	Measures of the Registration of Copyright of Computer Software (4 June 1992)
(xxvii)	Guide to Classified Coding of Software in Computer Software's Registration
(xxviii)	The Item and Standard of Registration Expenses of Computer Software (18 April 1992)

251. The representative of China stated that for accession to the WTO Agreement and compliance with the TRIPS Agreement, further amendments had been made to the Patent Law. The amendments to the Copyright Law and the Trademark Law, as well as relevant implementing rules covering different areas of the TRIPS Agreement, would also be accomplished upon China's accession. The representative of China stated that laws adopted by the National People's Congress and administrative regulations, including implementing rules, issued by the State Council were applied and enforced by the people's courts. The Working Party took note of this commitment.

Table B: Revision of China's IPR Laws in Conformity with the TRIPS Agreement

The People's Republic of China had conducted an intensive work programme to examine and revise the IPR laws, administrative regulations and department rules relating to the implementation of the WTO Agreement and China's accession commitments. A list of China's IPR laws, administrative regulations and department rules to be revised and abolished was hereby notified to the Working Party. Part I of the list contained 8 laws and regulations. Part II of the list included 4 department rules to be revised or abolished for the same reason. This list gave the names of laws, regulations and department rules, reasons for revision or abolishment, and dates of implementation.	
Part I Laws and Administrative Regulations	
Laws and Regulations	Date of Implementation
1. Copyright Law of the People's Republic of China	Upon accession
2. Regulations for the Implementation of the Copyright Law of the People's Republic of China	Upon accession
3. Regulations for the Protection of Computer Software	Upon accession
4. Trademark Law of the People's Republic of China	Upon accession
5. Detailed Rules for the Implementation of the Trademark Law of the People's Republic of China	Upon accession
6. Regulations of the People's Republic of China on the Protection of New Varieties of Plants	Effective as of 1 October 1997
7. Law of the people's Republic of China Against Unfair Competition	Effective as of 1 December 1993
8. Regulations on the Implementation of the Integrated Circuit Layout Design	To be effective as of 10 October 2001

Part II Department Rules	
Department Rules	Date of Implementation
1. Interim Rules on the Administration of Patents in Agriculture, Animal Husbandry and Fisheries	To be abolished upon accession
2. Notice on the Interim Regulation on the Protection of Copyright of Books and Magazines	To be abolished upon accession
3. Notice on the Issuance of the "Detailed Rules of Interim Regulations on the Protection of Copyright of Books and Magazines", "Publication Intention Contracts" and "Publication Contracts"	To be abolished upon accession
4. Interpretation of Article 15(4) of the "Interim Regulation on the Protection Copyright of Books and Magazines"	To be abolished upon accession

2. Responsible agencies for policy formulation and implementation

252. The representative of China stated that, at present, different agencies were responsible for IPR policy formulation and implementation. The State Intellectual Property Office ("SIPO") was responsible for patent approval; the Trademarks Office under the State Administration for Industry and Commerce ("SAIC") was responsible for trademarks registration; the Copyright Office was responsible for copyright policy making; SAIC was responsible for anti-unfair competition, including the protection of trade secrets; the State Drug Administration ("SDA") was responsible for administrative protection of pharmaceuticals; the General Customs Administration was responsible for border measures; the Ministry of Agriculture and the State Administration of Forestry were responsible for protection of plant varieties; the Ministry of Information Industry was responsible for the protection of layout designs of integrated circuits; and the State General Administration of the People's Republic of China for Quality Supervision and Inspection and Quarantine and SAIC were responsible for combating counterfeiting activities. Other agencies like the agency for press and publications, the people's courts and police were also involved in the protection of IPR in China.

3. Participation in international intellectual property agreements

253. The representative of China stated that China became a member of the World Intellectual Property Organization in 1980. In 1985, China became a member of the Paris Convention for the Protection of Industrial Property. China was one of the first countries that signed the Treaty on Intellectual Property in Respect of Integrated Circuits, the negotiation of which was concluded in

1989. In 1989, China became a member of the Madrid Agreement Concerning the International Registration of Marks and in 1992, China became a member of the Berne Convention for the Protection of Literary and Artistic Works. In 1993, China became a member of the Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms. In 1994, China became a member of the Patent Cooperation Treaty and a member of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks. In 1995, China became a member of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure and applied for membership in the Protocols of the Madrid Agreement Concerning the International Registration of Marks. In 1996, China became a member of the Locarno Agreement on Establishing an International Classification for Industrial Designs; and in 1997, China became a member of the Strasbourg Agreement Concerning the International Patent Classification. Besides the above efforts, China participated in the TRIPS negotiations during the Uruguay Round and initialled the Final Act.

4. Application of national and MFN treatment to foreign nationals

254. Some members of the Working Party expressed concern that certain provisions of China's copyright and trademark laws, as well as China's Rules on Banning the Infringement of Business Secrets (23 November 1995) did not provide national treatment to foreign right-holders. The Rules on Banning Infringements of Business Secrets, for example, defined the "owner" of a trade secret as a "citizen, corporation, and other organization" and did not explicitly provide protection for foreign individuals or organizations. Some members of the Working Party further stated that national treatment should be fully applied, so that copyright enforcement action by local copyright bureaux involving foreign right-holders, would no longer require clearance by the National Copyright Administration in Beijing.

255. The representative of China responded that China's IPR laws provided that any foreigner would be treated in accordance with any agreement concluded between the foreign country and China, or in accordance with any international treaty to which both countries were party, or on the basis of the principle of reciprocity. The representative of China further confirmed that China would modify relevant laws, regulations and other measures so as to ensure national and MFN treatment to foreign right-holders regarding all intellectual property rights across the board in compliance with the TRIPS Agreement. This would include adjustments of the clearance requirement mentioned in the previous paragraph to ensure national treatment. The Working Party took note of these commitments.

B. SUBSTANTIVE STANDARDS OF PROTECTION, INCLUDING PROCEDURES FOR THE ACQUISITION AND MAINTENANCE OF INTELLECTUAL PROPERTY RIGHTS

1. Copyright protection

256. The representative of China stated that the Copyright Law, which was promulgated in 1990, established the basic copyright protection system in China together with the Implementing Rules of the Copyright Law (30 May 1991), the Provisions on the Implementation of the International Copyright Treaty (25 September 1992) and other related laws and regulations. In principle, this system was in compliance with the international IPR treaties and practices. For the protection of copyright and neighbouring rights, not only civil and criminal liabilities but also administrative liabilities, were provided for in this system. Hence the infringing activities could be curbed in a timely and effective manner and the legitimate rights of the right-holders could be protected.

257. Some members of the Working Party expressed concerns about the consistency of China's current law on the protection of copyright and related rights with the TRIPS Agreement. In particular, members noted the need to clarify the rights of performers and producers to bring them into conformity with the requirements of Article 14 of the TRIPS Agreement. In addition, improvements were needed with respect to enforcement of copyright to provide expressly for provisional measures to preserve evidence, including documentary evidence and for remedies sufficient to deter further infringements.

258. The representative of China responded that, realizing that there were some existing differences between China's copyright laws and the TRIPS Agreement, the amendment to the Copyright Law had been accelerated. The proposed amendments would clarify the payment system by broadcasting organizations which use the recording products and also include the following provisions: rental rights in respect of computer programs and movies, mechanical performance rights, rights of communication to the public and related protection measures, protection of database compilations, provisional measures, increasing the legitimate compensation amount and strengthening the measures against infringing activities. China's copyright regime including Regulations for the Implementation of the Copyright Law and the Provisions on the Implementation of the International Copyright Treaty would be amended so as to ensure full consistency with China's obligations under the TRIPS Agreement. The Working Party took note of these commitments.

2. Trademarks, including service marks

259. The representative of China stated that the Trademark Law, its implementing rules and other relevant laws, administrative regulations and department rules constituted the existing trademark legal system in China. The objective of these laws was to provide protection to right-holders in line with

the international conventions and prevailing practices regarding intellectual property rights, which was embodied both in the regulations on the substance and procedures for trademark registration and in the protection of trademark exclusive right. In order to protect the trademark owner's exclusive rights, China's Trademark Law contained not only civil and criminal liabilities but also provided for administrative punishment of trademark infringers. This "double-track system" for the protection of exclusive rights in trademarks could prevent trademark infringements in a timely and effective manner and protect the legitimate rights and interests of these exclusive rights. In recent years, China's judicial and administrative bodies had stepped up their efforts to protect trademark exclusive rights within their respective authority. They had settled a large number of cases that were influential, domestically and abroad, which provided adequate protection to the legitimate rights and interests of both Chinese and foreign holders of exclusive rights in trademarks, and received a positive response from domestic and foreign right-holders.

260. Some members of the Working Party reiterated their concerns about whether certain provisions of China's trademark law provided national treatment to foreign owners of trademarks. They noted that China's law required foreign owners of trademarks to use designated trademark agents, while Chinese nationals were permitted to file directly with China's Trademark Office. Members also noted that China's trademark law did not consider certain signs as eligible for protection as required under the TRIPS Agreement. These included names, letters, numerals and colours capable of distinguishing goods and services. In addition, if registrability of a trademark depends on use, China's trademark law should provide that a non-distinctive mark could qualify for registration when it has acquired distinctiveness based on use. Members also noted that it was not clear under China's law that actual use of a mark was not required before a party could file to register a mark.

261. Some members of the Working Party also raised concerns about the protection of well-known trademarks in China, in particular those not registered in China. China's laws and regulations did not specifically state the criteria for determining whether a mark was well-known and therefore members could not determine if it conformed to the requirements of Article 16 of the TRIPS Agreement. Moreover, while China had provided protection to "well-known trademarks" owned by nationals, such protection had, as yet, not been granted to the well-known trademarks of foreigners. Members also noted that certain provisions of China's trademark law needed to be extended to unregistered well-known trademarks.

262. The representative of China stated that with the development of China's market economy and the further implementation of the TRIPS Agreement, China's legislative and law enforcement bodies had also realized that the existing trademark law fell somewhat short of fulfilling the requirements of

the TRIPS Agreement and the Paris Convention in a few aspects and were therefore preparing to amend the existing trademark law to fully meet the requirements of the TRIPS Agreement. Modifications would mainly be made to the following aspects: to include the trademark registration of three-dimensional symbols, combinations of colours, alphabets and figures; to add the content of collective trademark and certification trademark (including geographical indications); to introduce official symbol protection; to protect well-known trademarks; to include priority rights; to modify the existing trademark right confirmation system and offer interested parties the opportunity for judicial review concerning the confirmation of trademark rights; to crack down on all serious infringements; and to improve the system for providing damages for trademark infringement. The Working Party took note of these commitments.

3. Geographical indications, including appellations of origin

263. The representative of China stated that the relevant rules of the SAIC and the State General Administration of the People's Republic of China for Quality Supervision and Inspection and Quarantine partly provided protection for geographical indications, including appellations of origin, and that the amendments to the trademark law would have a specific provision on the protection of geographical indications.

264. Members of the Working Party took note of the progress achieved on providing protection for geographical indications and reiterated the importance of China's legislation complying with the obligations under the TRIPS Agreement (Articles 22, 23 and 24). The representative of China shared this assessment and reiterated China's intention to fully comply with relevant articles in the TRIPS Agreement on geographical indications. The Working Party took note of this commitment.

4. Industrial designs

265. Some members of the Working Party noted that the industrial design provisions of China's patent law appeared to implement substantial portions of the TRIPS Agreement requirements relating to industrial designs. One notable exception was the area of textile designs. These members noted that designs of WTO Members could be protected under China's Provisions on the Implementation of the International Copyright Treaty as works of applied art. Members urged China to incorporate this protection into its law and to provide such protection to domestic textile designs.

5. Patents

266. The representative of China stated that in preparation for its accession, China revised its patent law in 1992 for the first time. China had taken measures to enhance consistency with the

TRIPS Agreement in terms of major provisions and protection standards. In order to increase the awareness of the general public on IPR protection, and patent protection in particular, to be consistent with the TRIPS Agreement, and to build up a sound social environment for the promotion and commercialization of inventions, the National People's Congress approved the second revision of the Patent Law on 25 August 2000. The revised patent law, which would take effect on 1 July 2001, included the following elements: (1) patent owners would have the right to prevent others from offering for sale the patented product without their consent (Article 11); (2) for utility model and design applications or patents, the final decision on re-examination and invalidation would be made by the people's courts other than for inventions that were patented prior to the amendment (Articles 41 and 46); (3) patent owners could, before instituting legal proceedings, request the people's court to take provisional measures such as to order the suspension of infringing acts and to provide property preservation (Article 61); and (4) conditions for granting a compulsory licence would be further clarified and made consistent with the TRIPS Agreement.

267. The representative of China further stated that since its establishment, SIPO had paid great attention to strengthening its contacts and coordination with relevant departments and ministries in the field of IPR law enforcement, especially in the areas of settling inter-agency problems and resolving key cases. At the same time, SIPO had taken appropriate measures to improve the performance of local patent authorities in law enforcement. For example, in June 1999, SIPO convened a nationwide working conference, which was attended by representatives from local patent administrative authorities. The participants summarized their law enforcement practices over the previous two years and also exchanged information on their experiences in their local legislative work with a view to intensifying patent protection. The conference also called for the introduction of important patent cases reporting and recording system.

268. The representative of China stated that so far as the range of patent protection and protection for new plant varieties were concerned, China had already met the requirements of Article 27 of the TRIPS Agreement. When amending the Patent Law in 1992, China modified Article 25 therein with reference to the relevant stipulations in the final text of the TRIPS Agreement and expanded the coverage of patent protection to food, beverages, flavourings, pharmaceuticals and materials obtained by chemical methods. The scope of patent exclusions would be limited to "scientific discoveries, rules and methods of intellectual activities, diagnostic and therapeutic methods for the treatment of diseases, animals and plant varieties, as well as materials obtained by the change of nucleus".

269. He further stated that Article 5 of China's Patent Law stipulated that inventions that violate laws of China or social morality or prejudice public interest would not be entitled to patent right. While literally there was a difference between Article 5 of China's Patent Law and the TRIPS

Agreement, in practice, during the review of patent applications, the interpretation of "violating laws of China" had been restricted to "if laws of China prohibit the sale of a certain patented product, or prohibit the sale of products manufactured by a patented method, the granting of patent right cannot be denied to this product invention or this invention of product manufacturing method by relying on Article 5 of the Patent Law". Hence, in essence, he concluded that there was no difference between Article 5 of the Patent Law as applied and the TRIPS Agreement. Nonetheless, China would amend the Implementing Rules of the Patent Law to ensure that this provision would be implemented in full compliance with Article 27.2 of the TRIPS Agreement, which stipulated that: "Members may exclude from patentability inventions, the prevention within their territory of the commercial exploitation of which is necessary to protect *ordre public* or morality, including to protect human, animal or plant life or health or to avoid serious prejudice to the environment, provided that such exclusion is not made merely because the exploitation is prohibited by their law". The Working Party took note of this commitment.

270. Regarding Article 28 of the TRIPS Agreement (rights conferred), the representative of China stated that China's patent law had fully complied with the requirements of the TRIPS Agreement for the following reasons. First, in the 1992 amendment to the Patent Law, Article 11 was modified as follows: "any entity or individual is, without prior licensing from the patentee, prohibited from making, using or selling patented products or patented processes, or using or selling products directly obtained by the patented processes for the purpose of production and operation". It was also prohibited for any entity or individual to import patented products or products directly obtained by patented processes for the purpose of production and operation. This modification expanded the scope of patentees' right, namely the new content of "the right to prohibit import" and "the effect of patented processes is extended to products directly obtained by patented processes". Second, in 2000, when the second amendment was made to the Patent Law, Article 11 was once again modified. A new stipulation was introduced granting patentees the right to prohibit others from offering for sale the patented products or products directly obtained by patented processes without the consent of patentees. Therefore, so far as "the right of patentees" is concerned, China's Patent Law had fully accommodated the requirements of the TRIPS Agreement.

271. Further to the 1992 amendment, the representative of China stated that China's Patent Law provided for compulsory licences based on reasonable terms, for public interest and for dependent patents. With regard to the conditions of compulsory licences for dependent patents, the Patent Law provided that the latter invention should be technically more advanced than the earlier one. The TRIPS Agreement provides that "the invention claimed in the second patent shall involve an important technical advance of considerable economic significance in relation to the invention claimed in the first patent" (Article 31(l)(i)). Since the provisions of the TRIPS Agreement were

more transparent and easier to operate, the relevant expressions contained in the TRIPS Agreement were adopted in the new revision. In addition, the following restrictive conditions for granting compulsory licences contained in the Implementing Rules of the Patent Law of 1992 had been moved into the Patent Law in order to make it more authoritative: the decision of SIPO on the granting of a compulsory licence for exploitation would be limited in terms of its scope and duration; when the circumstances which led to such compulsory licence ceased to exist and were unlikely to recur, SIPO, upon the request of the patentee, could terminate the compulsory licence after examination; were incorporated into the Law (former Article 68 of the Implementing Rules of the Patent Law of 1992 had now been moved into Article 51 of the revised Patent Law).

272. The representative of China stated that following the 1992 amendment, the regulations on compulsory licensing in China's Patent Law and its implementing rules, as a whole, had fulfilled the requirements of the TRIPS Agreement. However, some wording and expressions in the Chinese regulations were still not identical to the TRIPS Agreement and these regulations still needed improvement in respect of the administrative legal proceedings concerning compulsory licensing. Therefore, in the second amendment to the Patent Law in 2000, the corresponding amendments and modifications to the stipulations on compulsory licensing were mainly made in the following two points: (1) Article 53 of the Patent Law was modified from "a patented invention or utility model is technically more advanced than the inventions or utility models which have obtained patent right earlier" into "a later invention or utility model is an important technical progress with striking economic significance as compared to the earlier invention or utility model"; and (2) having been subject to appropriate adjustments, the regulations on the time, scope and termination of compulsory licensing enforcement in Article 68 of the Implementing Rules of the Patent Law of 1992 were integrated into Article 52 of the amended Patent Law. Following the above-mentioned amendments, China's Patent Law had regulations on compulsory licensing with clearer structure and improved content. In the representative of China's view, these regulations were fully consistent with the TRIPS Agreement. He also added that up to now China had not issued any compulsory licences for patent enforcement.

273. Some members of the Working Parity noted the improvements in the provisions regarding compulsory licensing for patents that the representative of China cited. Some members however, requested clarification of the subject matter that would be subject to compulsory licensing under the Patent Law.

274. In response, the representative of China agreed that still not all the requirements of Article 31 of the TRIPS Agreement had been incorporated into Chinese law, and that Implementing Rules of the Patent Law would therefore be modified so as to ensure that: (1) use without authorization of the right

holder would only be permitted if, prior to such use, the proposed user had made efforts to obtain authorization from the right-holder on reasonable commercial terms and conditions (Article 31(b)), (2) the right-holder would be paid adequate remuneration in the circumstances of each case, taking into account the economic value of the authorization (Article 31(h)); (3) any such use would be authorized predominantly for the supply of the domestic market (Article 31(f)); and (4) in the case of semi-conductor technology, the scope and duration of such use would only be for public non-commercial use or to remedy a practice determined after judicial or administrative process to be anti-competitive (Article 31(c)). The Working Party took note of these commitments.

275. Regarding Article 32 of the TRIPS Agreement (revocation/forfeiture), the representative of China stated that in light of Articles 41 and 46 of the amended Patent Law, patent applicants or patentees of inventions, as well as applicable utility models and designs, could institute legal proceedings in the people's court if they were not satisfied with the review or nullity decisions made by the Patent Review Board. This modification enabled China's Patent Law to be fully consistent with TRIPS regarding administrative decisions which were subject to judicial review.

276. On the duration of patent right protection, the representative of China stated that as early as 1992 when China made an initial amendment to the Patent Law, Article 45 (later converted into Article 42 after the second amendment) was modified as: "the duration of inventions patent right is 20 years and the duration of patent right for applicable utility model and designs is 10 years, counted as of the date of application". Therefore, China's Patent Law had for a long time accorded with Articles 26 and 33 of the TRIPS Agreement concerning the duration of patent rights.

277. Regarding Article 34 of the TRIPS Agreement (process patents: burden of proof), the representative of China stated that China's Patent Law was modified in 1992 and 2000, and was now in full conformity with the TRIPS Agreement. The amended paragraph 2 of Article 57 reads: "when any infringement dispute relates to a process patent for the manufacture of a new product, any entity or individual manufacturing the identical product shall furnish proof to the effect that a different process is used in the manufacture of its or his product".

6. Plant variety protection

278. The representative of China confirmed that China was a party to the 1978 text of the Universal Convention on the Protection of Plant Varieties ("UPOV"). In March 1997, the State Council formulated and promulgated the Regulation on the Protection of New Plant Varieties, thus offering protection for new plant varieties in a *sui generis* form consistent with the requirements of the TRIPS Agreement. A unit or an individual that had accomplished the breeding enjoyed an exclusive right in their right-granted variety. No unit or individual could, without permission from the

owner of the variety rights (referred to as "the variety rights owner"), produce or market for commercial purposes the propagation material of the rights-granted variety, or repeatedly use for commercial purposes the propagation material of the rights-granted variety in the production of the propagation material of another variety. The conditions of non-voluntary licensing were set out in the regulation. The period of protection of variety rights, from the date of grant of the rights, would be 20 years for vines, forest trees, fruit trees and ornamental trees and 15 years for other plants.

7. Layout designs of integrated circuits

279. The representative of China stated that China was one of the first countries to sign the Treaty on Intellectual Property in Respect of Integrated Circuits in 1989. The specific Regulation on the Protection of Layout Designs of Integrated Circuits, which would implement China's obligations under Section 6 of the TRIPS Agreement, was issued in April 2001 and would be effective on 1 October 2001.

280. The representative of China stated that China was strengthening the protection of the layout designs to support the rapid development of the integrated circuit industry. The regulations provided protection to layout-designs, according to which the following acts if performed without authorization of the right holder were unlawful: importing, selling or otherwise distributing for commercial purposes a protected layout-design, an integrated circuit in which a protected layout-design was incorporated, or an article incorporating such an integrated circuit only in so far as it continued to contain an unlawfully reproduced layout-design. The exception clause and non-voluntary licensing clause were in conformity with Article 37 of TRIPS. The term of protection was 10 years counted from the date of filing an application for registration or from the first commercial exploitation wherever in the world it occurred. In addition, the protection to the layout-design of integrated circuits was in accordance with Article 2 through 7 (other than paragraph 3 of Article 6), Article 12 and paragraph 3 of Article 16 of the Treaty on Intellectual Property in Respect of Integrated Circuits.

8. Requirements on undisclosed information, including trade secrets and test data

281. Some members of the Working Party expressed concern about China's protection against unfair commercial use and disclosure of undisclosed test and other data submitted to authorities in China to obtain marketing approval for pharmaceuticals and agricultural chemicals. They noted that China's laws appeared to prohibit the release of information by government officials but did not include provisions regarding the prevention of unfair commercial use, as required under Article 39.3 of the TRIPS Agreement. Some members requested that China specifically provide in its law and regulations that it would protect against unfair commercial use of undisclosed test or other data submitted in support of applications for marketing approval of pharmaceutical or of agricultural

chemical products which utilize new chemical entities, by providing that no person other than the person that submitted such data may, without the permission of the person initially submitting the data, rely on such data in support of an application for product approval for a period of at least six years from the date on which marketing approval to the person that submitted the data had been granted.

282. The representative of China stated that Article 10 of the Anti-unfair Competition Law provided that a business operator must not infringe upon trade secrets. Under the same Article, obtaining, using or disclosing another's trade secrets by a third party who clearly knew or ought to have known that the case fell under the unlawful acts listed in the preceding paragraph was deemed infringement upon trade secrets. Trade secrets referred to any technology information or business operation information which was unknown to the public, could bring about economic benefits to the obligee, had practical utility and about which the obligee had adopted secret-keeping measures. He also stated that Article 219 of the Criminal Law had similar definitions on trade secrets.

283. The representative of China further confirmed that China would, in compliance with Article 39.3 of the TRIPS Agreement, provide effective protection against unfair commercial use of undisclosed test or other data submitted to authorities in China as required in support of applications for marketing approval of pharmaceutical or of agricultural chemical products which utilized new chemical entities, except where the disclosure of such data was necessary to protect the public, or where steps were taken to ensure that the data are protected against unfair commercial use. This protection would include introduction and enactment of laws and regulations to make sure that no person, other than the person who submitted such data, could, without the permission of the person who submitted the data, rely on such data in support of an application for product approval for a period of at least six years from the date on which China granted marketing approval to the person submitting the data. During this period, any second applicant for market authorization would only be granted market authorization if he submits his own data. This protection of data would be available to all pharmaceutical and agricultural products which utilize new chemical entities, irrespective of whether they were patent-protected or not. The Working Party took note of these commitments.

C. MEASURES TO CONTROL ABUSE OF INTELLECTUAL PROPERTY RIGHTS

284. The representative of China stated that there were provisions relating to compulsory licences in the Patent Law to prevent abuse of patent right. He also stated that the Trademark Law provided that the trademark registrant may, by concluding a trademark licensing contract, authorize another person to use its registered trademark. The licensor would supervise the quality of the goods on which the licensee used the licensor's registered trademark and the licensee would guarantee the quality of the goods on which the registered trademark was to be used.

285. Some members of the Working Party expressed some concerns as to the compatibility of China's rules on control of anti-competitive licensing practices or conditions with the corresponding obligations under Article 40 of the TRIPS Agreement. The representative of China stated in response that China's legislation would comply with these obligations, notably as to the request for consultations with other Members. He stated that these rules would apply across the board to all intellectual property rights. The Working Party took note of this commitment.

D. ENFORCEMENT

1. General

286. Some members of the Working Party expressed concern that there was a continued need for additional enforcement efforts by the Government of China. They also said that China should strengthen the legislative framework for the enforcement of intellectual property rights for all right-holders. The representative of China stated that where an infringement of intellectual property rights was found in China, the person concerned could bring a lawsuit to a court. Since 1992, special IPR courts have been set up in major cities such as Beijing and Shanghai on the basis of their specialized collegial panels. According to China's legislation, individuals and enterprises would be held responsible for all their IPR infringing activities and subject to civil and/or criminal liabilities. Where any person violated the IPR of another person and the circumstances were serious, the person directly responsible would be prosecuted for his criminal liability by applying relevant provisions of the Criminal Law. If found guilty, the person directly responsible could be sentenced to a fixed-term imprisonment of no more than seven years or be subject to detention or a fine.

287. Some members of the Working Party further urged China to ensure the vigorous application by Chinese authorities of the enforcement legislation in order to considerably reduce the existing high levels of copyright piracy and trademark counterfeiting. Action should include the closure of manufacturing facilities as well as markets and retail shops that had been the object of administrative convictions for infringing activities. The representative of China stated that the measures for cracking down on intellectual property piracy were always severe in China. In judicial aspects, courts at all levels were continuously paying attention to the trial of IPR cases. As for administration aspects, the administrative authorities at all levels were putting emphasis on strengthening anti-piracy work. In addition, the administrative authorities were also enhancing the legal publication and education of the general public in a bid to ensure that the legal environment of China would be able to meet the requirements for enforcing the TRIPS Agreement. The Working Party took note of these commitments.

2. Civil judicial procedures and remedies

288. Some members of the Working Party expressed concern about certain practices relating to the filing of civil judicial actions that made it difficult for intellectual property right-holders to pursue their rights in China's courts. China's system of basing filing fees on the amount of damages requested makes large-scale infringement actions unnecessarily costly. Those members also expressed concern regarding the calculation of damages based on the infringer's profits. This, combined with China's rules on establishing the level of profits which require evidence of actual sale and which disregard inventory and past activity, often resulted in damage amounts inadequate to compensate for the injury that the right-holder has suffered.

289. The representative of China stated that Article 118 of the General Principles of the Civil Law provided that if the rights of authorship (copyrights), patent rights, rights of exclusive use of trademarks, rights of discovery, rights of invention or rights for scientific and technological research achievements of citizens or juridical persons were infringed upon by such means as plagiarism, alteration or imitation, they had the right to demand that the infringement be stopped, its ill effects be eliminated and the damages be compensated for. He further stated that the Trademark Law, the Patent Law and the Copyright Law had similar provisions.

290. The representative of China further confirmed that, Articles 42 and 43 of the TRIPS Agreement would be effectively implemented under the judicial rules of civil procedure. The Working Party took note of this commitment.

291. The representative of China confirmed that the relevant implementing rules would be amended to ensure full compliance with Articles 45 and 46 of the TRIPS Agreement, to the effect that damages paid by the infringer to the right-holder would be adequate to compensate for the injury suffered because of an infringement of that person's intellectual property right by an infringer who knowingly, or with reasonable grounds to know, engaged in infringing activity. The Working Party took note of this commitment.

3. Provisional measures

292. Members of the Working Party noted that the TRIPS Agreement required that judicial authorities have the authority to order prompt and effective provisional measures to (1) prevent an infringement of intellectual property from occurring, in particular to prevent the distribution or sale of infringing goods, and (2) to preserve the evidence of alleged infringement.

293. The representative of China stated that in China's Civil Procedure Law there were provisions on property preservation, but as yet no explicit stipulations had been provided to authorize the people's court to take measures for the prevention of infringements prior to formal institution of a lawsuit by a party involved. In order to enhance the deterrent power of law against infringements and to guarantee that the legitimate rights and interests of patentees would not suffer from irreparable harm as well as to comply with the TRIPS Agreement, China, when amending the Patent Law for the second time in 2000, introduced Article 61 to regulate provisional measures, which provided as follows: "where a patentee or any interested party who can provide any reasonable evidence that his right is being infringed or that such infringement is imminent, and any delay in stopping the acts is likely to cause irreparable harm to his or its legitimate rights and interests, he or it may, before instituting legal proceedings, request the people's court to order the suspension of related acts and to provide property preservation".

294. Some Members of the Working Party expressed concern that Article 61 of the Patent Law did not fully incorporate all requirements of Article 44 of the TRIPS Agreement, and that it was still unclear whether holders of intellectual property rights other than patents could rely on a similar procedure.

295. The representative of China stated that Article 61 of the Patent Law would be implemented in a way fully consistent with Article 50.1-4 of the TRIPS Agreement. He also stated that "reasonable evidence" in Article 61 of the Patent Law would be, through implementing rules, clarified to mean "any reasonably available evidence in order to satisfy with sufficient degree of certainty that the applicant is the right-holder and that the applicant's right is being infringed or that such infringement is imminent, and to order the applicant to provide a security or equivalent assurance sufficient to protect the defendant and to prevent abuse". The Working Party took note of this commitment.

4. Administrative procedures and remedies

296. Members of the Working Party noted that most IPR enforcement in China was done through administrative actions. In this connection, some members expressed concern about the inadequate levels of administrative sanctions in China which, when coupled with the high threshold for initiating criminal prosecutions, made IPR enforcement in China difficult. Administrative sanctions generally amounted to small fines and the loss of infringing inventory. Members also stressed the need for administrative authorities to refer more cases, including those involving repeat offenders and willful piracy and counterfeiting, to the appropriate authorities for initiation of criminal actions.

297. The representative of China said that the Trademark Law provided that in the event of any infringement of the right to the exclusive use of a registered trademark, the infringed right holder

could request the administrative department for industry and commerce at or above the county level for disposition. The relevant administrative department for industry and commerce had the power to order the infringer to stop the infringing act immediately and to compensate the infringed right holder for its or his losses. SAIC and its local agencies above the county level could also impose a fine upon the infringer. The Patent Law provided that the patentee and interested party could request the administrative authority for patent affairs to handle the infringing act. The administrative authority could order the infringer to stop the infringing act immediately and mediate on damages at the request of the parties concerned. The Copyright Law provided that the copyright administration department could subject anyone who committed acts of infringement to such administrative penalties as confiscation of unlawful income from the act or imposition of a fine.

298. The representative of China stated that most IPR enforcement actions in China resulted in administrative measures to address the infringement. He noted ongoing efforts to strengthen the sanctions that were available to administrative authorities and the increased attention given to enforcement of IPRs. The representative of China confirmed that the government would continue to enhance its enforcement efforts, including through the application of more effective administrative sanctions. Relevant agencies, including the State Administration for Industry and Commerce, the State General Administration of the People's Republic of China for Quality Supervision and Inspection and Quarantine and the Copyright Office, now had the authority to confiscate equipment used for making counterfeit and pirated products and other evidence of infringement. These relevant agencies would be encouraged to exercise their authority to seize and preserve evidence of infringement such as inventory and documents. Administrative authorities would have the authority to impose sufficient sanctions to prevent or deter further infringement and would be encouraged to exercise that authority. Appropriate cases, including those involving repeat offenders and willful piracy and counterfeiting, would be referred to relevant authorities for prosecution under the criminal law provisions. The Working Party took note of these commitments.

5. Special border measures

299. The representative of China stated that on 5 July 1995 the State Council of the People's Republic of China had issued special legislation in respect of border measures for enforcement of intellectual property rights – the Regulations of the People's Republic of China Governing Customs Protection of Intellectual Property Rights – which came into effect on 1 October of the same year. According to this legislation, China's Customs offices must take measures to intercept importation or exportation of goods that were proved to be infringing the rights of trademarks, patents or copyrights legally protected in China. China's Customs offices were granted authority to investigate any suspected shipment and confiscate the goods in case infringement was proved.

300. Some members of the Working Party expressed concerns as to the compatibility of existing border measures with obligations under Articles 51 to 60 of the TRIPS Agreement; particularly the provisions on suspension of release into free circulation by customs authorities (Article 51), rules on evidence for initiating this procedure (Article 52), requirements on the security needed to protect the defendant (Article 53), rules on notice of the suspension (Article 54) and its duration (Article 55), rules on indemnification of the importer in case of wrongful detention (Article 56) and opportunity for the right-holder to have the goods detained inspected (Article 57). Moreover some expressed their concern as to compatibility of rules on actions ex-officio by competent authorities and the conditions attached (Article 58), as well as to the remedies provided against infringing goods (Article 59) and the quantities subject to the *de minimis* rules (Article 60).

301. In response, the representative of China stated that China would provide holders of intellectual property rights with procedures related to border measures that complied fully with the relevant provisions of the TRIPS Agreement (Articles 51 to 60). The Working Party took note of this commitment.

6. Criminal procedures

302. The representative of China stated that Articles 213 to 220 of the Criminal Law (Crimes of Infringing on Intellectual Property Rights) provided that whoever seriously infringes the right-holders' rights of registered trademarks, patents, copyrights or trade secrets would be sentenced to fixed-term imprisonment and would also be fined.

303. Some members of the Working Party expressed concerns that criminal procedures could not be used effectively to address piracy and counterfeiting. In particular, the monetary thresholds for bringing a criminal action, as currently applied, were very high and seldom met. Those thresholds should be lowered so as to permit effective action that would deter future piracy and counterfeiting. In response, the representative of China stated that China's administrative authority would recommend that the judicial authority make necessary adjustments to lower the thresholds so as to address these concerns. The Working Party took note of this commitment.

304. Noting the advanced state of protection for intellectual property rights in China, the representative of China confirmed that upon accession China would fully apply the provisions of the TRIPS Agreement. The Working Party took note of this commitment.

VI. POLICIES AFFECTING TRADE IN SERVICES

1. Licensing

305. Some members of the Working Party welcomed the broad-ranging and comprehensive commitments that China was undertaking to increase transparency and to provide information to governments and service providers on any matter relating to the GATS including China's Schedule of Specific Commitments. These members nonetheless expressed concerns regarding the lack of transparency in China's current services regime, in particular with respect to obtaining, extending, renewing, denying and terminating licences and other approvals required to provide services in China's market and appeals of such actions (hereafter referred to as "China's licensing procedures and conditions"). To be consistent with the provisions of the WTO Agreement, including the Draft Protocol and China's Schedule of Specific Commitments, members of the Working Party noted that China's licensing procedures and conditions should not in themselves act as a barrier to market access and should not be more trade restrictive than necessary. Those members also expressed the view that upon its accession, China should publish (1) a list of authorities responsible for authorizing, approving or regulating those service sectors in which China made specific commitments and (2) China's licensing procedures and conditions.

306. The representative of China confirmed that paragraph 331 regarding publication of a list of all organizations that were responsible for authorizing, approving or regulating service activities for each service sector, including those organizations delegated such authority from the central government authorities, would apply. The representative of China also confirmed that China would publish in the official journal all of China's licensing procedures and conditions upon accession. The Working Party took note of these commitments.

307. The representative of China also confirmed that upon accession China would ensure that China's licensing procedures and conditions would not act as barriers to market access and would not be more trade restrictive than necessary. In accordance with China's commitments under the WTO Agreement, the Draft Protocol and its Schedule of Specific Commitments, the representative of China confirmed that for those services included in China's Schedule of Specific Commitments, China would ensure that:

(a) China's licensing procedures and conditions were published prior to becoming effective;

(b) In that publication, China would specify reasonable time frames for review and decision by all relevant authorities in China's licensing procedures and conditions;

(c) Applicants would be able to request licensing without individual invitation;

(d) Any fees charged, which were not deemed to include fees determined through auction or a tendering process, would be commensurate with the administrative cost of processing an application.

(e) The competent authorities of China would, after receipt of an application, inform the applicant whether the application was considered complete under China's domestic laws and regulations and in the case of incomplete applications, identify the additional information that was required to complete the application and provide the opportunity to cure deficiencies;

(f) Decisions would be taken promptly on all applications;

(g) If an application was terminated or denied, the applicant would be informed in writing and without delay the reasons for such action. The applicant would have the possibility of resubmitting, at its discretion, a new application that addressed the reasons for termination or denial;

(h) If an application was approved, the applicant would be informed in writing and without delay. The licence or approval would enable the applicant to start the commercial operations upon registration of the company's name with SAIC for fiscal and other similar administrative purposes. This registration would be completed within 2 months of the submission of a complete file, as required by public SAIC regulations, and in accordance with China's Schedule of Specific Commitments;

(i) Where China required an examination to licence professionals, such examinations would be scheduled at reasonable intervals.

The Working Party took note of these commitments.

308. Some members of the Working Party also expressed concern about maintaining the independence of regulators from those they regulated. The representative of China confirmed that for the services included in China's Schedule of Specific Commitments, relevant regulatory authorities would be separate from, and not accountable to, any service suppliers they regulated, except for courier and railway transportation services. For these excepted sectors, China would comply with other relevant provisions of the WTO Agreement and the Draft Protocol. The Working Party took note of these commitments.

309. The representative of China stated that China would consult with WTO Members and develop regulations, consistent with China's Schedule of Specific Commitments and its obligations under GATS, on sales away from a fixed location. The Working Party took note of this commitment.

310. Some members of the Working Party noted that the World Code of Conduct provided a strong ethical basis for regulating sales away from a fixed location.

311. In response to questions from members of the Working Party regarding certain terms in China's Schedule of Specific Commitments, the representative of China confirmed the following:

(a) A "master policy" was a policy that provided blanket coverage for the same legal person's property and liabilities located in different places. A master policy could only be issued by the business department of an insurer's head office or that of its authorized province-level branch offices. Other branches were not allowed to issue master policies.

(i) For 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 were so listed and annually announced by the State Development and Planning Commission) met either of the following requirements, they could purchase a master policy from insurers that were located in the same place as the investors' legal persons were located.

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

2. The investment was 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 accounted for over 15 per cent of the total domestic investment.

For those projects that drew all investment from abroad, every insurer could provide coverage in the form of a master policy.

(ii) A Master policy covering different subject-matters insured of the same legal person.

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

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

2. If over 50 per cent of the insurance amount of the subject-matter insured was from a larger or medium sized city, then insurers in that city were allowed to issue a master policy, no matter whether the insurance applicant's legal person or accounting unit was located in the city.

(b) Large scale commercial risk meant an insurance risk written on any large scale commercial enterprise if, upon accession, the aggregate annual premium exceeded 800 thousand RMB and the investment was more than 200 million RMB; one year after accession, if the aggregate annual premium exceeded 600 thousand RMB and the investment was more than 180 million RMB; two years after accession, if the aggregate annual premium exceeded 400 thousand RMB and the investment was more than 150 million RMB.

(c) Statutory insurance in China's Schedule of Specific Commitments were limited to the following specific categories, and no additional lines or products would be added: third party auto liability insurance, and driver and operator liability for buses and other commercial vehicles.

(d) The representative of China confirmed that any changes to the definition of master policy and large scale commercial risk would be consistent with China's Specific Schedule of Commitments and obligations under GATS so as to progressively liberalize access to this services sector.

The Working Party took note of these commitments.

312. Members of the Working Party welcomed China's commitment to permit internal branching for insurance firms consistent with the phase-out of geographic restrictions. Some members noted that China had scheduled certain qualifications as limitations under GATS Articles XVI and XVII that foreign insurers had to meet to apply for a licence to provide services in China. These qualifications related to a minimum period of establishment in a WTO member, total assets and maintenance of a representative office in China. These qualifications should not apply to those foreign insurance companies established in China seeking authorisation to establish a branch or sub-branch. The representative of China confirmed that the qualifications for foreign insurers applying for a licence to enter China's market would not apply to foreign insurers already established in China that were seeking authorization to establish branches or sub-branches. [He also confirmed that a branch and a

sub-branch was an extension of the parent enterprise and not a separate legal entity and that China would permit internal branching accordingly on that basis.**]** The Working Party took note of these commitments.

2. Choice of Partner

313. Some members of the Working Party expressed concern regarding the existing practice of imposing conditions on the Chinese companies that were allowed to partner with foreign service suppliers. These members indicated that this could amount to *de facto* quotas, as the number of potential partners meeting those conditions might be limited. The representative of China confirmed that a foreign service supplier would be able to partner with any Chinese entity of its choice, including outside the sector of operation of the joint venture, as long as the Chinese partner was legally established in China. The joint venture as such should meet the prudential and specific sectoral requirements, on the same basis as those for domestic enterprises and which must be publicly available. The Working Party took note of these commitments.

3. Modification of the Equity Interest

314. The representative of China confirmed that the Chinese and foreign partners in an established joint venture would be able to discuss the modification of their respective equity participation levels in the joint venture and implement such modification if agreement was reached by both sides and also approved by the authorities. The representative of China confirmed that such an agreement would be approved if consistent with the relevant equity commitments in China's Schedule of Specific Commitments. The Working Party took note of this commitment.

4. Prior Experience Requirement for Establishment in Insurance Sector

315. The representative of China confirmed that the merging, division, restructuring or other change of legal form of an insurance company would not impact the prior experience requirements included in China's Schedule of Specific Commitments if the new entity continued to supply insurance services. The Working Party took note of this commitment**.**

5. Inspection Services

316. In response to questions from members of the Working Party, the representative of China confirmed that China would not maintain requirements which had the effect of acting as barriers to the operation of foreign and joint-venture commodity inspection agencies, unless otherwise specified in China's Schedule of Specific Commitments. The Working Party took note of this commitment.

6. Market Research

317. Some members of the Working Party expressed concern regarding market research activities. In response to questions from members in this respect, the representative of China confirmed that, upon accession, China would remove the prior approval requirement for market research services, defined as investigation services designed to secure information on the prospects and performance of an organization's products in the market, including market analysis (of the size and other characteristics of a market) and analysis of consumer attitudes and preferences. Market research firms registered in China, which were engaged in such services, would only be required to file the survey plan and the questionnaire form on record in the statistical agencies of government at or above the provincial level. The Working Party took note of these commitments.

7. Legal Services

318. In response to questions from members of the Working Party, the representative of China clarified that "Chinese national registered lawyers", as indicated in China's Schedule of Specific Commitments, were those Chinese nationals who had obtained a lawyer's certificate and were holding a Chinese practising permit and were registered to practice in a Chinese law firm.

8. Minority Shareholder Rights

319. With respect to its Schedule of Specific Commitments, the representative of China confirmed that, while China had limited its market access commitments in some sectors to permit foreigners to hold only a minority equity interest, a minority shareholder could enforce rights in the investment under China's laws, regulations and measures. Moreover, WTO Members would have recourse to WTO dispute settlement to ensure implementation of all commitments in China's GATS schedule. The Working Party took note of these commitments.

9. Schedule of Specific Commitments

320. China's Schedule of Specific Commitments, reproduced in Annex 9 to the Draft Protocol, contained the market access commitments of China in respect of Services.

VII. OTHER ISSUES

1. Notifications

321. Members of the Working Party requested that China submit the notifications required in the Draft Protocol and Draft Report to the WTO body with a mandate covering the subject of the notification. The representative of China confirmed that China would submit its notifications to these

bodies, as provided for in Annex 1 to the Draft Protocol. The Working Party took note of this commitment.

2. Special Trade Arrangements

322. Some members of the Working Party raised specific concerns in relation to some of China's special trade arrangements, including barter trade arrangements, with third countries and separate customs territories, which those members considered not to be in conformity with WTO requirements. In response, the representative of China recalled the commitment undertaken by China in Section 4 of the Draft Protocol.

3. Transparency

323. Some members of the Working Party expressed concern about the lack of transparency regarding the laws, regulations and other measures that applied to matters covered in the WTO Agreement and the Draft Protocol. In particular, some members noted the difficulty in finding and obtaining copies of regulations and other measures undertaken by various ministries as well as those taken by provincial and other local authorities. Transparency of regulations and other measures, particularly of sub-national authorities, was essential since these authorities often provided the details on how the more general laws, regulations and other measures of the central government would be implemented and often differed among various jurisdictions. Those members emphasized the need to receive such information in a timely fashion so that governments and traders could be prepared to comply with such provisions and could exercise their rights in respect of implementation and enforcement of such measures. The same members emphasized the importance of such pre-publication to enhancing secure, predictable trading relations. Those members noted the development of the Internet and other means to ensure that information from all government bodies at all levels could be assembled in one place and made readily available. The creation and maintenance of a single, authoritative journal and enquiry point would greatly facilitate dissemination of information and help promote compliance.

324. In response, the representative of China noted that the Government of China regularly issued publications providing information on China's foreign trade system, such as the: "Almanac of Foreign Economic Relations and Trade" and "The Bulletin of MOFTEC" published by MOFTEC; "Statistical Yearbook of China", published by the State Statistical Bureau; "China's Customs Statistics (Quarterly)", edited and published by the Customs. China's laws and regulations of the State Council relating to foreign trade were all published, as were rules issued by departments. Such laws, regulations and rules were available in the "Gazette of the State Council", the "Collection of the Laws and Regulations of the People's Republic of China" and the "MOFTEC Gazette". The administrative

regulations and directives relating to foreign trade were also published on MOFTEC's official website (http://www.moftec.gov.cn) and in periodicals.

325. He further noted that there were no forex restrictions affecting import or export. Information on forex measures was published by the SAFE and was available on SAFE's website (http://www.safe.gov.cn) and via the news media.

326. The representative of China noted that information concerning the administration of imports and exports would be published in the "International Business" newspaper and the "MOFTEC Gazette".

327. He also noted that information on China's customs laws and regulations, import and export duty rates, and customs procedures was published in the "Gazette of the State Council" and in the press media, and was available upon request. The procedures concerning application of duty rates, customs value and duty determination, drawback and duty recovery, as well as the procedures concerning duty exemptions and reduction, were also published. Customs also published monthly customs statistics, calculated according to country of origin and final destination, on the basis of eight-digit HS levels.

328. The representative of China noted that any bilateral trade agreements concluded between China and its trading partners, and protocols on the exchange of goods negotiated under them were published in "The Treaty Series of the PRC". He also noted that the "Directory of China's Foreign Economic Relations and Trade Enterprises" and "China's Foreign Trade Corporations and Organizations" were two publications which identified foreign trade corporations and other enterprises in China engaged in foreign trade.

329. The representative of China stated that the full listing of official journals was as follows: Gazette of the Standing Committee of the National People's Congress of the People's Republic of China; Gazette of the State Council of the People's Republic of China; Collection of the Laws of the People's Republic of China; Collection of the Laws and Regulations of the People's Republic of China; Gazette of MOFTEC of the People's Republic of China; Proclamation of the People's Bank of the People's Republic of China; and Proclamation of the Ministry of Finance of the People's Republic of China.

330. The representative of China confirmed that publication of all laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of forex would include the effective date of these measures. It would also include the products and services affected

by a particular measure, identified by appropriate tariff line and CPC classification. The Working Party took note of these commitments.

331. The representative of China confirmed that China would publish in the official journal, by appropriate classification and by service where relevant, a list of all organizations, including those organizations delegated such authority from the national authorities, that were responsible for authorizing, approving or regulating services activities whether through grant of licence or other approval. Procedures and the conditions for obtaining such licences or approval would also be published. The Working Party took note of these commitments.

332. The representative of China confirmed that none of the information required by the WTO Agreement or the Draft Protocol to be disclosed would be withheld as confidential information except for those reasons identified in Section 2(C) of the Draft Protocol or unless it would demonstrably prejudice the legitimate commercial interests of particular enterprises, public or private. The Working Party took note of this commitment.

333. The representative of China confirmed that China would make available to WTO Members translations into one or more of the official languages of the WTO all laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of forex, and to the maximum extent possible would make these laws, regulations and other measures before they were implemented or enforced, but in no case later than 90 days after they were implemented or enforced. The Working Party took note of these commitments.

334. Members of the Working Party also requested that China set up an enquiry point where information relating to all laws, regulations, judicial decisions and administrative rulings of general application and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of forex could be obtained.

335. The representative of China confirmed that China would establish or designate one or more enquiry points where all information relating to the laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of forex, as well as the published texts, could be obtained and would notify the WTO of any enquiry point and its responsibility. The information would include the names of national or sub-national authorities (including contact points) responsible for implementing a particular measure. The Working Party took note of these commitments.

2. Government Procurement

336. The representative of China stated that in order to promote China's government procurement regime, the Ministry of Finance promulgated the Interim Regulations on Government Procurement in April 1998. The Interim Regulations were stipulated in line with the spirit of the WTO Agreement on Government Procurement ("GPA") and on the basis of the relevant provisions of the United Nations Model Law on Procurement of Goods, Construction and Services while making reference to the laws and regulations of some WTO Members on government procurement. The policy and procedures regarding government procurement provided for therein were consistent with international practice. China stuck to the fundamental principles of being open, fair, equitable, efficient and in the public interest when carrying out government procurement. At present, China was formulating its Government Procurement Law.

337. Some members of the Working Party stated that China should become a Party to the GPA and that prior to its accession to the GPA, China should conduct all government procurement in a transparent and non-discriminatory manner. Those members noted that China's public entities engaged exclusively in commercial activities would not be conducting government procurement and thus laws, regulations and other measures regulating these entities' procurement practices would be fully subject to WTO requirements.

338. The representative of China stated that China intended to become a Party to the GPA and that until such time, all government entities at the central and sub-national level, as well as any of its public entities other than those engaged in exclusively commercial activities, would conduct their procurement in a transparent manner, and provide all foreign suppliers with equal opportunity to participate in that procurement pursuant to the principle of MFN treatment, i.e., if a procurement was opened to foreign suppliers, all foreign suppliers would be provided with equal opportunity to participate in that procurement (e.g., through the bidding process). Such entities' procurements would be subject only to laws, regulations, judicial decisions, administrative rulings of general application, and procedures (including standard contract clauses) which had been published and made available to the public. The Working Party took note of these commitments.

339. Noting China's intention to become a Party to the GPA, some members of the Working Party stated that China should, upon accession, become an observer to the GPA, and should initiate negotiations for membership in the Agreement by tabling an Appendix 1 offer within two years of accession.

340. The representative of China responded that China would become an observer to the GPA upon accession to the WTO Agreement and initiate negotiations for membership in the GPA by tabling an Appendix 1 offer as soon as possible. The Working Party took note of these commitments.

VIII. CONCLUSIONS

341. The Working Party took note of the explanations and statements of China concerning its foreign trade regime, as reflected in this Draft Report. The Working Party took note of the commitments given by China in relation to certain specific matters which are reproduced in paragraphs 18-19, 22-23, 35-36, 40, 42, 46-47, 49, 60, 62, 64, 68, 70, 73, 75, 78-79, 83-84, 86, 91-93, 96, 100-103, 107, 111, 115-117, 119-120, 122-123, 126-132, 136, 138, 140, 143, 146, 148, 152, 154, 157, 162, 165, 167-168, 170-174, 177-178, 180, 182, 184-185, 187, 190-197, 199-200, 203-207, 212-213, 215, 217, 222-223, 225, 227-228, 231-235, 239-241, 251, 255, 258, 262, 269, 274, 283, 285, 287, 290, 291, 295, 298, 301, 303, 304, 306-309, 311-317, 319, 321, 330-333, 335, 338 and 340 of this Draft Report and noted that these commitments are incorporated in paragraph 1.2 of the Draft Protocol.

342. Having carried out the examination of the foreign trade regime of China and in the light of the explanations, commitments and concessions made by China, the Working Party reached the conclusion that China should be invited to accede to the Marrakesh Agreement Establishing the WTO under the provisions of Article XII. For this purpose, the Working Party prepared the Draft Decision and Draft Protocol reproduced in the Appendix to this Draft Report, and took note of China's Schedule of Concessions and Commitments on Goods (document WT/ACC/SPEC/CHN/1/Rev.8/Add.1) and China's Schedule of Specific Commitments on Services (document WT/ACC/SPEC/CHN/1/Rev.8/Add.1) that were annexed to the Draft Protocol. It was proposed that these texts be adopted by the General Council when it adopted the Draft Report. When the Draft Decision was adopted, the Draft Protocol would be open for acceptance by China which would become a WTO Member 30 days after it accepted the said Draft Protocol. The Working Party agreed, therefore, that it had completed its work concerning the negotiations for the accession of China to the WTO Agreement.

DRAFT DECISION

ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA

Decision of [… November 2001]

[The Ministerial Conference,

Having regard to paragraph 2 of Article XII and paragraph 1 of Article IX of the Marrakesh Agreement Establishing the World Trade Organization, and the Decision-Making Procedures under Articles IX and XII of the Marrakesh Agreement Establishing the World Trade Organization agreed by the General Council (WT/L/93),

Taking note of the application of the People's Republic of China for accession to the Marrakesh Agreement Establishing the World Trade Organization dated 7 December 1995,

Noting the results of the negotiations directed toward the establishment of the terms of accession of the People's Republic of China to the Marrakesh Agreement Establishing the World Trade Organization and having prepared a Protocol on the Accession of the People's Republic of China (WT/ACC/…/…),

Decides as follows:

The People's Republic of China may accede to the Marrakesh Agreement Establishing the World Trade Organization on the terms and conditions set out in the Protocol annexed to this decision.]

DRAFT PROTOCOL
ON THE ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA

Preamble

The World Trade Organization ("WTO"), pursuant to the approval of the General Council of the WTO accorded under Article XII of the Marrakesh Agreement Establishing the World Trade Organization ("WTO Agreement"), and the People's Republic of China ("China"),

Recalling that China was an original contracting party to the General Agreement on Tariffs and Trade 1947,

Taking note that China is a signatory to the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations,

Taking note of the Report of the Working Party on the Accession of China to the WTO Agreement in document _____ ("Working Party Report"),

Having regard to the results of the negotiations concerning China's membership in the WTO,

Agree as follows:

Part I - General Provisions

1. General

1. Upon accession, China accedes to the WTO Agreement pursuant to Article XII of that Agreement and thereby becomes a Member of the WTO.

2. The WTO Agreement to which China accedes shall be the WTO Agreement as rectified, amended or otherwise modified by such legal instruments as may have entered into force before the date of accession. This Draft Protocol, which shall include the commitments referred to in paragraph 341 of the Working Party Report, shall be an integral part of the WTO Agreement.

3. Except as otherwise provided for in paragraphs 5.1, 7.1, 8.1(a), 13.4(b) and 14 of this Draft Protocol and in the paragraphs referred to in paragraphs 23, 42, 68, 83, 84, 86, 117, 122, 126, 128, 130, 132, 143, 173, 196, 205, 206, 235, 241, 255, 258, 262, 269, 274, 283, 309, 321 and 333 of the Working Party Report, those obligations in the Multilateral Trade Agreements annexed to the WTO Agreement that are to be implemented over a period of time starting with entry into force of that Agreement shall be implemented by China as if it had accepted that Agreement on the date of its entry into force.

4. China may maintain a measure inconsistent with paragraph 1of Article II of the General Agreement on Trade in Services ("GATS") provided that such a measure is recorded in the List of Article II Exemptions annexed to this Draft Protocol and meets the conditions of the Annex to the GATS on Article II Exemptions.

2. Administration of the Trade Regime

(A) Uniform Administration

1. The provisions of the WTO Agreement and this Draft Protocol shall apply to the entire customs territory of China, including border trade regions and minority autonomous areas, Special Economic Zones, open coastal cities, economic and technical development zones and other areas where special regimes for tariffs, taxes and regulations are established (collectively referred to as "special economic areas").

2. China shall apply and administer in a uniform, impartial and reasonable manner all its laws, regulations and other measures of the central government as well as local regulations, rules and other measures issued or applied at the sub-national level (collectively referred to as "laws, regulations and other measures") pertaining to or affecting trade in goods, services, trade-related aspects of intellectual property rights ("TRIPS") or the control of foreign exchange.

3. China's local regulations, rules and other measures of local governments at the sub-national level shall conform to the obligations undertaken in the WTO Agreement and this Draft Protocol.

4. China shall establish a mechanism under which individuals and enterprises can bring to the attention of the national authorities cases of non-uniform application of the trade regime.

(B) Special Economic Areas

1. China shall notify to the WTO all the relevant laws, regulations and other measures relating to its special economic areas, listing these areas by name and indicating the geographic boundaries that define them. China shall notify the WTO promptly, but in any case within 60 days, of any additions or modifications to its special economic areas, including notification of the laws, regulations and other measures relating thereto.

2. China shall apply to imported products, including physically incorporated components, introduced into the other parts of China's customs territory from the special economic areas, all taxes, charges and measures affecting imports, including import restrictions and customs and tariff charges, that are normally applied to imports into the other parts of China's customs territory.

3. Except as otherwise provided for in this Draft Protocol, in providing preferential arrangements for enterprises within such special economic areas, WTO provisions on non-discrimination and national treatment shall be fully observed.

(C) Transparency

1. China undertakes that only those laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of foreign exchange that are published and readily available to other WTO Members, individuals and enterprises, shall be enforced. In addition, China shall make available to WTO Members, upon request, all laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of foreign exchange before such measures are implemented or enforced. In emergency situations, laws, regulations and other measures shall be made available at the latest when they are implemented or enforced.

2. China shall establish or designate an official journal dedicated to the publication of all laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of foreign exchange and, after publication of its laws, regulations or other measures in such journal, shall provide a reasonable period for comment to the appropriate authorities before such measures are implemented, except for those laws, regulations and other measures involving national security, specific measures setting foreign exchange rates or monetary policy and other measures the publication of which would impede law enforcement. China shall publish this journal on a regular basis and make copies of all issues of this journal readily available to individuals and enterprises.

3. China shall establish or designate an enquiry point where, upon request of any individual, enterprise or WTO Member all information relating to the measures required to be published under paragraph 2(C)1 of this Draft Protocol may be obtained. Replies to requests for information shall generally be provided within 30 days after receipt of a request. In exceptional cases, replies may be provided within 45 days after receipt of a request. Notice of the delay and the reasons therefor shall be provided in writing to the interested party. Replies to WTO Members shall be complete and shall represent the authoritative view of the Chinese government. Accurate and reliable information shall be provided to individuals and enterprises.

(D) Judicial Review

1. China shall establish, or designate, and maintain tribunals, contact points and procedures for the prompt review of all administrative actions relating to the implementation of laws, regulations, judicial decisions and administrative rulings of general application referred to in Article X:1 of the GATT 1994, Article VI of the GATS and the relevant provisions of the TRIPS Agreement. Such tribunals shall be impartial and independent of the agency entrusted with administrative enforcement and shall not have any substantial interest in the outcome of the matter.

2. Review procedures shall include the opportunity for appeal, without penalty, by individuals or enterprises affected by any administrative action subject to review. If the initial right of appeal is to an administrative body, there shall in all cases be the opportunity to choose to appeal the decision to a judicial body. Notice of the decision on appeal shall be given to the appellant and the reasons for such decision shall be provided in writing. The appellant shall also be informed of any right to further appeal.

3. Non-discrimination

Except as otherwise provided for in this Draft Protocol, foreign individuals and enterprises and foreign-funded enterprises shall be accorded treatment no less favourable than that accorded to other individuals and enterprises in respect of:

(a) the procurement of inputs and goods and services necessary for production and the conditions under which their goods are produced, marketed or sold, in the domestic market and for export; and

(b) the prices and availability of goods and services supplied by national and sub-national authorities and public or state enterprises, in areas including transportation, energy, basic telecommunications, other utilities and factors of production.

4. Special Trade Arrangements

Upon accession, China shall eliminate or bring into conformity with the WTO Agreement all special trade arrangements, including barter trade arrangements, with third countries and separate customs territories, which are not in conformity with the WTO Agreement.

5. Right to Trade

1. Without prejudice to China's right to regulate trade in a manner consistent with the WTO Agreement, China shall progressively liberalize the availability and scope of the right to trade, so that, within three years after accession, all enterprises in China shall have the right to trade in all goods throughout the customs territory of China, except for those goods listed in Annex 2a which continue to be subject to state trading in accordance with this Draft Protocol. Such right to trade shall be the right to import and export goods. All such goods shall be accorded national treatment under Article III of the GATT 1994, especially paragraph 4 thereof, in respect of their internal sale, offering for sale, purchase, transportation, distribution or use, including their direct access to end-users. For those goods listed in Annex 2b, China shall phase out limitation on the grant of trading rights pursuant to the schedule in that Annex. China shall complete all necessary legislative procedures to implement these provisions during the transition period.

2. Except as otherwise provided for in this Draft Protocol, all foreign individuals and enterprises, including those not invested or registered in China, shall be accorded treatment no less favourable than that accorded to enterprises in China with respect to the right to trade.

6. State Trading

1. China shall ensure that import purchasing procedures of state trading enterprises are fully transparent, and in compliance with the WTO Agreement, and shall refrain from taking any measure to influence or direct state trading enterprises as to the quantity, value, or country of origin of goods purchased or sold, except in accordance with the WTO Agreement.

2. As part of China's notification under the GATT 1994 and the Understanding on the Interpretation of Article XVII of the GATT 1994, China shall also provide full information on the pricing mechanisms of its state trading enterprises for exported goods.

7. Non-Tariff Measures

1. China shall implement the schedule for phased elimination of the measures contained in Annex 3. During the periods specified in Annex 3, the protection afforded by the measures listed in that Annex shall not be increased or expanded in size, scope or duration, nor shall any new measures be applied, unless in conformity with the provisions of the WTO Agreement.

2. In implementing the provisions of Articles III and XI of the GATT 1994 and the Agreement on Agriculture, China shall eliminate and shall not introduce, re-introduce or apply non-tariff measures that cannot be justified under the provisions of the WTO Agreement. For all non-tariff measures, whether or not referred to in Annex 3, that are applied after the date of accession, consistent with the WTO Agreement or this Draft Protocol, China shall allocate and otherwise administer such measures in strict conformity with the provisions of the WTO Agreement, including GATT 1994 and Article XIII thereof, and the Agreement on Import Licensing Procedures, including notification requirements.

3. China shall, upon accession, comply with the TRIMs Agreement, without recourse to the provisions of Article 5 of the TRIMs Agreement. China shall eliminate and cease to enforce trade and foreign exchange balancing requirements, local content and export performance requirements made effective through laws, regulations or other measures. Moreover, China will not enforce provisions of contracts imposing such requirements. Without prejudice to the relevant provisions of this Draft Protocol, China shall ensure that the distribution of import licences, quotas, tariff-rate quotas, or any other means of approval for importation, the right of importation or investment by national and sub-national authorities, is not conditioned on: whether competing domestic suppliers of such products exist; performance requirements of any kind, such as local content, offsets, the transfer of technology, export performance or the conduct of research and development in China.

4. Import and export prohibitions and restrictions, and licensing requirements affecting imports and exports shall only be imposed and enforced by the national authorities or by sub-national authorities with authorization from the national authorities. Such measures which are not imposed by the national authorities or by sub-national authorities with authorization from the national authorities, shall not be implemented or enforced.

8. Import and Export Licensing

1. In implementing the WTO Agreement and provisions of the Agreement on Import Licensing Procedures, China shall undertake the following measures to facilitate compliance with these agreements:

(a) China shall publish on a regular basis the following in the official journal referred to in paragraph 2(C)2 of this Draft Protocol:

— by product, the list of all organizations, including those organizations delegated such authority by the national authorities, that are responsible for authorizing or approving imports or exports, whether through grant of licence or other approval;

— procedures and criteria for obtaining such import or export licences or other approvals, and the conditions for deciding whether they should be granted;

— a list of all products, by tariff number, that are subject to tendering requirements, including information on products subject to such tendering requirements and any changes, pursuant to the Agreement on Import Licensing Procedures;

— a list of all goods and technologies whose import or export are restricted or prohibited; these goods shall also be notified to the Committee on Import Licensing;

— any changes to the list of goods and technologies whose import and export are restricted or prohibited.

Copies of these submissions in one or more official languages of the WTO shall be forwarded to the WTO for circulation to WTO Members and for submission to the Committee on Import Licensing within 75 days of each publication.

(b) China shall notify the WTO of all licensing and quota requirements remaining in effect after accession, listed separately by HS tariff line and with the quantities associated with the restriction, if any, and the justification for maintaining the restriction or its scheduled date of termination.

(c) China shall submit the notification of its import licensing procedures to the Committee on Import Licensing. China shall report annually to the Committee on Import Licensing on its automatic import licensing procedures, explaining the circumstances which give rise to these requirements and justifying the need for their continuation. This report shall also provide the information listed in Article 3 of the Agreement on Import Licensing Procedures.

(d) China shall issue import licences for a minimum duration of validity of six months, except where exceptional circumstances make this impossible. In such cases, China shall promptly notify the Committee on Import Licensing of the exceptional circumstances requiring the shorter period of licence validity.

2. Except as otherwise provided for in this Draft Protocol, foreign individuals and enterprises and foreign-funded enterprises shall be accorded treatment no less favourable than that accorded to other individuals and enterprises in respect of the distribution of import and export licences and quotas.

9. Price Controls

1. China shall, subject to paragraph 2 below, allow prices for traded goods and services in every sector to be determined by market forces, and multi-tier pricing practices for such goods and services shall be eliminated.

2. The goods and services listed in Annex 4 may be subject to price controls, consistent with the WTO Agreement, in particular Article III of the GATT 1994 and Annex 2, paragraphs 3 and 4 of the Agreement on Agriculture. Except in exceptional circumstances, and subject to notification to the WTO, price controls shall not be extended to goods or services beyond those listed in Annex 4, and China shall make best efforts to reduce and eliminate these controls.

3. China shall publish in the official journal the list of goods and services subject to state pricing and changes thereto.

10. Subsidies

1. China shall notify the WTO of any subsidy within the meaning of Article 1 of the Agreement on Subsidies and Countervailing Measures ("SCM Agreement"), granted or maintained in its territory, organized by specific product, including those subsidies defined in Article 3 of the SCM Agreement.

The information provided should be as specific as possible, following the requirements of the questionnaire on subsidies as noted in Article 25 of the SCM Agreement.

2. For purposes of applying Articles 1.2 and 2 of the SCM Agreement, subsidies provided to state-owned enterprises will be viewed as specific if, inter alia, state-owned enterprises are the predominant recipients of such subsidies or state-owned enterprises receive disproportionately large amounts of such subsidies.

3. China shall eliminate all subsidy programmes falling within the scope of Article 3 of the SCM Agreement upon accession.

11. Taxes and Charges Levied on Imports and Exports

1. China shall ensure that customs fees or charges applied or administered by national or sub-national authorities, shall be in conformity with the GATT 1994.

2. China shall ensure that internal taxes and charges, including value-added taxes, applied or administered by national or sub-national authorities shall be in conformity with the GATT 1994.

3. China shall eliminate all taxes and charges applied to exports unless specifically provided for in Annex 6 of this Draft Protocol or applied in conformity with the provisions of Article VIII of the GATT 1994.

4. Foreign individuals and enterprises and foreign-funded enterprises shall, upon accession, be accorded treatment no less favourable than that accorded to other individuals and enterprises in respect of the provision of border tax adjustments.

12. Agriculture

1. China shall implement the provisions contained in China's Schedule of Concessions and Commitments on Goods and, as specifically provided in this Draft Protocol, those of the Agreement on Agriculture. In this context, China shall not maintain or introduce any export subsidies on agricultural products.

2. China shall, under the Transitional Review Mechanism, notify fiscal and other transfers between or among state-owned enterprises in the agricultural sector (whether national or sub-national) and other enterprises that operate as state trading enterprises in the agricultural sector.

13. Technical Barriers to Trade

1. China shall publish in the official journal all criteria, whether formal or informal, that are the basis for a technical regulation, standard or conformity assessment procedure.

2. China shall, upon accession, bring into conformity with the TBT Agreement all technical regulations, standards and conformity assessment procedures.

3. China shall apply conformity assessment procedures to imported products only to determine compliance with technical regulations and standards that are consistent with the provisions of this Draft Protocol and the WTO Agreement. Conformity assessment bodies will determine the conformity of imported products with commercial terms of contracts only if authorized by the parties to such contract. China shall ensure that such inspection of products for compliance with the commercial terms of contracts does not affect customs clearance or the granting of import licences for such products.

4. (a) Upon accession, China shall ensure that the same technical regulations, standards and conformity assessment procedures are applied to both imported and domestic products. In order to ensure a smooth transition from the current system, China shall ensure that, upon accession, all certification, safety licensing, and quality licensing bodies and agencies are authorized to undertake these activities for both imported and domestic products, and that, one year after accession, all conformity assessment bodies and agencies are authorized to undertake conformity assessment for both imported and domestic products. The choice of body or agency shall be at the discretion of the applicant. For imported and domestic products, all bodies and agencies shall issue the same mark and charge the same fee. They shall also provide the same processing periods and complaint procedures. Imported products shall not be subject to more than one conformity assessment. China shall publish and make readily available to other WTO Members, individuals, and enterprises full information on the respective responsibilities of its conformity assessment bodies and agencies.

(b) No later than 18 months after accession, China shall assign the respective responsibilities of its conformity assessment bodies solely on the basis of the scope of work and type of product without any consideration of the origin of a product. The respective responsibilities that

will be assigned to China's conformity assessment bodies will be notified to the TBT Committee 12 months after accession.

14. Sanitary and Phytosanitary Measures

China shall notify to the WTO all laws, regulations and other measures relating to its sanitary and phytosanitary measures, including product coverage and relevant international standards, guidelines and recommendations, within 30 days after accessopm.

15. Price Comparability in Determining Subsidies and Dumping

Article VI of the GATT 1994, the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 ("Anti-Dumping Agreement") and the SCM Agreement shall apply in proceedings involving imports of Chinese origin into a WTO Member consistent with the following:

(a) In determining price comparability under Article VI of the GATT 1994 and the Anti-Dumping Agreement, the importing WTO Member shall use either Chinese prices or costs for the industry under investigation or a methodology that is not based on a strict comparison with domestic prices or costs in China based on the following rules:

(i) If the producers under investigation can clearly show that market economy conditions prevail in the industry producing the like product with regard to the manufacture, production and sale of that product, the importing WTO Member shall use Chinese prices or costs for the industry under investigation in determining price comparability;

(ii) The importing WTO Member may use a methodology that is not based on a strict comparison with domestic prices or costs in China if the producers under investigation cannot clearly show that market economy conditions prevail in the industry producing the like product with regard to manufacture, production and sale of that product.

(b) In proceedings under Parts II, III and V of the SCM Agreement, when addressing subsidies described in Articles 14(a), 14(b), 14(c) and 14(d), relevant provisions of

the SCM Agreement shall apply; however, if there are special difficulties in that application, the importing WTO Member may then use methodologies for identifying and measuring the subsidy benefit which take into account the possibility that prevailing terms and conditions in China may not always be available as appropriate benchmarks. In applying such methodologies, where practicable, the importing WTO Member should adjust such prevailing terms and conditions before considering the use of terms and conditions prevailing outside China.

(c) The importing WTO Member shall notify methodologies used in accordance with subparagraph (1) to the Committee on Anti-Dumping Practices and shall notify methodologies used in accordance with sub-paragraph (b) to the Committee on Subsidies and Countervailing Measures.

(d) Once China has established, under the national law of the importing WTO Member, that it is a market economy, the provisions of subparagraph (a) shall be terminated provided that the importing Member's national law contain market economy criteria as of the date of accession. In any event, the provisions of subparagraph (a)(ii) shall expire 15 years after the date of accession. In addition, should China establish, pursuant to the national law of the importing WTO Member, that market economy conditions prevail in a particular industry or sector, the non-market economy provisions of sub-paragraph (a) shall no longer apply to that industry or sector.

16. Transitional Product-Specific Safeguard Mechanism

1. In cases where products of Chinese origin are being imported into the territory of any WTO Member in such increased quantities or under such conditions as to cause or threaten to cause market disruption to the domestic producers of like or directly competitive products, the WTO Member so affected may request consultations with China with a view to seeking a mutually satisfactory solution, including whether the affected WTO Member should pursue application of a measure under the Agreement on Safeguards. Any such request shall be notified immediately to the Committee on Safeguards.

2. If, in the course of these bilateral consultations, it is agreed that imports of Chinese origin are such a cause and that action is necessary, China shall take such action as to prevent or remedy the market disruption. Any such action shall be notified immediately to the Committee on Safeguards.

3. If consultations do not lead to an agreement between China and the WTO Member concerned within 60 days of the receipt of a request for consultations, the WTO Member affected shall be free, in respect of such products, to withdraw concessions or otherwise to limit imports only to the extent necessary to prevent or remedy such market disruption. Any such action shall be notified immediately to the Committee on Safeguards.

4. Market disruption shall exist whenever imports of an article, like or directly competitive with an article produced by the domestic industry, are increasing rapidly, either absolutely or relatively, so as to be a significant cause of material injury, or threat of material injury to the domestic industry. In determining if market disruption exists, the affected WTO Member shall consider objective factors, including the volume of imports, the effect of imports on prices for like or directly competitive articles, and the effect of such imports on the domestic industry producing like or directly competitive products.

5. Prior to application of a measure pursuant to paragraph 3, the WTO Member taking such action shall provide reasonable public notice to all interested parties and provide adequate opportunity for importers, exporters and other interested parties to submit their views and evidence on the appropriateness of the proposed measure and whether it would be in the public interest. The WTO Member shall provide written notice of the decision to apply a measure, including the reasons for such measure and its scope and duration.

6. A WTO Member shall apply a measure pursuant to this Section only for such period of time as may be necessary to prevent or remedy the market disruption. If a measure is taken as a result of a relative increase in the level of imports, China has the right to suspend the application of substantially equivalent concessions or obligations under the GATT 1994 to the trade of the WTO Member applying the measure, if such measure remains in effect more than two years. However, if a measure is taken as a result of an absolute increase in imports, China has a right to suspend the application of substantially equivalent concessions or obligations under the GATT 1994 to the trade of the WTO Member applying the measure, if such measure remains in effect more than three years. Any such action by China shall be notified immediately to the Committee on Safeguards.

7. In critical circumstances, where delay would cause damage which it would be difficult to repair, the WTO Member so affected may take a provisional safeguard measure pursuant to a preliminary determination that imports have caused or threatened to cause market disruption. In this case, notification of the measures taken to the Committee on Safeguards and a request for bilateral consultations shall be effected immediately thereafter. The duration of the provisional measure shall

not exceed 200 days during which the pertinent requirements of paragraphs 1, 2 and 5 shall be met. The duration of any provisional measure shall be counted toward the period provided for under paragraph 6.

8. If a WTO Member considers that an action taken under paragraphs 2, 3 or 7 causes or threatens to cause significant diversions of trade into its market, it may request consultations with China and/or the WTO Member concerned. Such consultations shall be held within 30 days after the request is notified to the Committee on Safeguards. If such consultations fail to lead to an agreement between China and the WTO Member or Members concerned within 60 days after the notification, the requesting WTO Member shall be free, in respect of such product, to withdraw concessions accorded to or otherwise limit imports from China, to the extent necessary to prevent or remedy such diversions. Such action shall be notified immediately to the Committee on Safeguards.

9. Application of this Section will be terminated 12 years after the date of accession.

17. Reservations by WTO Members

All prohibitions, quantitative restrictions and other measures maintained by WTO Members against imports from China in a manner inconsistent with the WTO Agreement are listed in Annex 7 at the HS 8-digit level. All such prohibitions, quantitative restrictions and other measures shall be phased out or dealt with in accordance with mutually agreed terms and timetables as specified in said Annex.

18. Transitional Review Mechanism

1. Those subsidiary bodies[1] of the WTO which have a mandate covering China's commitments under the WTO Agreement or this Draft Protocol shall, within one year after accession and in accordance with paragraph 18.4 below, review, as appropriate to their mandate, the implementation by China of the WTO Agreement and of the related provisions of this Draft Protocol. China shall provide relevant information, including information specified in Annex 1A, to each subsidiary body in advance of the review. China can also raise issues relating to any reservations under Section 17 or to any other specific commitments made by other Members in this Draft Protocol, in those subsidiary

[1] Council for Trade in Goods, Council for Trade-Related Aspects of Intellectual Property Rights, Council for Trade in Services, Committees on Balance-of-Payments Restrictions, Market Access (covering also ITA), Agriculture, Sanitary and Phytosanitary Measures, Technical Barriers to Trade, Subsidies and Countervailing Measures, Anti-Dumping Measures, Customs Valuation, Rules of Origin, Import Licensing, Trade-Related Investment Measures, Safeguards, Trade in Financial Services.

bodies which have a relevant mandate. Each subsidiary body shall report the results of such review promptly to the relevant Council established by paragraph 5 of Article IV of the WTO Agreement, if applicable, which shall in turn report promptly to the General Council.

2. The General Council shall, within one year after accession, and in accordance with paragraph 18.4 below, review the implementation by China of the WTO Agreement and the provisions of this Draft Protocol. The General Council shall conduct such review in accordance with the framework set out in Annex 1B and in the light of the results of any reviews held pursuant to paragraph 18.1. China also can raise issues relating to any reservations under Section 17 or to any other specific commitments made by other Members in this Draft Protocol. The General Council may make recommendations to China and to other Members in these respects.

3. Consideration of issues pursuant to this Section shall be without prejudice to the rights and obligations of any Member, including China, under the WTO Agreement or any Plurilateral Trade Agreement, and shall not preclude or be a precondition to recourse to consultation or other provisions of the WTO Agreement or this Draft Protocol.

4. The review provided for in paragraphs 18.1 and 18.2 will take place after accession in each year for eight years. Thereafter there will be a final review in year 10 or at an earlier date decided by the General Council.

Part II - Schedules

1. The Schedules annexed to this Draft Protocol shall become the Schedule of Concessions and Commitments annexed to the GATT 1994 and the Schedule of Specific Commitments annexed to the GATS relating to China. The staging of concessions and commitments listed in the Schedules shall be implemented as specified in the relevant parts of the relevant Schedules.

2. For the purpose of the reference in paragraph 6(a) of Article II of the GATT 1994 to the date of that Agreement, the applicable date in respect of the Schedules of Concessions and Commitments annexed to this Draft Protocol shall be the date of accession.

Part III - Final Provisions

1. This Draft Protocol shall be open for acceptance, by signature or otherwise, by China until _____.

2. This Draft Protocol shall enter into force on the thirtieth day following the day of its acceptance.

3. This Draft Protocol shall be deposited with the Director-General of the WTO. The Director-General shall promptly furnish a certified copy of this Draft Protocol and a notification of acceptance by China thereof, pursuant to paragraph 1 of Part III of this Draft Protocol, to each WTO Member and to China.

4. This Draft Protocol shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

Done at [Doha] this [ ] day of [ ] two thousand and one, in a single copy, in the English, French and Spanish languages, each text being authentic, except that a Schedule annexed hereto may specify that it is authentic in only one or more of these languages.

ANNEX 1A

INFORMATION[2] TO BE PROVIDED BY CHINA IN THE CONTEXT OF THE TRANSITIONAL REVIEW MECHANISM

China is requested to provide information on the following in accordance with Article 18.1 of the Draft Protocol of Accession. The requested information should be provided annually, except in those cases where China and the Members agree that it is no longer required for the review.

I. ECONOMIC DATA

(a) most recently available import and export statistics by value and volume, by supplier country at the HS 8-digit level

(b) current account data on services, by source and destination in line with the statistical requirements of the IMF

(c) capital account data for inward- and outward-realized foreign direct investment by source and destination in line with the statistical requirements of the IMF

(d) the value of tariff revenues, non-tariff taxes, and other border charges levied exclusively on imports by product or at the highest level of detail possible, but at least by HS heading (4-digit) at the beginning of the review mechanism

(e) the value of export duties/taxes by product

(f) the volume of trade subject to tariff exemptions by product or at the highest level of detail possible, but at least by HS heading (4-digit) at the beginning of the review mechanism

(g) the value of commissions, mark ups and other fees charged on imports subject to state trading or designated trading imposed through government regulation or guidance, if any

(h) the shares of imports and exports accounted for by the trading activities of state-owned enterprises

(i) annual economic development programmes, China's five-year programmes and any industrial or sectoral programmes or policies (including programmes relating to investment, export, import, productions, pricing or other targets, if any) promulgated by central and sub-central government entities

(j) annual receipts under the Value-Added Tax (VAT), with separate information for imports and domestic products as well as information on VAT rebates

[2] This "information" refers to information other than that required by the general notification requirements for WTO Members. To avoid duplication, it is understood that Members will accept information provided on an annual basis by China to other WTO bodies as satisfying the information requirements in Annex 1.

II. ECONOMIC POLICIES

1. Non-Discrimination (to be notified to the Council for Trade in Goods)

(a) the repeal and cessation of all WTO inconsistent laws, regulations and other measures on national treatment

(b) the repeal or modification to provide full GATT national treatment in respect of laws, regulations and other measures applying to internal sale, offering for sale, purchase, transportation, distribution or use of: after sales service, pharmaceutical products, cigarettes, spirits, chemicals and boiler and pressure vessels (for pharmaceutical products, chemicals and spirits there is a reservation of the right to use a transitional period of one year from the date of accession in order to amend or repeal relevant legislation)

2. Foreign Exchange and Payments (to be notified to the Committee on Balance-of-Payments Restrictions)

(a) exchange measures as required under Article VIII, Section 5 of the IMF's Articles of Agreement and such other information on China's exchange measures as was deemed necessary in the context of the transitional review mechanism

3. Investment Regime (to be notified to the Committee on Trade-Related Investment Measures)

(a) completed revisions to investment guidelines in conformity with the WTO Agreement

4. Pricing Policies (to be notified to the Committee on Subsidies and Countervailing Measures)

(a) application of existing or any other price controls and the reason for their use

(b) pricing mechanisms of China's state trading enterprises for exported products

III. FRAMEWORK FOR MAKING AND ENFORCING POLICIES

1. Structure and Powers of the Government/Authority of Sub-Central Governments/Uniform Administration (to be notified to the General Council)

(a) revision or enactment of domestic laws, regulations and other measures related to China's commitments under the WTO Agreement and Draft Protocol, including those of local governments at the sub-national level, that have been promulgated since accession or the previous meeting of the relevant body under the Transitional Review Mechanism

(b) establishment and operation (upon accession) of the mechanism pursuant to Section 2(A), Article 5 of the Draft Protocol under which individuals and enterprises can bring cases of non-uniform application of the trade regime to the attention of national authorities

IV. POLICIES AFFECTING TRADE IN GOODS

1. Tariff Rate Quotas (to be notified to the Committee on Market Access)

(a) administration of TRQs on a transparent, predictable, uniform, fair and non-discriminatory basis using clearly specified timeframes, administrative procedures and requirements and evidence of a consistent national allocation (and reallocation) policy including:

(i) provision of volume/value of the quota or TRQ made available;
(ii) reallocated quota or TRQ applied for;
(iii) the volume/value of requests for allocation or reallocation denied;
(iv) fill rates for the quota or TRQ;
(v) for TRQs, the amount of any goods entered at the over quota rate; and
(vi) time taken to grant a quota or TRQ allocation.

2. Non-Tariff Measures including Quantitative Import Restrictions (to be notified to the Committee on Market Access)

(a) the introduction, re-introduction or application of any non-tariff measures other than those listed in Annex 3 of the Draft Protocol and elimination of non-tariff measures

(b) implementation of the schedule for phased elimination of the measures contained in Annex 3

(c) quota allocation and reallocation in conformity with WTO requirements, including the Agreement on Licensing Procedures following criteria set out in the Report of the Working Party on the Accession of China ("Report ")

(d) distribution licences, quotas, tariff rate quotas or any other means of approval for importation are not subject to conditions set out in Section 7, Article 3 of the Draft Protocol

3. Import Licensing (to be notified to the Committee on Import Licensing)

(a) implementation of the provisions of the Agreement on Import Licensing Procedures and the WTO Agreement applying the measures set out in Section 8 of the Draft Protocol including provision of the time taken to grant an import licence

4. Customs Valuation (to be notified to the Committee on Customs Valuation)

(a) the use of valuation methods, other than the stated transaction value

5. Export Restrictions (to be notified to the Council for Trade in Goods)

(a) any restrictions on exports through non-automatic licensing or other means justified by specific product under the WTO Agreement or the Draft Protocol

6. Safeguards (to be notified to the Committee on Safeguards)

(a) implementation of China's Regulation on Safeguards

7. Technical Barriers to Trade (to be notified to the Committee on Technical Barriers to Trade)

(a) notification of acceptance of the Code of Good Practice not later than four months after China's accession

(b) periodic review of existing standards of government standardizing bodies and harmonization of the same with relevant international standards where appropriate

(c) revision of current voluntary national, local and sectoral standards so as to harmonize them with international standards

(d) use of the terms "technical regulations" and "standards" according to their meaning under the TBT Agreement in China's notifications under the TBT Agreement, including under Article 15.2 thereof and publications referenced therein, and in modifications of existing measures

(e) review of technical regulations every five years to ensure international standards are used in accordance with Article 2.4 of the Agreement and provision for adoption of international standards as the basis for technical regulation as part of its notification under Article 15.2 of the Agreement

(f) progress report on increase of the use of international standards as the basis for technical regulations by ten per cent in five years

(g) provision of procedures to implement Article 2.7 of the Agreement

(h) provision of a list of relevant local governmental and non-governmental bodies that are authorized to adopt technical regulations or conformity assessment procedures as part of China's notification under Article 15.2 of the Agreement

(i) ongoing updates on the conformity assessment bodies that are recognized by China

(j) enactment and implementation of a new law and relevant regulations regarding assessment and control of chemicals for the protection of the environment in which complete national treatment and full consistency with international practices would be ensured within one year after China's accession following conditions set out in 3(t) of the TBT Working Party Report

(k) conformity of all assessment bodies and agencies authorized to undertake conformity assessment for both imported and domestic products following conditions outlined in Section 15, Article 4(a) of the Draft Protocol one year after accession

(l) assignment of the respective responsibilities of China's conformity assessment bodies solely on the basis of the scope of work and type of product without any consideration of the origin of a product no later than eighteen months after accession

(m) notification of the respective responsibilities assigned to China's conformity assessment bodies to the TBT committee 12 months after accession

8. Trade-Related Investment Measures (to be notified to the Committee on Trade-Related Investment Measures)

(a) elimination and cessation of enforcement of trade and foreign exchange balancing requirements, local content and export performance offsets and technology transfer requirements made effective through laws, regulations or other measures

(b) amendments to ensure lifting of all measures applicable to motor vehicle producers restricting the categories, types or models of vehicles permitted for production (to be completely removed two years after accession)

(c) increased limits within which investments in motor vehicle manufacturing could be approved at the provincial government at the levels outlined in the Report

9. State Trading Entities (to be notified to the Council for Trade in Goods)

(a) progressive abolishment of state trading in respect of silk measures, increasing and extending trading rights, granting the right to trade to all individuals no later than 1 January 2005

(b) access to supplies of raw materials in the textiles sector at conditions no less favourable than for domestic users, and not adversely affected access to supplies of raw materials as enjoyed under existing arrangements

(c) progressive increases in access by non state trading entities to trade in fertilizer and oil and the filling of quantities available for import by non state trading entities

10. Government Procurement (to be notified to the Council for Trade in Goods)

(a) laws, regulations and procedures

(b) procurement in a transparent manner and application of the MFN principle

V. POLICIES AFFECTING TRADE IN SERVICES (to be notified to the Council for Trade in Services)

(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

(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

(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

(d) independence of the regulatory authorities from the service suppliers

(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)

VI. TRADE-RELATED INTELLECTUAL PROPERTY REGIME (to be notified to the Council for Trade-Related Aspects of Intellectual Property Rights)

(a) amendments to Copyright, Trademark and Patent Law, as well as relevant implementing rules covering different areas of the TRIPS Agreement bringing all such measures into full compliance with and full application of the TRIPS Agreement and the protection of undisclosed information

(b) enhanced IPR enforcement efforts through the application of more effective administrative sanctions as described in the Report

VII. SPECIFIC QUESTIONS IN THE CONTEXT OF THE TRANSITIONAL REVIEW MECHANISM (to be notified to the General Council or relevant subsidiary body)

(a) response to specific questions in the context of the transitional review mechanism received from the General Council or a subsidiary body

ANNEX 1B

ISSUES TO BE ADDRESSED BY THE GENERAL COUNCIL IN ACCORDANCE WITH SECTION 18.2 OF CHINA'S PROTOCOL OF ACCESSION

— Review of the reports and the issues referred to in Section 18.1 of China's Protocol of Accession.

— Development of China's trade with WTO Members and other trading partners, including the volume, direction and composition of trade.

— Recent developments and cross-sectorial issues regarding China's trade regime.

The Rule of Procedure o the WTO General Council shall apply unless specified otherwise. China shall submit any information and the documentation relating to the review no later than 30 days prior to the date of the review.

ANNEX 2A1

PRODUCTS SUBJECT TO STATE TRADING (IMPORT)

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
GRAIN	1	10011000	Durum wheat	China National Cereals, Oil & Foodstuff Import and Export Co.
	2	10019010	Seeds of Spelt, common wheat & meslin	
	3	10019090	Spelt, common wheat & meslin (excl. seed)	
	4	11010000	Wheat or meslin flour	
	5	11031100	Groats & meal of wheat	
	6	11032100	Wheat pellets	
	7	10051000	Maize seeds	
	8	10059000	Maize (excl. seed)	
	9	11022000	Maize (corn) flour	
	10	11031300	Groats & meal of maize (corn)	
	11	11042300	Other worked grains of maize (corn), nes	
	12	10061010	Rice seeds	
	13	10061090	Rice in the husk (paddy or rough)(excl. seed)	
	14	10062000	Husked (brown) rice	
	15	10063000	Semi-milled or wholly milled rice	
	16	10064000	Broken rice	
	17	11023000	Rice flour	
	18	11031400	Groats & meal of rice	
VEGETABLE OIL	19	15071000	Crude soya-bean oil	1. China National Cereals, Oil & Foodstuff Import and Export Co. 2. China National Native Products and Animal By-products Import & Export Co. 3. China Resources Co. 4. China Nam Kwong National Import & Export Co. 5. China Liangfeng Cereals Import & Export Co. 6. China Cereals, Oil & Foodstuff Co.(Group)
	20	15079000	Soya-bean oil (excl. crude) & fractions	
	21	15111000	Crude palm oil	
	22	15119000	Palm oil (excl. crude) & liquid fractions	
	23	15141010	Crude rape, colza oil & fractions thereof	
	24	15149000	Rape, colza or mustard oil (excl. crude) & fractions thereof	
SUGAR	25	17011100	Raw cane sugar, in solid form	1. China National Cereals, Oil & Foodstuff Import and Export Co. 2. China Export Commodities Base Construction Co. 3. China Overseas Trade Co. 4. China Sugar & Wine Co. (Group) 5. China Commerce Foreign Trade Co.
	26	17011200	Raw beet sugar, in solid form	
	27	17019100	Cane or beet sugar, containing added flavouring or colouring	
	28	17019910	Granulated sugar	
	29	17019920	Superfine sugar	
	30	17019990	Other cane or beet sugar, in solid form, nes	
TOBACCO	31	24011010	Flue-cured tobacco, not stemmed/stripped	China National Tobacco Import & Export Co.
	32	24011090	Tobacco other than flue-cured, not stemmed/stripped	
	33	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	
	34	24012090	Tobacco o/t flue-cured, partly or wholly stemmed/stripped	
	35	24013000	Tobacco refuse	

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
TOBACCO	36	24021000	Cigars, cheroots & cigarillos containing tobacco	China National Tobacco Import & Export Co.
	37	24022000	Cigarettes containing tobacco	
	38	24029000	Cigars, cigarillos, cigarettes, etc, not containing tobacco	
	39	24031000	Smoking tobacco with or without tobacco substitutes	
	40	24039100	Homogenized or reconstituted tobacco	
	41	24039900	Other manufactured tobacco, nes	
	42	48131000	Cigarette paper in the form of booklets or tubes	
	43	48132000	Cigarette paper in rolls of a width≤5cm	
	44	48139000	Cigarette paper, nes	
	45	55020010	Cellulose diacetate filament tow[3]	
	46	56012210	Cigarette filter tips	
	47	84781000	Machinery for preparing/making up tobacco nes	
	48	84789000	Parts of machinery for preparing/making up tobacco nes	
CRUDE OIL	49	27090000	Petroleum oils & oils obtained from bituminous minerals, crude	1. China National Chemical Import & Export Co. 2. China International United Petroleum & Chemicals Co. 3. China National United Oil Co. 4. Zhuhai Zhenrong Company
PROCESSED OIL	50	27100011	Gasoline, incl. aviation spirit	
	51	27100013	Naphtha	
	52	27100023	Kerosenes	
	53	27100024	Normal paraffin	
	54	27100031	Light diesel oil	
	55	27100033	Fuel oil No.5-No.7	
	56	27100039	Other fuel oils	

[3] Coverage is limited to cellulose diacetate filament tow used in the production of cigarettes.

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
CHEMICAL FERTILIZER	57	31021000	Urea	1. China National Chemical Import & Export Co. 2. China National Agricultural Means of Production Group Co.
	58	31022100	Ammonium sulphate	
	59	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	
	60	31023000	Ammonium nitrate	
	61	31024000	Mixtures of ammonium nitrate with inorg non-fertilizing substances	
	62	31025000	Sodium nitrate	
	63	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	
	64	31027000	Calcium cyanamide	
	65	31028000	Mixtures of urea & ammonium nitrate in aqueous or ammoniacal solution	
	66	31029000	Mineral or chemical fertilizers, nitrogenous , nes	
	67	31031000	Superphosphates	
	68	31032000	Basic slag	
	69	31039000	Mineral or chemical fertilizers, phosphatic, nes	
	70	31041000	Carnallite, sylvite & other Crude natural potassium salts	
	71	31042000	Potassium chloride	
	72	31043000	Potassium sulphate	
	73	31049000	Mineral or chemical fertilizers, potassic, nes	
	74	31051000	Fertilizers... in packages of a gross weight=10kg	
	75	31052000	Mineral/chemical fertilizers with nitrogen, phosphorus & potassium	
	76	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	
	77	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate)	
	78	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	
	79	31055900	Mineral or chemical fertilizers with nitrogen & phosphorus, nes	
	80	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	
	81	31059000	Other fertilizers, nes	
COTTON	82	52010000	Cotton, not carded or combed	1. China National Textiles Import & Export Co. 2. Beijing Jiuda Textiles Group Co. 3. Tianjing Textiles Industry Supply and Marketing Co. 4. Shanghai Textiles Raw Materials Co.
	83	52030000	Cotton, carded or combed	

Product & HS 2000	Volume to non-state traders on accession[2)]	Annual growth in non-state trade volume[3)]
Oil--processed[1)] (HS 27.10)	4 million tonnes	15 %
Oil--crude (HS 27.09)	7.2 million tonnes	15 %

(1) Excludes LPG, which falls under HS 27 11, and has not been notified by China as subject to state trading. The present import quota (16.58 million tonnes rising by 15% per year) will be removed on 1 January 2004.

(2) Imports to be effected pursuant to the provisions of the WTO Agreement on Import Licensing Procedures.

(3) This growth rate shall be applied for a period of 10 years following accession, after which time it shall be reviewed with interested Members. Pending conclusion of the review talks, the volume available to non-state importers on that date shall be increased annually in line with the average growth in overall imports of the product concerned over the preceding 10 year period.

However, for processed oil, a review shall be carried out with interested Members by 2004 to establish whether the growth rate should be adjusted in the light of the evolution of trade volumes.

ANNEX 2A2

PRODUCTS SUBJECT TO STATE TRADING (EXPORT)

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
TEA	1	09021010	Flavoured green tea in packings≤3kg	China National Native Products and Animal By-Products Import & Export Co
	2	09021090	Unflavoured green tea in packings≤3kg	
	3	09022010	Flavoured green tea in packings > 3kg	
	4	09022090	Unflavoured green tea in packings > 3kg	
RICE	5	10061010	Rice seeds	1. China National Cereals Oil and Foodstuffs Import & Export Co. 2. Jilin Grain Import & Export Co. Ltd.
	6	10061090	Rice in the husk (paddy or rough)(excl. seed)	
	7	10062000	Husked (brown) rice	
	8	10063000	Semi-milled or wholly milled rice	
	9	10064000	Broken rice	
CORN	10	10051000	Maize seeds	
	11	10059000	Maize (excl. seed)	
	12	11042300	Other worked grains of maize (corn), nes	
SOY BEAN	13	12010010	seeds of soya bean	
	14	12010091	Yellow soya beans (excl. seed)	
	15	12010092	Black soya beans (excl. seed)	
	16	12010093	Green soya beans (excl. seed)	
	17	12010099	Other soya beans (excl. seed), nes	
TUNGSTEN ORE	18	26110000	Tungsten ores & concentrates	1. China National Metals and Minerals Import & Export Co. 2. China National Non-ferrous Import & Export Co. 3. China Rare Earth and Metal Group Co. 4. China National Chemical Import & Export Co.
	19	26209010	Ash & residues containing mainly tungsten	
	20	26209090	Ash & residues containing other metals or metallic compound	
AMMONIUM PARATUNG-STATES	21	28418010	Ammonium paratungstate	
	22	28418040	Ammonium tungstates	
TUNGSTATE PRODUCTS	23	28259011	Tungstic acid	
	24	28259012	Tungsten trioxides	
	25	28259019	Other tungsten oxides & hydroxides, nes	
	26	28418020	Sodium tungstate	
	27	28418030	Calcium tungstate	
	28	28499020	Carbides of tungsten	
	29	81011000	Tungsten powders	
	30	81019100	Tungsten unwrought,incl bars/rods simply sintered; waste/scrap	
COAL	31	27011100	Anthracite, not agglomerated	1. China National Coal Industry Import & Export Co. 2. China National Metals and Minerals Import & Export Co. 3. Shanxi Coal Import & Export Group Co. 4. Shenhua Group Ltd.
	32	27011210	Bituminous coking coal, not agglomerated	
	33	27011290	Other bituminous coal, not agglomerated	
	34	27011900	Other coal, not agglomerated, nes	
	35	27021000	Lignite, not agglomerated	

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
CRUDE OIL	36	27090000	Petroleum oils & oils obtained from bituminous minerals, crude	1. China National Chemical Import & Export Co.; 2. China International United Petroleum & Chemicals Co. 3. China National United Oil Co.
PROCESSED OIL	37	27100011	Gasoline, incl. aviation spirit	
	38	27100013	Naphtha	
	39	27100019	Other light oils, nes	
	40	27100023	Kerosenes	
	41	27100024	Normal paraffin	
	42	27100029	Other medium oils, nes	
	43	27100031	Light diesel oil	
	44	27100033	Fuel oil No.5-No.7	
	45	27100039	Other fuel oils	
	46	27100053	Lubricating greases	
	47	27100054	Lubricating oils	
	48	27100059	Other heavy oils & preps thereof, nes	
	49	27111100	Natural gas, liquefied	
SILK	50	50010010	Mulberry feeding silk-worm cocoons	China National Silk Import & Export Co.
	51	50010090	Other silk-worn cocoons suitable for reeling	
	52	50020011	Plant reeled (filature silk)	
	53	50020012	Steam filature silk, home reeled	
	54	50020013	Steam filature silk, doupion	
	55	50020019	Other steam filature silk	
	56	50020020	Tussah silk	
	57	50020090	Other raw silk, nes	
	58	50031000	Silk waste, not carded or combed	
	59	50039000	Silk waste, carded or combed	
	60	50040000	Silk yarn (excl. spun from silk waste), not put up for retail sale	
	61	50050010	Yarn spun from noil, not put up for retail sale	
	62	50050090	Yarn spun from other silk waste, not put up for retail sale	
UN-BLEACHED SILK	63	50071010	Unbleached or bleached woven fabrics of noil silk	
	64	50072011	Unbleached or bleached woven fabrics of mulberry silk, ≥85% silk	
	65	50072021	Unbleached or bleached woven fabrics of tussah silk, ≥85% silk	
	66	50072031	Unbleached or bleached woven fabrics of spun silk, ≥85% silk	

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
COTTON	67	52010000	Cotton, not carded or combed	1. China National Textiles Import & Export Co.
	68	52030000	Cotton, carded or combed	
COTTON YARN, containing 85% or more by weight of cotton	69	52041100	Cotton sewing thread, with≥85% cotton, not put up for retail sale	2. Qingdao Textiles United Import & Export Co. 3. Beijing No.2 Cotton Mill 4. Beijing No.3 Cotton Mill 5. Tianjin No.1 Cotton Mill 6. Shanghai Shenda Co. Ltd 7. Shanghai Huashen Textiles and Dying Co. (Group) 8. Dalian Huanqiu Textiles Group Co. 9. Shijiazhuang Changshan Textiles Group 10. Luoyang Cotton Mill, Henan Province 11. Songyue Textiles Industry Group, Henan Province 12. Dezhou Cotton Mill,
	70	52051100	Uncombed single cotton yarn, with≥85% cotton, nprs,≤14mn	
	71	52051200	Uncombed single cotton yarn, with≥85% cotton, nprs,>14mn but≤43mn	
	72	52051300	Uncombed single cotton yarn, with≥85% cotton, nprs,>43mn but≤52mn	
	73	52051400	Uncombed single cotton yarn, with≥85% cotton, nprs,>52mn but≤80mn	
	74	52051500	Uncombed single cotton yarn, with≥85% cotton, nprs,>80mn	
	75	52052100	Combed single cotton yarn, with≥85% cotton, nprs, ≤14mn	
	76	52052200	Combed single cotton yarn, with≥85% cotton, nprs,>14mn but≤43mn	
	77	52052300	Combed single cotton yarn, with≥85% cotton, nprs,>43mn but≤52mn	
	78	52052400	Combed single cotton yarn, with≥85% cotton, nprs,>52mn but≤80mn	
	79	52052600	Combed single cotton yarn, with≥85% cotton, nprs,>80mn but≤94mn	
	80	52053100	Uncombed cabled cotton yarn, with≥85% cotton, nprs, ≤14mn	
	81	52053200	Uncombed cabled cotton yarn, with≥85% cotton, nprs,>14mn but≤43mn	
	82	52053300	Uncombed cabled cotton yarn, with≥85% cotton, nprs,>43mn but≤52mn	
	83	52053400	Uncombed cabled cotton yarn, with≥85% cotton, nprs,>52mn but≤80mn	
	84	52053500	Uncombed cabled cotton yarn, with≥85% cotton, nprs,>80mn	
	85	52054100	Combed cabled cotton yarn, with≥85% cotton, nprs, ≤14mn	
	86	52054200	Combed cabled cotton yarn, with≥85% cotton, nprs,>14mn but≤43mn	
	87	52054300	Combed cabled cotton yarn, with≥85% cotton, nprs,>43mn but≤52mn	
	88	52054400	Combed cabled cotton yarn, with≥85% cotton, nprs,>52mn but≤80mn	
	89	52054600	Combed cabled cotton yarn, with≥85% cotton, nprs,>80mn but≤94mn	
	90	52071000	Cotton yarn (excl. sewing), put up for retail sale, with≥85% cotton	

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
COTTON YARN, containing less than 85% by weight of cotton	91	52041900	Cotton sewing thread, with<85% cotton, not put up for retail sale	13. Wuxi No.1 Cotton Mill 14. Puxin Textiles Mill, Hubei Province 15. Northwest No.1 Cotton Mill 16. Chengdu Jiuxing Textiles Group Co. 17. Suzhou Sulun Textiles Joint Company (Group) 18. Northwest No.7 Cotton Mill 19. Xiangmian Group Co., Hubei Province 20. Handan Lihua Textiles Group Co. 21. Xinjiang Textiles Industry Co. (Group) 22. Anqing Textiles Mill 23. Jinan No.2 Cotton Mill 24. Tianjin No.2 Cotton Mill
	92	52061100	Uncombed single cotton yarn, with<85% cotton, nprs, ≤14mn	
	93	52061200	Uncombed single cotton yarn, with<85% cotton, nprs,>14mn but≤43mn	
	94	52061300	Uncombed single cotton yarn, with<85% cotton, nprs,>43mn but≤52mn	
	95	52061400	Uncombed single cotton yarn, with<85% cotton, nprs,>52mn but≤80mn	
	96	52061500	Uncombed single cotton yarn, with<85% cotton, nprs,>80mn	
	97	52062100	Combed single cotton yarn, with<85% cotton, nprs, ≤14mn	
	98	52062200	Combed single cotton yarn, with<85% cotton, nprs,>14mn but≤43mn	
	99	52062300	Combed single cotton yarn, with<85% cotton, nprs,>43mn but≤52mn	
	100	52062400	Combed single cotton yarn, with<85% cotton, nprs,>52mn but≤80mn	
	101	52062500	Combed single cotton yarn, with<85% cotton, nprs,>80mn	
	102	52063100	Uncombed cabled cotton yarn, with<85% cotton, nprs, ≤14mn	
	103	52063200	Uncombed cabled cotton yarn, with<85% cotton, nprs,>14mn but≤43mn	
	104	52063300	Uncombed cabled cotton yarn, with<85% cotton, nprs,>43mn but≤52mn	
	105	52063400	Uncombed cabled cotton yarn, with<85% cotton, nprs,>52mn but≤80mn	
	106	52063500	Uncombed cabled cotton yarn, with<85% cotton, nprs,>80mn	
	107	52064100	Combed cabled cotton yarn, with<85% cotton, nprs, ≤14mn	
	108	52064200	Combed cabled cotton yarn, with<85% cotton, nprs,>14mn but≤43mn	
	109	52064300	Combed cabled cotton yarn, with<85% cotton, nprs,>43mn but≤52mn	
	110	52064400	Combed cabled cotton yarn, with<85% cotton, nprs,>52mn but≤80mn	
	111	52064500	Combed cabled cotton yarn, with<85% cotton, nprs,>80mn	
	112	52079000	Cotton yarn (excl. sewing), put up for retail sale, with<85% cotton	

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
WOVEN FABRICS OF COTTON, containing 85% or more by weight of cotton	113	52081100	Unbleached plain cotton weave, with≥85% cotton, ≤100g/m2	25. Jinhua Textiles Mill, Shanxi Province 26. Jinwei Group Co., Zhejiang Province 27. Northwest No.5 Cotton Mill 28. Baoding No.1 Cotton Mill 29. Liaoyang Textiles Mill 30. Changchun textiles Mill 31. Huaxin Cotton Mill, Henan Province 32. Baotou Textiles Mill 33. Ninbo Hefeng textiles Group Co. 34. Northwest No.4 Cotton Mill 35. Xinjiang Shihezi Bayi Cotton Mill
	114	52081200	Unbleached plain cotton weave, ≥85% cotton, >100g/m2, but≤200g/m2	
	115	52081300	Unbleached 3 or 4-thread twill, with≥85% cotton, ≤200g/m2	
	116	52081900	Unbleached woven cotton fabrics, nes, with ≥85% cotton	
	117	52091100	Unbleached plain cotton weave, with≥85% cotton,>200g/m2	
	118	52091200	Unbleached 3 or 4-thread twill, with≥85% cotton	
	119	52091900	Unbleached cotton fabrics, with≥85% cotton,>200g/m2, nes	
WOVEN FABRICS OF COTTON, containing less than 85% by weight of cotton	120	52101100	Unbleached plain cotton weave, with<85% cotton, ≤200g/m2	
	121	52101200	Unbleached 3 or 4-thread twill, with<85% cotton, ≤200g/m2	
	122	52101900	Unbleached woven cotton fabrics, nes, with<85% cotton, ≤200g/m2	
	123	52111100	Unbleached plain cotton weave, with<85% cotton,>200g/m2	
	124	52111200	Unbleached 3 or 4-thread twill, with<85% cotton,>200g/m2	
	125	52111900	Unbleached woven cotton fabrics, nes, with<85% cotton,>200g/m2	
ANTIMONY ORES	126	26171010	Crude antimony	1. China National Metals and Minerals Import & Export Co. 2. China National Non-ferrous Import & Export Co. 3. China Rare Earth and Metal Group Co.
	127	26171090	Other antimony ores & concentrates, nes	
ANTIMONY OXIDE	128	28258000	Antimony oxides	
ANTIMONY PRODUCTS	129	81100020	Antimony unwrought	
	130	81100030	Antimony waste & scrap; powders	
	131	81100090	Antimony wrought & articles thereof	
SILVER	132	71061000	Silver powder	1. China Banknote Printing and Minting Corporation 2. China Cooper Lead Zinc Group
	133	71069100	Silver in unwrought forms	
	134	71069200	Silver in other semi-manufactured forms	

ANNEX 2B

PRODUCTS SUBJECT TO DESIGNATED TRADING

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
NATURAL RUBBER	1	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	Liberalized within 3 years after the entry into force of this Protocol.
	2	40012100	Smoked sheets of natural rubber	
	3	40012200	Technically specified natural rubber, in primary forms/plates, etc	
	4	40012900	Other natural rubber, in primary forms or in plates, etc, nes	
TIMBER	5	44020000	Wood charcoal	Liberalized within 3 years after the entry into force of this Protocol.
	6	44031000	Wood in the rough..., treated with paint, stains, creosote, etc	
	7	44032000	Untreated coniferous wood in the rough...	
	8	44034910	Teak wood in the rough	
	9	44034990	Other specified tropical wood in the rough	
	10	44039100	Oak (Quercus spp.) wood in the rough, (excl. treated)	
	11	44039200	Beech (Fagus spp.) wood in the rough, (excl. treated)	
	12	44039910	Nan Mu (Phoebe) wood in the rough, (excl. treated)	
	13	44039920	Camphor wood in the rough, (excl. treated)	
	14	44039930	Padauk in the rough, (excl. treated)	
	15	44039940	Paulownia wood in the rough, (excl. treated)	
	16	44039990	Other wood, nes, in the rough, (excl. treated)	
	17	44041000	Coniferous hoopwood; split poles, etc; wooden sticks, etc; chipwood	
	18	44042000	Non-conifrous hoopwood; split poles, wooden sticks, etc; chipwood	
	19	44050000	Wood wool; wood flour	
	20	44061000	Railway or tramway sleepers (cross-ties) of wood, not impregnated	
	21	44069000	Railway or tramway sleepers (cross-ties) of wood, impregnated	
	22	44071000	Conifers wood sawn or chipped lengthwise, sliced or peeled,thick>6mm	
	23	44072400	Baboen, Mahogany, Imbuia & Balsa wood, sawn lengthwise...,thick>6mm	
	24	44072500	Dark/light Red Meranti & Meranti Bakau, sawn lengthwise...,thick>6mm	
	25	44072600	White Lauan/Meranti/Seraya, Yelw Meranti&Alan,sawn lengthws, thick>6mm	
	26	44072910	Teak wood, sawn lengthwise...,thick>6mm	
	27	44072990	Other specified tropical woods, sawn lengthwise...,thick>6mm	
	28	44079100	Oak wood,sawn/chipped lengthwise,sliced/peeled, thick>6mm	
	29	44079200	Beech wood,sawn/chipped lengthwise,sliced/peeled,thick>6mm	
	30	44079910	Nan Mu,Camphor or Padauk wood,sawn lengthwise..,thick>6mm	
	31	44079920	Paulownia wood sawn lengthwise.., thick >6mm	
	32	44079990	Other wood, nes, sawn lengthwise..., thick>6mm	

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
PLYWOOD	33	44121300	Plywood with≥1 outer ply of tropical wood, each ply≤ 6mm thick	Liberalized within 3 years after the entry into force of this Protocol.
	34	44121400	Plywood with≥1 outer ply of non-coniferous wood, nes, each ply≤6mm	
	35	44121900	Plywood, each ply≤6mm thick, nes	
WOOL	36	51011100	Greasy shorn wool, not carded or combed	Liberalized within 3 years after the entry into force of this Protocol.
	37	51011900	Greasy wool (excl. shorn), not carded or combed	
	38	51012100	Degreased shorn wool, not carbonised, not carded or combed	
	39	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	
	40	51013000	Carbonised wool, not carded or combed	
	41	51031010	Noils of wool, not garnetted stock	
	42	51051000	Carded wool	
	43	51052100	Combed wool in fragments	
	44	51052900	Wool tops & combed wool (excl. in fragments)	
ACRYLIC	45	54023910	Synthetic filament textured yarn of polypropylene, not for re	Liberalized within 3 years after the entry into force of this Protocol.
	46	54023990	Other synthetic filament textured yarn, nes, not for retai	
	47	54024910	Single synthetic yarn of polypropylrnr, with≤50turns/m, nprs	
	48	54024920	Single synthetic yarn of polyurethane, with≤50turns/m, nprs	
	49	54024990	Single synthetic yarn, nes, with≤50turns/m, nprs	
	50	54025910	Single synthetic yarn of polypropylrne, with>50turns/m, nprs	
	51	54025990	Single synthetic yarn, nes, with>50turns/m, nprs	
	52	54026910	Multiple or cabled yarn of polypropylene nprs	
	53	54026920	Multiple or cabled yarn of polyurethane,nprs	
	54	54026990	Multiple or cabled yarn, nes, nprs	
	55	55013000	Synthetic filament tow, acrylic or modacrylic	
	56	55033000	Acrylic or modacrylic synthetic staple fibres, not carded, etc	
	57	55063000	Acrylic or modacrylic synthetic staple fibres, carded, etc	
	58	55093100	Single yarn, with≥85% acrylic or modacrylic staple fibres, nprs	
	59	55093200	Multiple or cabled yarn, ≥85% acrylic/modacrylic staple fibres, nprs	
	60	55096100	Yarn,<85% acrylic or modacrylic staple fibres, with wool..., nprs	
	61	55096200	Yarn,<85% acrylic or modacrylic staple fibres, with cotton, nprs	
	62	55096900	Yarn,<85% acrylic or modacrylic staple fibres, nes, nprs	

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
STEEL	63	72081000	Flat rlld prod, i/nas, in coil, hr,w≥600mm, patterns in relief	Liberalized within 3 years after the entry into force of this Protocol.
	64	72082500	Flat rlld prod, i/nas, in coil, hr,w≥600mm, pickled, thick ≥4.75mm	
	65	72082600	Flat rlld prod, i/nas, in coil, hr,w≥600mm, pickld, 3mm ≤thick<4.75mm	
	66	72082700	Flat rlld prod, i/nas, in coil, hr,w≥600mm, pickled, thick< 3mm	
	67	72083600	Flat rlld prod, i/nas, in coil, hr,w≥600mm, thick>10mm	
	68	72083700	Flat rlld prod, i/nas, in coil, hr,w≥600mm, 4.75mm≤ thick<10mm	
	69	72083800	Flat rlld prod, i/nas,in coil, hr,w≥600mm, 3mm≤ thick<4.75mm	
	70	72083900	Flat rlld prod, i/nas, in coil, hr,w≥600mm,thick<3mm	
	71	72084000	Flat rlld prod, i/nas, not in coil, hr,w≥600mm, patterns in relief	
	72	72085100	Flat rlld prod, i/nas, not in coil, hr,w≥600mm, thick>10mm	
	73	72085200	Flat rlld prod, i/nas, not in coil, hr,w≥600mm, 4.75mm ≤thick<10mm	
	74	72085300	Flat rlld prod, i/nas,not in coil, hr,w≥600mm, 3mm≤ thick<4.75mm	
	75	72085400	Flat rlld prod, i/nas, not in coil, hr,w≥600mm, thick<3mm	
	76	72089000	Flat rlld prod, i/nas, not further worked than hot rlld, nes	
	77	72091500	Flat rlld prod, i/nas, in coil, cr,w≥600mm,thick≥3mm	
	78	72091600	Flat rlld prod, i/nas,in coil, cr,w≥600mm, 1mm<thick<3mm	
	79	72091700	Flat rlld prod,i/nas,in coil,cr,w≥600mm,0.5mm≤thick ≤1mm	
	80	72091800	Flat rlld prod, i/nas, in coil, cr,w≥600mm,thick<0.5mm	
	81	72092500	Flat rlld prod, i/nas, not in coil, cr,w≥600mm,thick≥ 3mm	
	82	72092600	Flat rlld prod, i/nas, not in coil,cr,w≥ 600mm,1mm<thick<3mm	
	83	72092700	Flat rlld prod,i/nas,nt in coil,cr,w≥600mm,0.5mm≤ thick≤1mm	
	84	72092800	Flat rlld prod, i/nas, nt in coil, cr,w≥ 600mm,thick<0.5mm	
	85	72099000	Flat rlld prod, i/nas, not in coil, cr,w≥600mm, nes	
	86	72101100	Flat rlld prod,i/nas, plated/coated with tin,w≥ 600mm,thick≥0.5mm	
	87	72101200	Flat rlld prod, i/nas, plated or coated with tin,w≥ 600mm,thick<0.5mm	
	88	72102000	Flat rlld prod,i/nas,platd/coatd with lead,w≥600mm,incl terne-plate	
	89	72103000	Flat rlld prod, i/nas, electrocly platd/coatd with zinc,w≥ 600mm	
	90	72104100	Flat rlld prod, i/nas, pltd or ctd w zinc, corrugated,w≥ 600mm, nes	

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	91	72104900	Flat rlld prod, i/nas, plated or coated with zinc,w≥ 600mm, nes	
STEEL	92	72105000	Flat rld prod,i/nas,pltd/ctd w chrm oxids/chrom w chrm oxide,w≥600mm	Liberalized within 3 years after the entry into force of this Protocol.
	93	72106100	Flat rlld prod, i/nas, platd/coatd wth aluminium-zinc alloy,w≥600mm	
	94	72106900	Flat rlld prod, i/nas, plated or coated with aluminium,w ≥600mm, nes	
	95	72107000	Flat rlld prod,i/nas,painted, varnish./coated with plastics,w≥600mm	
	96	72109000	Flat rlld prod, i/nas, clad, plated or coated,w≥600mm, nes	
	97	72111300	Flat rlld prod,i/nas,hr,rlld on 4 face,150mm<w<600mm,thick≥4mm	
	98	72111400	Flat rlld prod, i/nas, hr,w<600mm,thick=4.75mm	
	99	72111900	Flat rlld prod,i/nas,hr,w<600mm,thick<3mm, myp 275/thick>3mm	
	100	72112300	Flat rld prod,i/nas,cr,w<600mm,containg<0.25% carbon	
	101	72112900	Flat rlld prod,i/nas,cr,w<600mm, containg≥ 0.25% carbon	
	102	72119000	Flat rlld prod, i/nas,w<600mm, not clad, plated/coated, nes	
	103	72121000	Flat rlld prod, i/nas,w<600mm, plated/coated with tin, nes	
	104	72122000	Flat rlld prod, i/nas,w<600mm, electrolically platd/coatd with zinc	
	105	72123000	Flat rlld prod, i/nas,w<600mm, otherwise platd/coated with zinc	
	106	72124000	Flat rlld prod,i/nas,w<600mm,painted,varnished/coated with plastics	
	107	72125000	Flat rlld prod, i/nas,w<600mm, plated or coated, nes	
	108	72126000	Flat rlld prod, i/nas,w<600mm, clad	
	109	72131000	Bars & rods, i/nas, hr,in irreg wound coils,cntg indent,ribs,etc prod d	
	110	72132000	Bars & rods, i/nas, hr, in irreg wound coils, of free cutting steel	
	111	72139100	Bars/rods,i/nas,hr,in irreg wnd coils of circ cross sect,dia<14mm	
	112	72139900	Bars/rods,i/nas,hr,in irreg wound coils of circular cross sect, nes	
	113	72141000	Bars & rods, iron or non-alloy steel forged	
	114	72142000	Bars&rods,i/nas,hr,hd or he,cntg indent,ribs,etc,prod dur rp/tar,nes	
	137	72172000	Wire,i/nas,plated or coated with zinc	
	138	72173000	Wire,i/nas,plated or coated with other base metals nes	
	139	72179000	Wire, iron or non alloy steel, nes	
	140	72181000	Ingots & other primary forms of stainless steel	
	141	72189100	Semi-finished products of stainless steel, rectangular cros section	
	142	72189900	Other semi-finished products of stainless steel, nes	
	143	72191100	Flat rlld prod,stainless steel,hr,in coil,w≥600mm,exce 10mm thick	

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
STEEL	144	72191200	Flat rlld prod, stainls steel, hr, in coil,w≥600mm, 4.75mm≤th≤10mm	Liberalized within 3 years after the entry into force of this Protocol.
	145	72191300	Flat rlld prod, stainls steel, hr in coil,w≥600mm, 3mm ≤thick<4.75mm	
	146	72191400	Flat rlld prod, stainls steel, hr in coil,w≥ 600mm,thick<3mm	
	147	72192100	Flat rlld prod, stainless steel, hr, nic,w≥600mm, exce 10mm thick	
	148	72192200	Flat rlld prod, stainless steel, hr, nic,w≥600mm, 4.75mm≤thick≤10mm	
	149	72192300	Flat rlld prod, stainless steel, hr, nic,w≥600mm, 3mm≤ thick <4.75mm	
	150	72192400	Flat rlld prod, stainless steel, hr, nic,w≥600mm, thick<3mm	
	167	72230000	Wire of stainless steel	
	168	72241000	Ingots & other primary forms of alloy steel, o/t stainless	
	169	72249010	Blooms/pieces roughly shapd by forgng, ≥10 t, alloy stl o/t stainls	
	170	72249090	Semi-finished products of alloy steel o/t stainless, nes	
	171	72251100	Flat rlld prd of Si-electricl steel,w≥600mm, grain-orient	
	172	72251900	Flat rlld prd of sillicon-electricl steel,w≥600mm, nes	
	173	72252000	Flat rlld products of high speed steel,w≥600mm	
	174	72253000	Flat rlld prod, as, o/t stainls, in coils, nfw than hr,w≥ 600mm,nes	
	175	72254000	Flat rlld prod, as, o/t stainls, nic nfw than hr,w≥600mm, nes	
	176	72255000	Flat rlld prod, as, o/t stainls, nfw than cold rlld,w≥ 600mm, nes	
	177	72259100	Flat rlld prod, as, o/t stainls,w≥600mm,electrly coatd with zinc	
	178	72259200	Flat rlld prod, as, o/t stainls,w≥600mm,otherwise coatd with zinc	
	179	72259900	Flat rlld prod, as, o/t stainls,w≥600mm, nes	
	180	72261100	Flat rlld prd, Si-electricl steel,w<,grain-orientd,nes	
	181	72261900	Flat rlld prd, silicon-electrical steel,w<600mm, nes	
	182	72262000	Flat rlld prod, of high speed steel,w<600mm	
	183	72269100	Flat rlld prod, as, o/t stainless, nfw than hot rlld,w<600mm, nes	

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
STEEL	184	72269200	Flat rlld prod, as, o/t stainless, nfw than cold rlld,w<600mm	Liberalized within 3 years after the entry into force of this Protocol.
	185	72269300	Flat rlld prod, as, o/t stainls,w<600mm,electrly coatd with zinc	
	186	72269400	Flat rlld prod, as, o/t stainls,w<600mm,otherwise coatd with zinc	
	187	72269900	Flat rlld prod, as, o/t stainless,w<600mm, nes	
	188	72271000	Bars & rods, of high speed steel, hr, in irregularly wound coils	
	189	72272000	Bars & rods, of silico-manganese steel, hr, in irregular wound coils	
	190	72279000	Bars & rods,alloy s,o/t stainless hr,in irregularly wound coils,nes	
	191	72281000	Bars & rods of high speed steel, nes	
	192	72282000	Bars & rods of silico-manganese steel nes	
	193	72283000	Bars & rods,alloy s,o/t stainls nfw than hot rld/drawn/extrud, nes	
	194	72284000	Bars & rods, as, o/t stainless, not further worked than forged	
	195	72285000	Bars & rods, as, o/t stainless, not further wkd than cld formed/fin	
	207	73023000	Switch blades/crossng frogs/point rods/oth crossng pieces,iron/stl	
	208	73024000	Fish plates & sole plates, iron'steel	
	209	73029000	Rail'tramway construction material of iron'steel, nes	
	210	73030010	Tube../hollw profile of cast irn, circul cros sec, inside dia.≥500mm	
	211	73030090	Tubes, pipes & hollow profiles of cast iron, nes	
	212	73041000	Pipes, line, i/s, smls, of a kind used for oil'gas pipelines	
	213	73042100	Drill pipe,i/s,smls,for use in drilling for oil'gas	
	214	73042900	Casings/tubing pipe,i/s,smls,for use in drilling for oil'gas	
	215	73043110	Boiler tube/pipe, i/non alloy s, smls, circular cs, cold drw/rld	
	216	73043120	Geo casng/drill pipe, i/non alloy s, smls,circul cs, cold drw/rld	
	217	73043190	Tubes, pipe..., i/non alloy s, smls, circular cs,cold dr/rl, nes	
	218	73043910	Boiler tube/pipe, i/non alloy s, smls, circular cs, not cld dr/rl	
	219	73043920	Geo casin/drill pipe, i/non alloy s, smls, circ cs, not cld dr/rl	
	220	73043990	Tubes, pipe..., i/non alloy s, smls, circular cs, not cld dr/rl,nes	
	221	73044190	Tubes, pipe, stainls steel, smls, circ cros sec , cold d/r, nes	
	222	73044910	Boiler tube/pipe, stnls s, smls,circular cs, not cold draw/rold	
	223	73044990	Tubes, pipe.., stnls s, smls,circular cs,not cold dr/rl, nes	
	224	73045110	Boiler tube/pipe, alloy s o/t stnls, smls,circ cros sec, cold dr/rl	

PRODUCTS	NO	HS 2000	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
STEEL	225	73045120	Geo casing/drill pipe, alloy s o/t stnls,smls, circ cs, cold dr/rl	Liberalized within 3 years after the entry into force of this Protocol.
	226	73045190	Tube/pipe., alloy s o/t stnls, smls, circ cs, cold d/r, nes	
	227	73045910	Boiler tube/pipe, alloy s o/t stnls, smls, circ cs, not cld d/r, nes	
	228	73045920	Geo casng/drill pipe, alloy s o/t stnls,smls, circ cs,nt cld d/r, nes	
	229	73045990	Tube/pipe., alloy s o/t stnls,smls, circ cs, not cold dr/rl, nes	
	230	73049000	Tubes, pipe & hollow profiles, i's, smls, nes	
	231	73051100	Pipe,line,i/s,longitudinally subm arc wld,int/ext cs,dia>406.4mm	
	232	73051200	Pipe,line,i/s,longitudinally wld w int/ext circ cs,ext dia>406.4mm	
	233	73051900	Pipe, line,i/s, int/ext circ cross sect, wld, ext dia>406.4mm, nes	
	234	73052000	Casings,i/s,int/ext circ c sect,wld ext dia>406.4mm,o/g drill,nes	
	235	73053100	Tubes & pipe, i/s, longitudinally welded, external dia>406.4mm, nes	
	236	73053900	Tubes & pipe,i/s,welded,riveted'sim closed,ext dia>406.4mm,nes	
	237	73059000	Tubes & pipe, i/s, riveted'sim closed, ext dia>406.4mm, nes	
	238	73061000	Pipe,line,i/s,welded,riveted'sim closed,nes,for o/g pipeline	
	239	73062000	Casing/tubing,i/s,welded,riveted'sim clsd,nes,for o/g drilling	
	240	73063000	Tubes,pipe & hollow profiles,iron'nas,welded,of circ cs,nes	
	241	73064000	Tubes,pipe & hollow profiles,stnls steel,welded,of circ cs,nes	
	242	73065000	Tubes, pipe & hollow profiles,al/s,(o/t stain) wld,of circ cs, nes	
	243	73066000	Tubes, pipe & hollow profiles, i/s, welded, of non circ cs, nes	
	244	73069000	Tubes, pipe & hollow profiles, i/s, welded, nes	
	245	73121000	Stranded wire, ropes & cables of i's,not electrically insulated	

ANNEX 3

NON-TARIFF MEASURES SUBJECT TO PHASED ELIMINATION

Table One
Products Subject to Import Licence, Import Quota and Import Tendering

Serial NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
1	17011100	Raw cane sugar, in solid form	L	Q		upon accession	
2	17011200	Raw beet sugar, in solid form	L	Q		upon accession	
3	17019910	Granulated sugar	L	Q		upon accession	
4	17019920	Superfine sugar	L	Q		upon accession	
5	24011010	Flue-cured tobacco, not stemmed/stripped	L	Q		upon accession	
6	24011090	Tobacco other than flue-cured, not stemmed/stripped	L	Q		upon accession	
7	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	L	Q		upon accession	
8	24012090	Tobacco o/t flue-cured, partly or wholly stemmed/stripped	L	Q		upon accession	
9	24013000	Tobacco refuse	L	Q		upon accession	
10	24029000	Cigars, cigarillos, cigarettes, etc, not containing tobacco	L	Q		upon accession	
11	24039100	Homogenized or reconstituted tobacco	L	Q		upon accession	
12	27100011	Gasoline, incl. aviation spirit	L	Q		2004	1
13	27100019	Other light oils, nes	L	Q		2004	1
14	27100013	Naphtha	L	Q		2004	1
15	27100023	Kerosenes	L	Q		2004	1
16	27100024	Normal paraffin	L	Q		2004	1
17	27100031	Light diesel oil	L	Q		2004	1
18	27100033	Fuel oil No.5-No.7	L	Q		2004	1
19	27100039	Other fuel oils	L	Q		2004	1
20	28371110	Sodium cyanide	L	Q		2002	2
21	31021000	Urea	L	Q		upon accession	
22	31022100	Ammonium sulphate	L	Q		2002	3
23	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	L	Q		2002	3
24	31023000	Ammonium nitrate	L	Q		2002	3
25	31024000	Mixtures of ammonium nitrate with inorg non-fertilizing substances	L	Q		2002	3
26	31025000	Sodium nitrate	L	Q		upon accession	
27	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	L	Q		upon accession	
28	31027000	Calcium cyanamide	L	Q		upon accession	
29	31028000	Mixtures of urea & ammonium nitrate in aqueous or ammoniacal solution	L	Q		2002	3
30	31029000	Mineral or chemical fertilizers, nitrogenous, nes	L	Q		2002	3

Serial NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
31	31031000	Superphosphates	L	Q		2002	3
32	31032000	Basic slag	L	Q		2002	3
33	31039000	Mineral or chemical fertilizers, phosphatic, nes	L	Q		2002	3
34	31041000	Carnallite, sylvite & other Crude natural potassium salts	L	Q		upon accession	
35	31042000	Potassium chloride	L	Q		upon accession	
36	31043000	Potassium sulphate	L	Q		2002	3
37	31049000	Mineral or chemical fertilizers, potassic, nes	L	Q		upon accession	
38	31051000	Fertilizers... in packages of a gross weight=10kg	L	Q		2002	3
39	31052000	Mineral/chemical fertilizers with nitrogen, phosphorus & potassium	L	Q		upon accession	
40	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	L	Q		upon accession	
41	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate)	L	Q		2002	3
42	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	L	Q		2002	3
43	31055900	Mineral or chemical fertilizers with nitrogen & phosphorus, nes	L	Q		2002	3
44	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	L	Q		2002	3
45	31059000	Other fertilizers, nes	L	Q		2002	3
46	39076011	Polyethylene terephthalate slices or chips, high viscosity	L	Q		upon accession	
47	39076019	Other Polyethylene terephthalate slices or chips, nes	L	Q		upon accession	
48	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	L	Q		2004	4
49	40012100	Smoked sheets of natural rubber	L	Q		2004	4
50	40012200	Technically specified natural rubber, in primary forms/plates, etc	L	Q		2004	4
51	40012900	Other natural rubber, in primary forms or in plates, etc, nes	L	Q		2004	4
52	40111000	New pneumatic tyres, of rubber of a kind used on motor cars	L	Q		2004	5
53	40112000	New pneumatic tyres, of rubber of a kind used on buses or lorries	L	Q		2004	5
54	40119100	New pneumatic tyres, of rubber, nes, of herring-bone or similar tread	L	Q		2002	5
55	40121010	Retreaded tyres of rubber used on automobiles	L	Q		2002	5
56	40122010	Used pneumatic tyres of rubber used on automobiles	L	Q		2002	5
57	40129020	Solid/cushion rubber tyres, etc, used on automobiles	L	Q		upon accession	
58	40131000	Inner tubes, of rubber of a kind used on motor cars, buses or lorries	L	Q		upon accession	
59	51011100	Greasy shorn wool, not carded or combed	L	Q		upon accession	
60	51011900	Greasy wool (excl. shorn), not carded or combed	L	Q		upon accession	

Serial NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
61	51012100	Degreased shorn wool, not carbonised, not carded or combed	L	Q		upon accession	
62	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	L	Q		upon accession	
63	51013000	Carbonised wool, not carded or combed	L	Q		upon accession	
64	51031010	Noils of wool, not garnetted stock	L	Q		upon accession	
65	51051000	Carded wool	L	Q		upon accession	
66	51052100	Combed wool in fragments	L	Q		upon accession	
67	51052900	Wool tops & combed wool (excl. in fragments)	L	Q		upon accession	
68	52010000	Cotton, not carded or combed	L	Q		upon accession	
69	52030000	Cotton, carded or combed	L	Q		upon accession	
70	54022000	High tenacity yarn of polyesters, nprs	L	Q		upon accession	
71	54023310	Elastic filament of polyesters, not for retail sale	L	Q		upon accession	
72	54023390	Other textured yarn of polyesters, not for retail sale	L	Q		upon accession	
73	54023990	Other synthetic filament textured yarn, nes, not for retail	L	Q		upon accession	
74	54024200	Single yarn of partially oriented polyesters, with≤50turns/m, nprs	L	Q		upon accession	
75	54024300	Single yarn of polyesters, nes, with≤50turns/m, nprs	L	Q		upon accession	
76	54024990	Single synthetic yarn, nes, with≤50turns/m, nprs	L	Q		upon accession	
77	54025200	Single yarn of polyesters, with>50turns/m, nprs	L	Q		upon accession	
78	54025990	Single synthetic yarn, nes, with>50turns/m, nprs	L	Q		upon accession	
79	54026200	Multiple or cabled yarn of polyesters, nprs	L	Q		upon accession	
80	54026990	Multiple or cabled yarn, nes, nprs	L	Q		upon accession	
81	54033310	Single yarn of cellulose diacetate, not for retail sale	L	Q		upon accession	
82	54041000	Synthetic monofilament of≥67decitex	L	Q		upon accession	
83	55012000	Synthetic filament tow of polyesters	L	Q		upon accession	
84	55013000	Synthetic filament tow, acrylic or modacrylic	L	Q		upon accession	
85	55020010	Cellulose diacetate filament tow	L	Q		upon accession	
86	55032000	Synthetic staple fibres, of polyesters, not carded, etc	L	Q		upon accession	
87	55033000	Acrylic or modacrylic synthetic staple fibres, not carded, etc	L	Q		upon accession	
88	55062000	Synthetic staple fibres, of polyesters, carded, etc	L	Q		upon accession	
89	55063000	Acrylic or modacrylic synthetic staple fibres, carded, etc	L	Q		upon accession	
90	55092100	Single yarn, with≥85% polyester staple fibres, nprs	L	Q		upon accession	
91	55092200	Multiple or cabled yarn, with≥85% polyester staple fibres, nprs	L	Q		upon accession	

Serial NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
92	55093100	Single yarn, with≥85% acrylic or modacrylic staple fibres, nprs	L	Q		upon accession	
93	55093200	Multiple or cabled yarn,≥85% acrylic/modacrylic staple fibres, nprs	L	Q		upon accession	
94	55095100	Yarn,<85% polyester staple fibres, with artificial staple fibres, nprs	L	Q		upon accession	
95	55095200	Yarn,<85% polyester staple fibres, with wool/fine animal hair, nprs	L	Q		upon accession	
96	55095300	Yarn,<85% polyester staple fibres, mixed with cotton, nprs	L	Q		upon accession	
97	55095900	Yarn,<85% polyester staple fibres, nes, nprs	L	Q		upon accession	
98	55096100	Yarn,<85% acrylic or modacrylic staple fibres, with wool..., nprs	L	Q		upon accession	
99	55096200	Yarn,<85% acrylic or modacrylic staple fibres, with cotton, nprs	L	Q		upon accession	
100	55096900	Yarn,<85% acrylic or modacrylic staple fibres, nes, nprs	L	Q		upon accession	
101	84073100	Engines, spark-igni reciprocating, f vehcl Ch 87, ≤ 50cc	L	Q		2003	6
102	84073200	Engines, spark-igni reciprocating, for vehcl Ch 87,>50cc but≤250cc	L	Q		2003	6
103	84073300	Engines, spark-igni reciprocating, f vehcl Ch 87,>250cc to 1000cc	L	Q		2003	6
104	84079090	Other engines, spark-ignition type, nes	L	Q		2003	7
105	84082010	Engines, diesel, output≥132.39kw, for vehicles of Ch. 87	L	Q		2003	7
106	84082090	Engines, diesel, of an output<132.39kw, for vehicles of Ch 87	L	Q		2003	7
107	84089092	Engines, diesel, nes, 14kw<output<132.39kw			T	2004	
108	84143011	Compressors for refrige/freezer, motor power≤0.4kw	L	Q		upon accession	
109	84143012	Compressors for refrige'freezer, 0.4kw< motor power≤5 kw	L	Q		upon accession	
110	84143013	Compressors for airconditioner, 0.4kw < motor power ≤5kw	L	Q		upon accession	
111	84143019	Compressors driven by a motor, nes	L	Q		upon accession	
112	84143090	Compressors driven by a non-motor	L	Q		upon accession	
113	84145930	Centrifugal ventilators			T	upon accession	
114	84151000	Air conditioning machines window/wall types, self-contained	L	Q		2002	8
115	84152000	Air conditioning machines used for persons in motor vehicles	L	Q		2002	7
116	84158110	Air-conditioner nes, with refr≤4000 Kcal/h &cool/heat cycle rev valve	L	Q		upon accession	
117	84158210	Air-conditioner nes, with refrigerating unit, ≤4000 Kcal/h	L	Q		upon accession	
118	84181010	Combined refri-freezers, with separate external doors, capacity>500L	L	Q		upon accession	
119	84181020	Combined refri-freezers, with separate external doors, 200L<capacity ≤150L	L	Q		upon accession	

Serial NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
120	84181030	Combined refri-freezers, with separate external doors, capacity≤200L	L	Q		upon accession	
121	84182110	Refrigerators, household type, compression-type,>150L	L	Q		upon accession	
122	84182120	Refrigerators, household type, compression-type,50L<capacity ≤150L	L	Q		upon accession	
123	84182130	Refrigerators, household type, compression-type,capacity≤50L	L	Q		upon accession	
124	84182200	Refrigerators, household type, absorption-type, electrical	L	Q		upon accession	
125	84183010	Freezers of chest type, capacity≤800L, T≤-40	L	Q		upon accession	
126	84183021	Freezers of chest type, 500L<capacity≤800 L, T>-40	L	Q		upon accession	
127	84183029	Freezers of chest type,capacity≤500L, T>-40	L	Q		upon accession	
128	84184010	Freezers of upright type,capacity≤900L, T≤-40	L	Q		upon accession	
129	84184021	Freezers of upright type, 500 L<capacity≤900L, T> -40	L	Q		upon accession	
130	84184029	Freezers of upright type,capacity≤500L, T> -40	L	Q		upon accession	
131	84185000	Other refrigerating/freezing chests, cabinets, display counters, etc	L	Q		upon accession	
132	84254990	Other hoists, nes			T	upon accession	
133	84261910	Ship loading cranes			T	upon accession	
134	84261921	Grab ship unloading cranes			T	upon accession	
135	84261929	Other ship unloading cranes			T	upon accession	
136	84263000	Portal/pedestal jib cranes			T	upon accession	
137	84264110	Self-propelled cranes on tyres			T	upon accession	
138	84264190	Other self-propelled machinery with a crane on tyres, nes			T	upon accession	
139	84281010	Lifts and skip hoists for the transport of persons			T	2002	
140	84284000	Escalators & moving walkways			T	upon accession	
141	84291110	Bulldozers/angledozers, tracked, with engine output>235.36 kw			T	2004	
142	84294011	Vibratory road rollers, self-propelled, dead weight≥18 t			T	2002	
143	84294019	Other road rollers, self-propelled			T	2004	
144	84305020	Mining shovels, self-propelled			T	upon accession	
145	84381000	Bakery mach & machy for the mfg of macaroni, spaghetti/sim prods			T	upon accession	
146	84391000	Machinery for making pulp of fibrous cellulosic material			T	2002	
147	84392000	Machinery for making paper/paperboard			T	2002	
148	84393000	Machinery for finishing paper/paperboard			T	2002	
149	84413090	Mach f make boxes/sim cont, of paper/pboard o/t by moulding, nes			T	upon accession	
150	84414000	Machines for moulding articles in paper pulp, paper/paperboard			T	upon accession	

Serial NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
151	84431910	Offset printing machinery, sheet fed			T	2004	
152	84431990	Offset printing machinery nes			T	2004	
153	84435912	Screen printing machinery, platen screen press			T	upon accession	
154	84451110	Textile carding machines, for cotton type fibres			T	upon accession	
155	84451120	Textile carding machines, for wool type fibres			T	upon accession	
156	84451200	Textile combing machines			T	upon accession	
157	84452020	Rotor spinning frames	L	Q		upon accession	
158	84454010	Automatic bobbin textile winders			T	upon accession	
159	84459010	Warping machines			T	upon accession	
160	84463020	Rapier looms for weaving fabrics of a width>30cm, shuttleless			T	upon accession	
161	84463030	Carrier looms for weaving fabrics of width>30 cm, shuttleless			T	upon accession	
162	84501200	Other washing mach, dry linen capacity≤10kg, with built-in dryer	L	Q		upon accession	
163	84501900	Other washing machines of a dry linen capacity≤10kg, nes	L	Q		upon accession	
164	84522110	Automatic sewing machines, flat-seam type ,other than book-sewing machines			T	upon accession	
165	84522190	Automatic sewing machines, other than book-sewing machines			T	upon accession	
166	84542010	Out furnace refining equipment			T	upon accession	
167	84543010	Cold chamber die-casting machines			T	upon accession	
168	84563010	Machine-tools operated by electro-discharge processed, numerically controlled			T	2004	
169	84569910	Plasma cutting machines			T	2004	
170	84569990	Machine-tools operated by electro-chem, plasma arc..., nes			T	2004	
171	84571010	Machining centres, vertical type			T	2004	
172	84571020	Machining centres, horizontal type			T	2004	
173	84571030	Machining centres, plano type			T	2004	
174	84571090	Machining centres, other type			T	2004	
175	84581100	Horizontal lathes numerically controlled			T	2004	
176	84621090	Forging/die-stamping mach & hammers, not numerically contrld			T	2002	
177	84659600	Splitting/slicing'paring mach for wood/cork/bne/hrd rubber etc			T	upon accession	
178	84714991	Distributed control systems			T	2004	
179	84742010	Crushing/grinding mach for earth/ stone/ores/other minerals, to			T	upon accession	
180	84742090	Crushing/grinding mach for earth/ stone/ores/other minerals			T	upon accession	
181	84743100	Concrete'mortar mixers			T	2004	
182	84775900	Mach for moulding′otherwise forming rubber′plastics nes			T	2002	

Serial NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
183	84781000	Machinery for preparing'making up tobacco nes			T	2002	
184	84789000	Parts of machinery for preparing'making up tobacco nes			T	upon accession	
185	84791021	Machines for spreading bituminous concrete			T	2002	
186	84791022	Stabilizer spreading machines			T	2002	
187	84804100	Moulds, injection'compression types, for metal'metal carbides			T	2002	
188	84807100	Moulds, injection'compression types, for rubber'plastics			T	2002	
189	84834020	Planet decelerators			T	upon accession	
190	85042320	Liquid dielectric transformers, handling capacity≥400 MVA			T	2004	
191	85172100	Facsimile machines			T	2002	
192	85175090	Other apparatus for carrier-current line systems, nes			T	upon accession	
193	85184000	Audio-frequency electric amplifiers			T	2002	
194	85199910	Compact disc players, sound	L	Q		upon accession	
195	85203210	Magnetic tape recorder-sound player, digital audio & cassette-type	L	Q		upon accession	
196	85203290	Magnetic tape recorder-sound player, digital audio type, nes	L	Q		upon accession	
197	85203300	Magnetic tape recorder-sound player, cassette-type, nes	L	Q		upon accession	
198	85203910	Magnetic open-disk recorder-sound player	L	Q		upon accession	
199	85203990	Magnetic tape recorder-sound reproducing apparatus, nes	L	Q		upon accession	
200	85209000	Magnetic tape recorders & other sound recording apparatus, nes	L	Q		upon accession	
201	85211011	Magnetic video tape recorders, broadcast quality	L	Q		2002	9
202	85211019	Magnetic video tape recorders, nes	L	Q		2002	9
203	85211020	Magnetic video tape reproducers	L	Q		2002	9
204	85219010	Laser video compact disk player	L	Q		2002	10
205	85219090	Video recording or reproducing apparatus nes	L	Q		2002	10
206	85229021	Transport mechanisms of cassette sound recorders/reproducers	L	Q		2002	11
207	85229030	Parts/accessories of video recordg/reproducg apparatus	L	Q		2002	9
208	85252011	Satellite earth station for television			T	2004	
209	85252019	Satellite earth station other than for television			T	upon accession	
210	85252022	Portable radio telephone			T	2002	
211	85252029	Other mobile communication equipment, nes			T	2002	
212	85252092	Mobile communication base station			T	2002	
213	85252093	Wireless subscriber communicating equipments			T	2002	
214	85173013	Digital mobile communication switching systems			T	2002	

Serial NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
215	85173091	Anological mobile communication switching systems			T	2002	
216	85253010	Television cameras, for special purposes	L	Q		2002	9
217	85253091	Television cameras broadcast quality	L	Q		2002	9
218	85253099	Television cameras, nes	L	Q		2002	9
219	85254010	Still image video camera/oth video camera recorder, f special purposes	L	Q		2002	9
220	85254020	Still image video camera with a built-in video recorder, household	L	Q		2002	9
221	85254030	Still image video cameras/oth video camera recorders with digital image storage	L	Q		2002	9
222	85254090	Still image video cameras/oth video camera recorders, nes	L	Q		2002	9
223	85271200	Pocket-size radio cassette-players, no need externl power	L	Q		upon accession	
224	85271300	Oth combined radio/sound recorder-player, no need extnl power	L	Q		upon accession	
225	85271900	Other radio broad receiver operating without external power, nes	L	Q		upon accession	
226	85272100	Combined radio/sound recorder-player, need extnl power for motor vehcl	L	Q		upon accession	
227	85272900	Other radio broad receiver need extnl power for motor vehicles, nes	L	Q		upon accession	
228	85273100	Other combined radio/sound recorder-player nes	L	Q		upon accession	
229	85273200	Radio broad receiver combined with a clock, nes	L	Q		upon accession	
230	85273900	Radio-broadcast receivers nes	L	Q		upon accession	
231	85279010	Radio paging receivers			T	2002	
232	85281210	Colour satellite TV receivers			T	2004	
233	85281291	Colour TV set, screen diagonal ≤ 42 cm	L	Q		upon accession	
234	85281292	Colour TV set, 42 cm<screen diagonal ≤52cm	L	Q		upon accession	
235	85281293	Colour TV set, screen diagonal > 52 cm	L	Q		2002	12
236	85282100	Colour video monitors	L	Q		2002	12
237	85283010	Colour video projectors	L	Q		2002	12
238	85291020	Aerials & the parts, for radio or television receivers			T	2002	
239	85291090	Aerials & the parts, for other apparatus of heading 85.25 to 85.28			T	2004	
240	85299091	High frequency tuners			T	2004	
241	85311090	Burglar or fire alarms & similar apparatus			T	2002	
242	85352900	Automatic circuit breakers, for a voltage≥72.5KV, nes			T	2004	
243	85401100	Cathode-ray TV picture tubes, including video monitor tubes, colour	L	Q		2002	12
244	85404000	Color data/graphic display tubes of phosphor dot scrn pitch < 0.4mm	L	Q		2002	12
245	85445910	Electric cable without connectors, 80V<volt≤1,000 V			T	upon accession	

Serial NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
246	85447000	Optical fibre cables, made up of individually sheathed fibres			T	upon accession	
247	86040099	Railway/tram maintenance or service vehicles, nes			T	upon accession	
248	87012000	Road tractors for semi-trailers (truck tractors)	L	Q		2004	7
249	87019000	Wheeled tractors nes			T	upon accession	
250	87021020	Coaches for transport of passengers at aerodrome, diesel	L	Q		2004	7
251	87021091	Buses with seats≥30, diesel	L	Q		2004	7
252	87021092	Buses with 20≤seats<30, diesel	L	Q		2005	7
253	87021093	Buses with 10≤seats<20, diesel	L	Q		2005	7
254	87029010	Other buses with seats≥30, nes	L	Q		2004	7
255	87029020	Other buses with 20≤seats<30, nes	L	Q		2005	7
256	87029030	Other buses with 10≤seats<20, nes	L	Q		2005	7
257	87031000	Snowmobiles, golf cars & similar vehicles	L	Q		upon accession	
258	87032130	Saloon cars, ≤1000 cc, spark-igni reciprocatng	L	Q		2005	7
259	87032190	Cars nes, ≤1000 cc, spark-igni reciprocatng	L	Q		2005	7
260	87032230	Saloon cars, >1000cc but≤1500 cc, spark-igni recip	L	Q		2005	7
261	87032240	Cross-country cars(4WD), >1000cc but≤1500cc, spark-igni recip	L	Q		2005	7
262	87032250	Minibuses (seats≤9), >1000cc but≤1500cc,spark-igni recip	L	Q		2005	7
263	87032290	Cars nes, >1000cc but≤1500 cc, spark-igni recip	L	Q		2005	7
264	87032314	Saloon cars, >1500cc but ≤2500 cc,spark-igni recip	L	Q		2005	7
265	87032315	Cross-country cars(4WD),>1500cc but≤2500 cc,spark-igni recip	L	Q		2005	7
266	87032316	Minibuses(seats≤9), >1500cc but≤2500 cc,spark-igni recip	L	Q		2005	7
267	87032319	Cars nes, >1500cc but≤2500 cc,spark-igni recip	L	Q		2005	7
268	87032334	Saloon cars >2500cc but≤3000 cc, spark-igni recip	L	Q		2005	7
269	87032335	Cross-country cars(4WD), >2500cc but≤3000 cc, spark-igni recip	L	Q		2005	7
270	87032336	Minibuses(seats≤9), >2500cc but≤3000 cc, spark-igni recip	L	Q		2005	7
271	87032339	Cars nes, >2500cc but≤3000 cc, spark-igni recip	L	Q		2005	7
272	87032430	Saloon cars, >3000 cc, spark-igni recip	L	Q		2005	7
273	87032440	Cross-country cars(4WD), >3000 cc, spark-igni recip	L	Q		2005	7
274	87032450	Minibuses (seats≤9), >3000 cc, spark-igni recip	L	Q		2005	7
275	87032490	Cars nes, >3000 cc, spark-igni recip	L	Q		2005	7

Serial NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
276	87033130	Saloon cars, ≤500 cc, diesel	L	Q		2005	7
277	87033140	Cross country cars(4WD), ≤1500cc, diesel	L	Q		2005	7
278	87033150	Minibuses (seats≤9), ≤1500cc, diesel	L	Q		2005	7
279	87033190	Cars nes, ≤1500cc, diesel	L	Q		2005	7
280	87033230	Saloon cars, >1500cc but≤2500 cc, diesel	L	Q		2005	7
281	87033240	Cross country cars(4WD), >1500cc but≤2500 cc, diesel	L	Q		2005	7
282	87033250	Minibuses (seats≤9), >1500cc but≤2500 cc, diesel	L	Q		2005	7
283	87033290	Cars nes, >1500cc but≤2500 cc, diesel	L	Q		2005	7
284	87033330	Saloon cars, >2500 cc, diesel	L	Q		2005	7
285	87033340	Cross country cars(4WD), >2500 cc, diesel	L	Q		2005	7
286	87033350	Minibuses (seats≤9), >2500 cc, diesel	L	Q		2005	7
287	87033390	Cars nes, >2500 cc, diesel	L	Q		2005	7
288	87039000	Motor cars with seats≤9, nes	L	Q		2005	7
289	87041030	Dumpers designed for off-highway use, with motor-driven wheel			T	2004	
290	87042100	Trucks diesel, g.v.w. ≤5 t	L	Q		2004	7
291	87042230	Trucks diesel, 5 t < g.v.w.<14 t	L	Q		2004	7
292	87042240	Trucks diesel, 14 t≤ g.v.w.≤20 t	L	Q		2004	7
293	87042300	Trucks diesel, g.v.w. >20 t	L	Q		2004	7
294	87043100	Trucks spark-igni, g.v.w.≤5 t	L	Q		2004	7
295	87043230	Trucks spark-igni, 5 t<g.v.w.≤8 t	L	Q		2002	7
296	87043240	Trucks spark-igni, g.v.w. > 8 t	L	Q		2002	7
297	87049000	Trucks nes	L	Q		2002	7
298	87051021	All-road Crane lorries with a lifting capacity ≤50t	L	Q		2004	13
299	87051022	All-road Crane lorries with a lifting capacity >50t, but ≤100t	L	Q		2004	13
300	87051023	All-road Crane lorries with a lifting capacity >100t	L	Q		2004	13
301	87051091	Other Crane lorries with a lifting capacity ≤50t	L	Q		2004	13
302	87051092	Other Crane lorries with a lifting capacity >50t, but ≤100t	L	Q		2004	13
303	87051093	Other Crane lorries with a lifting capacity >100t	L	Q		2004	13
304	87052000	Mobile drilling derricks	L	Q		2002	7
305	87053010	Fire fighting vehicles, mounted with scaling ladder	L	Q		2002	7
306	87053090	Other fire fighting vehicles	L	Q		2002	7
307	87054000	Mobile concrete mixers	L	Q		2002	7
308	87059020	Mobile radiological units	L	Q		2002	7
309	87059030	Mobile environmental monitoring units	L	Q		2002	7
310	87059040	Mobile clinics	L	Q		2002	7
311	87059051	Airplane charging vehicles(frequency=	L	Q		2002	7

Serial NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		400Hz)					
312	87059059	Other mobile electric generation sets	L	Q		2002	7
313	87059060	Mobile refuellers/air-conditioners/deicers used for aircraft	L	Q		2002	7
314	87059070	Snow-clearance vehicles used for road or airfield runways	L	Q		2002	7
315	87059080	Oil-well measuring carts, crushing mill carts and sand	L	Q		2002	7
316	87059090	Special purpose motor vehicles nes	L	Q		2002	7
317	87060040	Chassis fit with engines for crane lorries	L	Q		2004	13
318	87071000	Bodies for passenger carrying vehicles	L	Q		2004	7
319	87111000	Motorcycles with reciprocating piston engine ≤50 cc	L	Q		2004	6
320	87112000	Motorcycles with, 50 cc< piston engine ≤250 cc	L	Q		2004	6
321	87113010	Motorcycles with, 250 cc< piston engine ≤400cc	L	Q		2004	6
322	87113020	Motorcycles with, 400 cc< piston engine ≤500cc	L	Q		2004	6
323	87114000	Motorcycles with, 500 cc< piston engine ≤800cc	L	Q		2004	6
324	87115000	Motorcycles with piston engine >800 cc	L	Q		2004	6
325	87119000	Motorcycles with other than a reciprocating piston engine	L	Q		2004	6
326	87141900	Motorcycle parts nes	L	Q		2004	6
327	89012011	Finished oil tankers, loading not exceeding 100000t			T	2004	
328	89012012	Finished oil tankers, loading exceeding 100000t,not exceeding 300000t			T	2004	
329	89012013	Finished oil tankers, loading exceeding 300000t			T	2004	
330	89012021	Crude oil tankers, loading not exceeding 150000t			T	2004	
331	89012022	Crude oil tankers, loading exceeding 150000t,not exceeding 30000t			T	2004	
332	89012023	Crude oil tankers, loading exceeding 300000t			T	2004	
333	89012031	Liquified petroleum gas carriers, volume with 20000m^3 or less			T	2004	
334	89012032	Liquified petroleum gas carriers, volume more than 20000m^3			T	2004	
335	89012041	Liquified natural gas carriers, volume with 20000m^3 or less			T	2004	
336	89012042	Liquified natural gas carriers, volume more than 20000m^3			T	2004	
337	89012090	Other tankers, nes			T	2004	
338	89013000	Refrigerated vessels other than tankers			T	upon accession	
339	89019021	Motor container vessels, capable loading standard containers with 6000 or less			T	2004	
340	89019022	Motor container vessels, capable loading standard containers more than 6000			T	2004	

Serial NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
341	89019031	Motor Ro-Ro carriers, loading with 20000t or less			T	2004	
342	89019032	Motor Ro-Ro carriers, loading more than 20000t			T	2004	
343	89019041	Motor bulk carriers, loading not exceeding 150000t			T	2004	
344	89019042	Motor bulk carriers, loading exceeding 150000t,not exceeding 300000t			T	2004	
345	89019043	Motor bulk carriers, loading exceeding 300000t			T	2004	
346	89019050	Multi-purposes motor vessels			T	2004	
347	89019080	Other motor vessels, nes			T	2004	
348	89020010	Fishing vessels & factory ships, motorized			T	upon accession	
349	89040000	Tugs & pusher craft			T	2004	
350	89051000	Dredgers			T	2004	
351	90061010	Electronic colour scanners used for prep printing plate/cylinder	L	Q		upon accession	
352	90065100	SLR cameras for roll film of a width ≤ 35mm	L	Q		2003	14
353	90065200	Other cameras for roll film of a width < 35 mm	L	Q		2003	14
354	90065300	Other cameras for roll film of a width of 35 mm	L	Q		2003	14
355	90065900	Photographic, other than cinematographic cameras nes	L	Q		2003	14
356	90083010	Orthographic image projectors			T	upon accession	
357	90121000	Microscopes other than optical microscopes & diffraction apparatus	L	Q		upon accession	
358	90158000	Survey,hydro-/oceano-graphic, meteorological, geophysic instrument nes			T	upon accession	
359	90181210	B- ultrasonic diagnostic apparatus			T	upon accession	
360	90181291	Chromosocope ultrasonic diagnostic apparatus			T	upon accession	
361	90184910	Dentists' chairs with dental equipment			T	upon accession	
362	90189090	Medical/veterinary instruments & appliances, nes			T	upon accession	
363	90221300	X-ray apparatus for dental use			T	upon accession	
364	90221400	X-ray apparatus for medical, surgical or veterinary uses			T	upon accession	
365	90221990	X-ray apparatus for other uses			T	upon accession	
366	90222100	Alpha/beta/gamma radiation apparatus for medical/surg/dent/vet uses			T	upon accession	
367	90278090	Instruments & apparatus for physical or chemical analysis,			T	upon accession	
368	90301000	Instruments/apparatus for measur/detecting ionising radiations			T	upon accession	
369	90304010	Frequency meters, digital, measuring range<12.4GHz			T	upon accession	
370	90318010	Optical telecom. And optical fibre performance testing instru			T	upon accession	

Serial NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
371	90311000	Machines for balancing mechanical parts, nes			T	2004	
372	91011100	Electric wrist-watches mech display, with precious mtl case	L	Q		2003	15
373	91012100	Wrist-watches, with automatic winding with precious mtl case, nes	L	Q		2003	15
374	91012900	Wrist-watches, with a case of precious metal, nes	L	Q		2003	15
375	91021100	Electric wrist-watches with mechanical display only	L	Q		2003	15
376	91022100	Wrist-watches with automatic winding nes	L	Q		2003	15
377	91022900	Wrist-watches, nes	L	Q		2003	15

Notes:

1. "L" stands for "import licence";
"Q" stands for "import quota"; and
"T" stands for "specific import tendering requirements for machinery and electronic products".

2. The NTMs will be eliminated as of 1 January of each calendar year as specified in the column of Phasing-out Period.

3. The products covered by the Agreement on Trade in Civil Aircraft are not subject to any NTMs specified herein.

Table Two
Product Quota
(Initial Quota Volume/Value and Annual Growth Rate)

Quota Category		Product Coverage (Serial No in Table One)	Unit	Initial Quota Volume/Value	Annual Growth Rate
1	Processed oil	12-19	Million Metric Tons	16.58	15%
2	Sodium cyanide	20	Million Metric Tons	0.018	15%
3	Chemical fertilizer	22-25, 29-33, 36, 38, 41-45	Million Metric Tons	8.9	15%
4	Natural rubber	48-51	Million Metric Tons	0.429	15%
5	Tires of rubber used on automobiles	52-56	Million Pieces	0.81	15%
6	Motorcycles and key parts	101-103, 319-326	US$ Million	286	15%
7	Automobiles and key parts	104-106, 115, 248, 250-256, 258-288, 290-297, 304-316, 318	US$ Million	6000	15%
8	Air conditioners and compressors	114	US$ Million	286	15%
9	Recording apparatus and key parts	201-203, 207, 216-222	US$ Million	293	15%
10	Magnetic sound and video recording apparatus	204, 205	US$ Million	38	15%
11	Recorders and transport mechanisms	206	US$ Million	387	15%
12	Color TV set and TV tuners	235-237, 243, 244	US$ Million	325	15%
13	Crane lorries and chassis	298-303, 317	US$ Million	88	15%
14	Cameras	352-355	US$ Million	14	15%
15	Wrist watches	372-377	US$ Million	33	15%

Table Three
Products Subject to Import Licence Only

NO	HS 2000	DESCRIPTION OF PRODUCTS	L	Phasing-out Period
1	10011000	Durum wheat	L	upon accession
2	10019010	Seeds of Spelt, common wheat & meslin	L	upon accession
3	10019090	Spelt, common wheat & meslin (excl. seed)	L	upon accession
4	10059000	Maize (excl. seed)	L	upon accession
5	10061010	Rice seeds	L	upon accession
6	10061090	Rice in the husk (paddy or rough) (excl. seed)	L	upon accession
7	10062000	Husked (brown) rice	L	upon accession
8	10063000	Semi-milled or wholly milled rice	L	upon accession
9	10064000	Broken rice	L	upon accession
10	15071000	Crude soya-bean oil	L	upon accession
11	15079000	Soya-bean oil (excl. crude) & fractions	L	upon accession
12	15081000	Crude ground-nut oil	L	upon accession
13	15089000	Ground-nut oil (excl. crude) & fractions	L	upon accession
14	15111000	Crude palm oil	L	upon accession
15	15119000	Palm oil (excl. crude) & liquid fractions	L	upon accession
16	15121100	Crude sunflower-seed & safflower oil & fractions thereof	L	upon accession
17	15122100	Crude cotton-seed oil, whether or not gossypol has been moved	L	upon accession
18	15122900	Cotton-seed oil (excl. crude) & fractions thereof	L	upon accession
19	15141010	Crude rape, colza oil & fractions thereof	L	upon accession
20	15141090	Mustard oil & fractions thereof	L	upon accession
21	15149000	Rape, colza or mustard oil (excl. crude) & fractions thereof	L	upon accession
22	15152100	Crude maize (corn) oil	L	upon accession
23	15155000	Sesame oil & fractions	L	upon accession
24	22051000	Vermouth & other wine of fresh grapes, flavoured:<2l containers	L	upon accession
25	22059000	Vermouth & other wine of fresh grapes, flavoured:>2l containers	L	upon accession
26	22071000	Undenatured ethyl alcohol, of alcoholic strength≥80%	L	upon accession
27	22082000	Spirits from distilled grape wine or marc	L	upon accession
28	22083000	Whiskeys	L	upon accession
29	22084000	Rum & tafia	L	upon accession
30	22085000	Gin & Geneva	L	upon accession
31	22087000	Liqueurs and cordials	L	upon accession
32	22089000	Spirituous beverages, nes	L	upon accession
33	37013090	Photo plates, flat, unexposed, one side>255mm, nes	L	upon accession
34	37019100	Colour photo plates/film, flat, unexposed, nes	L	upon accession
35	37023100	Colour photo film rolls,unexpsd,unperforatd,w≤105mm, nes	L	upon accession
36	37024100	Colour film rl, unexpsd/perfor, w>610mm,len>200m	L	upon accession
37	37024390	Monoch film rl, unexpsd/perfor, w>610mm, length≤200m,nes	L	upon accession
38	37024490	Monoch film rl, unexpsd/perfor, 105mm<wid≤610mm, nes	L	upon accession
39	37025100	Colour film in rolls, unexposed, width ≤16mm, & length≤14m, nes	L	upon accession
40	37025200	Colour film rolls, unexposed, width≤16mm, length>14m, nes	L	upon accession
41	37025410	Colour film rl, unexpsd,width=35mm and length≤2m,	L	upon accession
42	37025490	Colour film rl, unexpsd, width not≤35mm, length≤30m	L	upon accession
43	37025590	Colour film rl, unexpsd, 16mm<w≤35mm, length>30m, nes	L	upon accession
44	37025690	Colour film in rolls, unexposed, width>35mm, nes	L	upon accession
45	37029100	Monoch film rl, unexpsd, w≤16mm,l≤14m, nes	L	upon accession
46	37031010	Photo paper & paperboard in rolls, unexposed, width>610mm	L	upon accession
47	37032010	Other colour photo paper and paperboard, unexposed	L	upon accession

ANNEX 4

PRODUCTS AND SERVICES SUBJECT TO PRICE CONTROLS

Products Subject to State Pricing

NO	HS 2000	DESCRIPTION OF PRODUCTS	NOTES
1	24011010	Flue-cured tobacco, not stemmed/stripped	
	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	
2	25010010	Salt	Edible salt
3	27112100	Natural gas in gaseous state	
4	29379100	Insulin & its salts	Pharmaceuticals
	29411011	Ampicillin	
	29411012	Ampicillin trihydrate	
	29411019	Other ampicillin & its salts,nes	
	29411091	Amoxycillin	
	29411092	Amoxycillin trihydrate	
	29411093	6-Aminopenicillanic acid	
	29411094	Penicillins V	
	29411095	Sulfobenzylpenicillins	
	29411096	Cloxacillin	
	29411099	Other penicillins & derives with a penicillin acid structure;	
	29412000	Streptomycins & their derivatives; salts thereof	
	29419010	Gentamicin & its derivatives; salts thereof	
	30022000	Vaccines for human medicine	
	30023000	Vaccines for veterinary medicine	
	30066000	Chemical contraceptive preps. based on hormones or spermicides	
	40141000	Sheath contraceptives	

Products Subject to Government Guidance Pricing

NO	HS 2000	DESCRIPTION OF PRODUCTS	NOTES
1	10011000	Durum wheat	
	10019010	Seeds of Spelt, common wheat & meslin	
	10019090	Spelt, common wheat & meslin (excl. seed)	
	10051000	Maize seeds	
	10059000	Maize (excl. seed)	
	10061010	Rice seeds	
	10061090	Rice in the husk (paddy or rough)(excl. seed)	
	10062000	Husked (brown) rice	
	10063000	Semi-milled or wholly milled rice	
	12010010	seeds of soybean	
	12010091	Yellow soybeans (excl. seed)	
	12010092	Black soybeans (excl. seed)	
	12010093	Green soybeans (excl. seed)	
	12010099	Other soybeans (excl. seed), nes	
2	15071000	Crude soybean oil	
	15079000	Soya-bean oil (excl. crude) & fractions	
	15141010	Crude rape, colza oil & fractions thereof	
	15141090	Mustard oil & fractions thereof	
3	27100011	Gasoline, incl. aviation spirit	
4	27100023	Kerosenes	
	27100024	Normal paraffin	
5	27100031	Light diesel oil	Diesel oil
	27100033	Fuel oil No.5-No.7	
	27100039	Other fuel oils	
6	27100039	Other fuel oils	Heavy oil
7	31021000	Urea	
8	50010010	Mulberry feeding silk-worm cocoons	
	50010090	Other silk-worn cocoons suitable for reeling	
9	52010000	Cotton, not carded or combed	

Public Utilities Subject to Government Pricing

NO	CPC	PUBLIC UTILITIES
1	1720	Price of gas for civil use.
2	1800	Price of tap water.
3	1710	Price of electricity.
4	1730	Price of heating power.
5	1800	Price of water supplied by irrigation works.

Service Sectors Subject to Government Pricing

NO	CPC	SERVICE	NOTES
1	7511 7512 7522 7521**+7529**	Post and telecommunication services charges.	Including postal services charges, national and trans-provincial telecommunication services charges.
2	964	Entrance fee for tour sites.	Referring to significant historical relics and natural landscape under protection.
3	921 922 923	Education services charges.	

Service Sectors Subject to Government Governance Pricing

NO	CPC	SERVICE	NOTES
1	7214 745** 731 7111 7112 743 7131 7139	Transport services charges.	Including rail transport of both passenger and freight, air transport of freight, port services, and pipeline transport.
2	861 862 8671 8672	Professional services charges.	Including architectural and engineering services, legal services and assets assessment services.
3	621	Charges for commission agents' services.	Referring to commission for trademark and advertisement agents.
4	81339**	Charges for settlement, clearing and transmission services of banks.	Referring to settlement, clearing and transmission services of the RMB.
5	82101	Selling price and renting fee of residential apartments.	
6	931	Health related services	

Notes:

1. CPC classification is added to the service sectors subject to state pricing in this Annex in accordance with the GATT document MTN.GNS/W/120, 10 July 1991, which provided services sectoral classification for the purpose of services negotiations during the Uruguay Round.

2. The government pricing in the service sectors which are listed in China's Schedule of Specific Commitments shall be applied in a manner consistent with Article 6 of GATS and the Reference Paper on Basic Telecommunication.

ANNEX 5A

NOTIFICATION PURSUANT TO ARTICLE XXV OF THE *AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES*

I. SUBSIDIES FROM CENTRAL BUDGET PROVIDED TO CERTAIN STATE-OWNED ENTERPRISES WHICH ARE RUNNING AT A LOSS

1. Title of the subsidy program
Subsidies provided to certain State-owned enterprises which are running at a loss.

2. Period covered by the notification
1990-1998.

3. Policy objective and/or purpose of the subsidy
To promote restructuring of those State-owned enterprises which are running at a loss, while keeping employment by means of promoting rationalization and maintaining stable production and safety of the society(compensation for the lack of social security system).

4. Background and authority for the subsidy
Ministry of Finance.

5. Legislation under which it is granted
Assistance by budget.

6. Form of the subsidy
Grant and Tax Forgiving

7. To whom and how the subsidy is provided
Subsidy is provided to severe loss-making State-owned enterprises due to either fixed price of the products they produce or the increasing cost of exploitation of the resources.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy

Unit: 100 million RMB

Sector/Year	1990	1991	1992	1993	1994	1995	1996	1997	1998
Metallurgic industry	1.16	1.46	1.35	3.13	4.07	3.02	5.04	10.96	8.36
Ferrous-metal industry	0.63	0.86	1.28	1.51	5.80	5.86	4.78	6.58	4.65
Machinery industry	3.80	5.07	14.61	3.98	14.09	8.34	9.67	11.17	8.38
Coal industry	55.86	66.70	70.14	49.80	47.19	12.13	13.21	16.83	14.85
Oil industry	42.53	54.36	52.89	28.08	0.00	0.00	0.00	6.78	3.28
Chemical industry	3.83	4.03	3.70	4.11	6.90	3.47	4.26	5.32	4.96
Textile industry	1.90	2.39	2.07	3.09	2.65	3.38	6.97	16.41	15.36
Light industry	6.65	7.88	6.31	9.30	3.99	1.52	2.63	6.82	2.35
Tobacco industry	0.00	0.00	0.00	0.00	12.00	8.62	9.26	10.25	8.83
Total of the nine sectors	116.36	142.75	152.35	103.00	96.69	46.34	55.92	91.12	71.02
Other sectors	1.65	1.94	1.99	1.53	1.24	0.42	1.28	4.62	3.67
Total	118.01	144.69	154.34	104.53	97.93	46.76	57.2	95.74	74.69

9. Duration of the subsidy and/or any other time-limits attached to it
1949-2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

II. SUBSIDIES FROM LOCAL BUDGET PROVIDED TO LOSS MAKING STATE OWNED ENTERPRISES

1. Title of the subsidy program
Subsidies provided to certain State-owned enterprises which are running at a loss.

2. Period covered by the notification
1990-1999.

3. Policy objective and/or purpose of the subsidy
To promote restructuring of those State-owned enterprises which are running at a loss, while keeping employment by means of promoting rationalization and maintaining stable production and safety of the society(compensation for the lack of social security system).

4. Background and authority for the subsidy
Ministry of Finance and local governments.

5. Legislation under which it is granted
Assistance by local budget.

6. Form of the subsidy
Grant and Tax Forgiving

7. To whom and how the subsidy is provided

Subsidy is provided to severe loss-making State-owned enterprises due to either fixed price of the products they produce or the increasing cost of exploitation of the resources and restructuring of state owned enterprises.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy

Unit:100 million RMB

	1990	1991	1992	1993	1994	1995	1996	1997	1998
Beijing						57.69	59.28	63.26	63.11
Tianjin						9.23	8.79	7.29	7.29
Hebei						6.84	5.89	4.76	4.91
Shanxi						5.52	6.05	5.42	5.75
Inner-Mongolia						3.53	2.77	2.22	2.29
Liaoning						18.02	17.10	16.63	13.14
Jilin						6.07	5.88	5.75	4.02
Heilongjiang						11.77	7.07	5.21	4.47
Shanghai						44.95	45.50	45.88	45.94
Jiangsu						11.75	10.46	8.81	9.15
Zhejiang						25.06	30.10	34.79	37.85
Anhui						4.17	7.11	6.69	5.41
Fujian						2.53	1.40	1.05	0.78
Jiangxi						0.67	0.65	0.52	0.50
Shandong						8.48	8.12	6.37	4.92
Henan						4.27	3.80	3.66	2.66
Hubei						11.60	10.99	10.92	9.83
Hunan						4.57	5.16	4.23	5.18
Guangdong						17.52	17.35	15.39	13.60
Guangxi						2.22	2.01	1.60	1.33
Hainan						0.70	0.43	0.32	0.61
Chongqing								3.18	1.93
Sichuan						5.99	6.37	2.01	1.89
Guizhou						1.48	1.55	2.25	1.46
Yunnan						7.51	7.82	6.49	3.22
Tibet						0.87	1.16	1.19	1.18
Shaanxi						4.67	4.46	4.66	4.09
Gansu						0.47	0.22	0.18	0.56
Qinghai						0.91	0.96	0.51	0.44
Ningxia						0.18	0,16	0.20	0.19
Xingjiang						1.74	1.54	1.27	1.08
Total	460.87	365.55	290.62	306.76	268.29	281.01	280.20	272.75	258.81

9. Duration of the subsidy and/or any other time-limits attached to it
1949-2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

III. THE PRIORITY IN OBTAINING LOANS AND FOREIGN CURRENCIES BASED ON EXPORT PERFORMANCE

1. Title of the subsidy program
The priority in obtaining loans and foreign currencies based on export performance.

2. Period covered by the notification
1994-1999.

3. Policy objective and/or purpose of the subsidy
To promote the exportation of automobiles.

4. Background and authority for the subsidy
State Planning Commission.

5. Legislation under which it is granted
State Council Circular on Industrial Policy on Automobiles..

6. Form of the subsidy
Priority in obtaining loans and foreign currencies.

7. To whom and how the subsidy is provided
Priority is given to:

(1) Automotive production enterprises whose export of whole vehicle products has reached the percentage points in the volume of their sales as indicated in the following chart;

Vehicles Types	Category	Percentages
Passenger Vehicles	M1	3%
	M2	5%
	M3	8%
Freight Vehicles	N1	5%
	N2, N3	4%
Motorcycles	L	10%

and

(2) Automobile and motorcycle components manufacturing enterprises whose exports account for 10 per cent of their total annual sales.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
Zero, because no enterprises have reached the level for enjoying the priority up till now.

9. Duration of the subsidy and/or any other time-limits attached to it
China commits itself to eliminate this measure by the year of 2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
Zero.

IV. PREFERENTIAL TARIFF RATES BASED ON LOCALIZATION RATE OF AUTOMOTIVE PRODUCTION.

1. Title of the subsidy program
Preferential tariff rates based on localization rate of automotive production.

2. Period covered by the notification
1994-1999.

3. Policy objective and/or purpose of the subsidy
To promote the localization process of automobile industry of China.

4. Background and authority for the subsidy
State Planning Commission.

5. Legislation under which it is granted
State Council Circular on Industrial Policy on Automobiles.

6. Form of the subsidy
Preferential tariff rates.

7. To whom and how the subsidy is provided
The preferential tariff rates are granted to the automotive enterprises whose localization reaches the following ratios:
(1) Localization rate reaches 40 per cent, 60 per cent or 80 per cent on products that incorporate imported technology on whole vehicles of M Category;
(2) Localization rate reaches 50 per cent, 70 per cent or 90 per cent on products that incorporate imported technology on whole vehicles of N and L Categories; and
(3) Localization rate reaches 50 per cent, 70 per cent or 90 per cent on products that incorporate imported technology on automobile and motorcycle assemblies and key components.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
Not available.

9. Duration of the subsidy and/or any other time-limits attached to it
China commits itself to phase out this measure by the year of 2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
The trade effect is negligible.

V. PREFERENTIAL POLICIES FOR THE SPECIAL ECONOMIC ZONES (EXCLUDING THE PUDONG AREA OF SHANGHAI)

1. Title of the subsidy program
Preferential income tax policies for foreign-invested enterprises in the Special Economic Zones of Shenzhen, Zhuhai, Shantou, Xiamen, Hainan.

2. Period covered by the notification
1984 - now.

3. Policy objective and/or purpose of the subsidy
To promote regional development and absorb foreign investment.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Before 1991, Income Tax Law of the People's Republic of China Concerning Chinese-Foreign Equity Joint Ventures and Income Tax Law of the People's Republic of China for Foreign Enterprises.
After 1991, Income Tax Law of the People's Republic of China for Enterprises with Foreign Investment and Foreign Enterprises.

6. Form of the subsidy
Application of preferential income tax rate, and exemption of income tax.

7. To whom and how the subsidy is provided
   (1) For foreign-invested enterprises established in the Special Economic Zones and foreign enterprises engaging in production and business operation in the Special Economic Zones, preferential income tax rate of 15 per cent shall be applied.
   (2) For foreign-invested productive enterprises established in the old areas of the cities where the Special Economic Zones are located, preferential income tax rate of 24 per cent shall be applied; for technology intensive projects, projects having foreign investment more than $ 30 million with a long paying back period, and projects within sectors encouraged by the State such as energy, transportation etc., preferential income tax rate may further be reduced to 15 per cent.
   (3) For enterprises in services sectors with foreign investment more than US$ 5 million and operation term over 10 years, income tax for the first year shall be exempted and that for the second and third years shall be reduced by 50 per cent, subject to the application and approval by the local taxation authorities. The base year shall be the first profit-making year of the enterprises.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
The preferential income tax rate applied is 24 or 15 per cent.

9. Duration of the subsidy and/or any other time-limits attached to it
1984 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

VI. PREFERENTIAL POLICIES FOR THE ECONOMIC AND TECHNOLOGY DEVELOPMENT AREAS

1. Title of the subsidy program
Preferential income tax policies for foreign-invested enterprises in the economic and technology development areas in Dalian, Qinhuangdao, Tianjin, Yantai, Qingdao, Lianyungang, Nantong, Ningbo, Fuzhou, Guangzhou, Zhanjiang, Shanghai (Minhang, Hongqiao, Caohejing), Beihai, Shenyang, Wenzhou, Harbin, Changchun, Hangzhou, Wuhan, Chongqing, Wuhu, Xiaoshan, Huizhou, Nansha, Kunshan, Rongqiao, Weihai, Yingkou, Dongshan.

2. Period covered by the notification
1984 - now.

3. Policy objective and/or purpose of the subsidy
To accelerate the opening-up of the region and absorb foreign investment.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Before 1991, Income Tax Law of the People's Republic of China Concerning Chinese-Foreign Equity Joint Ventures and Income Tax Law of the People's Republic of China for Foreign Enterprises.
After 1991, Income Tax Law of the People's Republic of China for Enterprises with Foreign Investment and Foreign Enterprises.

6. Form of the subsidy
Application of preferential income tax rate, and exemption of income tax..

7. To whom and how the subsidy is provided
(1) For foreign-invested productive enterprises established in the economic and technology development areas, preferential income tax rate of 15 per cent shall be applied.
(2) For foreign-invested productive enterprises established in the old areas of the cities where the economic and technology development areas are located, preferential

income tax rate of 24 per cent shall be applied; for technology intensive projects, projects having foreign investment more than $ 30 million with a long paying back period, and projects within sectors encouraged by the State such as energy, transportation etc., preferential income tax rate may further be reduced to 15 per cent.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
The preferential income tax rate applied is 24 or 15 per cent.

9. Duration of the subsidy and/or any other time-limits attached to it
1984 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

VII. PREFERENTIAL POLICIES FOR THE SPECIAL ECONOMIC ZONE OF THE PUDONG AREA OF SHANGHAI

1. Title of the subsidy program
Preferential income tax policies for foreign-invested enterprises in the Special Economic Zone of the Pudong area of Shanghai.

2. Period covered by the notification
1991 - now.

3. Policy objective and/or purpose of the subsidy
To accelerate the opening-up of the region and absorb foreign investment.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Income Tax Law of the People's Republic of China for Enterprises with Foreign Investment and Foreign Enterprises.

6. Form of the subsidy
Application of preferential income tax rate, and exemption of income tax.

7. To whom and how the subsidy is provided
(1) For foreign-invested productive enterprises established in the Special Economic Zone of the Pudong area of Shanghai and for foreign-invested enterprises established there to engage in infrastructure constructions, preferential income tax rate of 15 per cent shall be applied.
(2) For foreign-invested enterprises established in the Special Economic Zone of the Pudong area of Shanghai, engaged in such energy and transportation construction projects as airport, ports, railways, power stations etc. with operation term longer than 15 years, income tax for the first five years shall be exempted and that for the sixth to

the tenth years shall be reduced by 50 per cent. The base year shall be the first profit-making year of the enterprises.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
The preferential income tax rate applied is 15 per cent.

9. Duration of the subsidy and/or any other time-limits attached to it
1991 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

VIII. PREFERENTIAL POLICIES FOR FOREIGN INVESTED ENTERPRISES

1. Title of the subsidy program
Preferential income tax policies for foreign-invested enterprises in China.

2. Period covered by the notification
1985 - now.

3. Policy objective and/or purpose of the subsidy
To absorb foreign investment and expand economic cooperation.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Before 1991, Income Tax Law of the People's Republic of China Concerning Chinese-Foreign Equity Joint Ventures and Income Tax Law of the People's Republic of China for Foreign Enterprises.
After 1991, Income Tax Law of the People's Republic of China for Enterprises with Foreign Investment and Foreign Enterprises.

6. Form of the subsidy
Application of preferential income tax rate, and exemption of income tax.

7. To whom and how the subsidy is provided
(1) For foreign-invested productive enterprises with operation term more than 10 years, the income tax for the first two years shall be exempted and that for the third to the fifth year shall be reduced by 50 per cent. The base year shall be the first profit-making year of the enterprises.
(2) For Chinese-foreign joint enterprises engaged in the construction of ports, docks and berths, preferential income tax rate of 15 per cent shall be applied, and for those with operation term longer than 15 years, income tax for the first five years shall be exempted and that for the sixth to the tenth years shall be reduced by 50 per cent. The base year shall be the first profit-making year of the enterprises.

(3) For foreign-invested advanced technology enterprises, in case that the technologies they possess or provide are still regarded as advanced when the initial income tax exemption and reduction period expires, income tax reduction of 50 per cent may continue to be applied, for another 3 years.

(4) For foreign-invested enterprises engaged in agriculture, forestry and animal husbandry, and for foreign-invested enterprises established in remote areas with less developed economic level, income tax reduction of 15 to 30 per cent may continue to be applied for another ten years after the initial exemption and reduction period expires, subject to application and approval of local taxation authorities.

(5) For foreign-invested enterprises of industries and sectors in which foreign investment is encouraged by the State, provincial government may determine whether to reduce or exempt the local part of income tax..

(6) For profits of foreign investors which are re-invested into the enterprises to increase the register capital, or to set up other new enterprises with operation term more than 5 years, 40 per cent of their income tax payment for the re-invested profits shall be refunded subject to application and approval from the local taxation authorities. In case that the new or the expanded enterprises with the re-investment are hi-tech enterprises, or that profits are from foreign-invested enterprises in Hainan Special Economic Zone and re-invested into infrastructure projects or agriculture development projects of the same Special Economic Zone, 100 per cent of the paid income tax for the re-investment shall be refunded.

(7) For dividends, interests, rentals, franchising fees and other forms of income of foreign investors who have no commercial establishments in China, preferential income tax rate of 20 per cent shall be applied except for profits of foreign investors gained from the enterprises they have invested in China, which are subject to 100 per cent income tax exemption. For franchising fees gained from provision of special technology to scientific research, energy development, transportation development, agriculture, forestry and animal husbandry, preferential income tax rate of 10 per cent may be applied, subject to application and approval of local taxation authorities; in case that the technology is advanced or is provided with favorable conditions, income tax exemption may be applied.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
The preferential income tax rate applied is 20, 15 or 10 per cent.

9. Duration of the subsidy and/or any other time-limits attached to it
1985-

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

IX. LOANS FROM THE STATE POLICY BANKS

1. Title of the subsidy program
Loans of the State Policy Banks (the State Development Bank, the Export and Import Bank of China, and the Agriculture Development Bank of China).

2. Period covered by the notification
For the State Development Bank, 1994 - 1996;
For the Export and Import Bank of China, 1991 - 1995
For the Agriculture Development Bank of China., 1994 - 1996.

3. Policy objective and/or purpose of the subsidy
To adjust investment structure.

4. Background and authority for the subsidy
There are three State Policy Banks in China: the State Development Bank, the Export and Import Bank of China, and the Agriculture Development Bank of China. The three State Policy Banks accumulate capital by issuing treasury bonds to commercial banks and the market. Generally the State budget does not provide interest rate subsidy to the State Policy Banks. The interest rates of the State Policy Banks loans are usually the same as the market interest rates.

5. Legislation under which it is granted
None.

6. Form of the subsidy
Loans.

7. To whom and how the subsidy is provided
Loans from the State Development Bank are mainly directed to infrastructure constructions in energy, transportation, telecommunications and water conservancy, resources development in the middle and western parts of China, as well as technology renovation of some enterprises.
Loans from the Export and Import Bank of China are mostly directed to guarantee for export credit of commercial banks, and a small part is for direct export credit.
Loans from the Agriculture Development Bank of china are mainly provided for purchase and storage of agricultural and side-line products, forestry construction and water conservancy development.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
RMB 200 billion for the State Development Bank, and 9.6 per cent of which is directed to the manufacturing industry;
RMB 21 billion export credit (mainly sellers' credit) for the Export and Import Bank of China;
RMB 500 billion for the Agriculture Development of China.

9. Duration of the subsidy and/or any other time-limits attached to it
1991 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

X. FINANCIAL SUBSIDIES FOR POVERTY ALLEVIATION

1. Title of the subsidy program
Financial subsidies for poverty alleviation.

2. Period covered by the notification
For direct allocation of funds, 1991 - now
For poverty alleviation loans, 1994 - now.

3. Policy objective and/or purpose of the subsidy
To alleviate poverty.

4. Background and authority for the subsidy
For direct allocation of funds, State Planning Commission and Ministry of Finance.
For poverty alleviation loans, the Agriculture Development Bank of China.

5. Legislation under which it is granted
Assistance by budget.

6. Form of the subsidy
Direct appropriation and provision of poverty alleviation loans.

7. To whom and how the subsidy is provided
The subsidies are provided to regions in China where annual income per capita is less than RMB 400.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
For direct appropriation from the central budget, the total from 1991 to 2000 is RMB 103.6 billion (RMB 18.3 billion from 1991 to 1995, RMB 4 billion in 1996, RMB 15.2 billion in 1997, RMB 17.8 billion for 1998, RMB 24.3 billion in 1999 and RMB 24.0 billion being planned in 2000).

For poverty alleviation loans, RMB 30 billion.

9. Duration of the subsidy and/or any other time-limits attached to it
1991 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XI. FUNDS FOR TECHNOLOGY RENOVATION, RESEARCH AND DEVELOPMENT

1. Title of the subsidy program
Funds for technology renovation, research and development.

2. Period covered by the notification
1991 - 1998

3. Policy objective and/or purpose of the subsidy
To encourage scientific research and technology development, and to promote application of science and technology in the rural areas.

4. Background and authority for the subsidy
Ministry of Finance

5. Legislation under which it is granted
State Council Circular No. 99, 1987.

6. Form of the subsidy
Grant and loans.

7. To whom and how the subsidy is provided
To scientific research institutes and some enterprises.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
RMB 301.9 billion (RMB 18.1 billion for 1991, RMB 22.3 billion for 1992, RMB 42.1 billion for 1993, RMB 41.5 billion for 1994, RMB 49.5 billion for 1995 and RMB 52.6 billion for 1996, RMB 64.3 billion for 1997, RMB 64.1 billion for 1998).

9. Duration of the subsidy and/or any other time-limits attached to it
1991 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XII. INFRASTRUCTURE CONSTRUCTION FUNDS FOR AGRICULTURAL WATER CONSERVANCY AND FLOOD PROTECTING PROJECTS

1. Title of the subsidy program
Infrastructure construction funds for agricultural water conservancy projects

2. Period covered by the notification
1991 - 1999

3. Policy objective and/or purpose of the subsidy
To improve agricultural irrigation systems and flood-defending facilities.

4. Background and authority for the subsidy
Ministry of Finance and the Provincial Bureau of Finance

5. Legislation under which it is granted
Assistance by budget.

6. Form of the subsidy
Grant.

7. To whom and how the subsidy is provided
To key infrastructure projects in water conservancy and flood protection.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
RMB 35.5 billion (RMB 7.5 billion for 1991, RMB 8.5 billion for 1992, RMB 9.5 billion for 1993, RMB 10 billion for 1994, RMB 11.0 billion for 1995, RMB 14.1 billion for 1996, RMB 15.9 billion for 1997, RMB 20.89 billion for 1998 and 21.36 for 1999).

9. Duration of the subsidy and/or any other time-limits attached to it
1991 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XIII. TAX AND TARIFF REFUND FOR EXPORT PRODUCTS

1. Title of the subsidy program
Tariff refund for imported contents of export products, and value-added tax refund for export products.

2. Period covered by the notification
1985 - now.

3. Policy objective and/or purpose of the subsidy
To alleviate unreasonable tax and tariff burdens of export enterprises.

4. Background and authority for the subsidy
For tariff refund, taxation and customs authorities; and for tax refund, taxation authorities.

5. Legislation under which it is granted
State Council Circular No. 43, 1985.

6. Form of the subsidy
Tax and tariff refund.

7. To whom and how the subsidy is provided
For raw materials, spare parts, assemblies and packing materials imported for the purpose of processing and assembling for overseas clients or manufacturing products for export, tariffs shall be exempted, or in the case that tariffs have been collected, refund of the collected tariffs shall be made, according to quantities of the final products exported.

For agricultural products subject to the official value-added tax rate of 10%, the refund rate is 3%.
For industrial products subject to the official value-added tax rate of 17%, which take agricultural products as their raw materials, the refund rate is 6%.
For other products subject to the official value-added tax rate of 17%, the refund rate is 9%.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1985 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XIV. TARIFF AND IMPORT DUTIES REDUCTION AND EXEMPTION FOR ENTERPRISES

1. Title of the subsidy program
Tariff and import duties reduction and exemption for enterprises.

2. Period covered by the notification
1985 - 2000.

3. Policy objective and/or purpose of the subsidy
To attract foreign investment, to encourage technology renovations in domestic enterprises, and to promote such trade forms as border trade, processing trade, compensation trade etc..

4. Background and authority for the subsidy
Taxation and customs authorities.

5. Legislation under which it is granted
Regulation of import and export tariff of the People's Republic of China.

6. Form of the subsidy
Tariff and import duties reduction and exemption.

7. To whom and how the subsidy is provided
China adopted new taxation system on April 1, 1997. Under this new system, all domestic enterprises and institutes shall be subject to tariff and import duties in accordance with official rate except for the following few cases where tariff and import duties reduction and exemption are still applied:

(1) goods imported for embassies, and offices of international organizations in China, donations from foreign governments and international organizations, and goods imported by Chinese diplomats, Chinese students studying abroad and etc. for personal consumption;

(2) imports into the Yangpu Economic Development Area in Hainan Province, a bonded area;
(3) equipment and materials imported during the period of 1996 to 2000 for drilling, petroleum and natural gas exploitation;
(4) aircraft imported by domestic civil airlines during the period of 1996 to 2000;
(5) spare parts of cars, of which tariff and import duties reduction and exemption shall be determined according to the localization rate;
(6) materials imported for domestic manufacturing of aircraft.

Tariff and import duties reduction and exemption before April 1, 1996 of imported equipment and materials for foreign-invested enterprises, for domestic technology renovation and infrastructure construction projects, for Special Economic Zones and Economic and Technology Development Areas, and for border trade, processing trade and compensation trade, shall be terminated except for the following transitional period:

(1) for foreign-invested enterprises with total investment less than US$ 30 million approved before April 1, 1996, tariff and import duties reduction and exemption of their imported equipment and materials shall remain valid within the transitional period till December 31, 1996; for those enterprises with total investment more than US$ 30 million, the transitional period shall end on December 31, 1997;

(2) for industrial projects in such areas as energy, transportation, metallurgical industry with total investment more than RMB 50 million, and for technology renovation projects in manufacturing industries with total investment more than RMB 30 million, which were approved before April 1, 1996, tariff and import duties for their equipment importation shall be subject to 50 per cent reduction within the transitional period till December 31, 1997;

(3) goods imported into the five Special Economic Zones of Shenzhen, Zhuhai, Shantou, Xiamen, Hainan, as well as those into the Pudong area in Shanghai and the Industrial Development Zone in Suzhou, shall be subject to tariff and import duties after 1 April 1996 in accordance with the official tariff and import duties rates. However, refund of the tariff and import duties will be applied within the transitional period from 1996 to 2000, with the volume decreasing annually. The refund will terminate after the year 2000.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1985 - 2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XV. PROVISION OF LOW-PRICE INPUTS FOR SPECIAL INDUSTRIAL SECTORS

1. Title of the subsidy program
State low pricing for certain percentage of coal for electricity generating, and for certain percentage of crude oil.

2. Period covered by the notification
1987 - now.

3. Policy objective and/or purpose of the subsidy
State pricing for certain percentage of the industrial inputs is to maintain the overall price level stable.

4. Background and authority for the subsidy
Reform of China's planning economic system began first with the reform of the pricing system, and by now 95 per cent of the commodities and services in China have already been determined by the market forces. State pricing remains only for certain percentage of those crucial products to maintain the ability of the government to curb the overall price level in emergent cases.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Pricing.

6. Form of the subsidy
State low pricing for inputs of certain industrial sectors.

7. To whom and how the subsidy is provided
37 per cent of coal in 1995 was subject to state pricing, and 70 per cent of the land oil production was subject to state pricing, price of the remaining 30 per cent as well as of all the off-shore oil production was determined by the market.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1987 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XVI. SUBSIDY TO CERTAIN ENTERPRISES IN THE FORESTRY INDUSTRY

1. Title of the subsidy program
Subsidy to the forestry industry.

2. Period covered by the notification
1994 - now.

3. Policy objective and/or purpose of the subsidy
To encourage full utilization of forest resources.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Value added Tax.

6. Form of the subsidy
Refund of value-added tax.

7. To whom and how the subsidy is provided
For certain enterprises in the forestry industry, when their products are based on the utilization of deficient timber resources, the collected value-added tax shall be refunded.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available as the quantity is minimal.

9. Duration of the subsidy and/or any other time-limits attached to it
1994 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XVII. PREFERENTIAL INCOME TAX TREATMENT TO HIGH-TECH ENTERPRISES

1. Title of the subsidy program
Preferential Income tax treatment to high-tech enterprises.

2. Period covered by the notification
1994 - now.

3. Policy objective and/or purpose of the subsidy
To accelerate the development of high-tech industries.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Enterprises Income Tax.

6. Form of the subsidy
Income tax reduction and exemption.

7. To whom and how the subsidy is provided
For high-tech enterprises in the high-tech development zones approved by the State Council, the income tax rate applied shall be reduced to 15 per cent; for newly-established high-tech enterprises, income tax shall be exempted for the first two years since the operation.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1994 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XVIII. PREFERENTIAL INCOME TAX TREATMENT TO ENTERPRISES UTILIZING WASTE

1. Title of the subsidy program
Preferential income tax treatment to enterprises utilizing waste.

2. Period covered by the notification
1993 - now.

3. Policy objective and/or purpose of the subsidy
To encourage resources recycle.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Enterprises Income Tax.

6. Form of the subsidy
Income tax reduction and exemption.

7. To whom and how the subsidy is provided
For enterprises utilizing waste gas, waste water and solid waste as major production inputs, income tax shall be reduced or exempted for five years.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1993 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XIX. PREFERENTIAL INCOME TAX TREATMENT TO ENTERPRISES IN POVERTY STRICKEN REGIONS

1. Title of the subsidy program
Preferential Income tax treatment to enterprises in poverty stricken regions

2. Period covered by the notification
1993 - now.

3. Policy objective and/or purpose of the subsidy
To alleviate poverty.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Enterprises Income Tax.

6. Form of the subsidy
Income tax reduction and exemption.

7. To whom and how the subsidy is provided
For newly-established enterprises in remote regions, poverty stricken regions, and regions with ethnic groups residence, income tax shall be reduced or exempted for three years.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1993 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XX. PREFERENTIAL INCOME TAX TREATMENT TO ENTERPRISES TRANSFERRING TECHNOLOGIES

1. Title of the subsidy program
Preferential Income tax treatment to enterprises transferring technologies.

2. Period covered by the notification
1993 - now.

3. Policy objective and/or purpose of the subsidy
To encourage technology transfer and extension.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Enterprises Income Tax.

6. Form of the subsidy
Income reduction and exemption.

7. To whom and how the subsidy is provided
For income of enterprises generated from transferring technologies, or from such relevant services as technology consultancy, training and etc., income tax shall be exempted when such annual net income is below RMB 300 thousand; however, in the case that the income exceeds RMB 300 thousand, for the part which exceeds RMB 300 thousand, income tax shall be applied as usual.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1993 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XXI. PREFERENTIAL INCOME TAX TREATMENT TO DISASTER STRICKEN ENTERPRISES

1. Title of the subsidy program
Preferential Income tax treatment to disaster stricken enterprises

2. Period covered by the notification
1993 - now.

3. Policy objective and/or purpose of the subsidy
To bring down disaster losses.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Enterprises Income Tax.

6. Form of the subsidy
Income tax reduction and exemption.

7. To whom and how the subsidy is provided
In case that enterprises suffer from such disasters as fire, flood, tornado, earthquake and etc., income tax shall be exempted for one year subject to application to and approval from local taxation authorities.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1993 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XXII. PREFERENTIAL INCOME TAX TREATMENT TO ENTERPRISES WHICH PROVIDE JOB OPPORTUNITIES FOR THE UNEMPLOYED

1. Title of the subsidy program
Preferential income tax treatment to enterprises which provide job opportunities for the unemployed

2. Period covered by the notification
1993 - now

3. Policy objective and/or purpose of the subsidy
To increase job opportunities.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Enterprises Income Tax.

6. Form of the subsidy
Income tax reduction and exemption.

7. To whom and how the subsidy is provided
For newly-established township enterprises, in case that the new jobs they provide in one certain year exceed 60 per cent of their total jobs, income tax shall be exempted for a period of three years, subject to their application to and approval from local taxation authorities. In

the same year when the three year exemption period expires, in case the enterprises provide another 30 per cent more job opportunities, income tax shall be reduced by 50 per cent for another two years, subject to their application to and approval from local taxation authorities.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1993 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XXIII STATISTICS OF INCOME TAX REBATE TO ENTERPRISES SUBJET TO NOTIFICATION XVII, XVIII, XIX, XX, XXI, XXII

Unit: 10,000 RMB

	1995	**1996**	**1997**
Beijing	19424	17492	33156
Tianjin	12793	6945	632
Hebei	184	50	5
Shanxi	11216	1519	1465
Inner-Mongolia	2525	445	129
Liaoning	665	477	8515
Jilin	130	1170	791
Heilongjiang	1218	734	1345
Shanghai	41960	110207	63659
Jiangsu	1343	1369	9
Zhejiang	41710	42220	61045
Anhui	14285	17490	23939
Fujian	2563	12953	15183
Jiangxi	28	2	0
Shandong	11586	3737	4277
Henan	192	918	221
Hubei	494	994	12230
Hunan	7019	12179	11915
Guangdong	10835	165	52
Guangxi	9013	6211	7716
Hainan	1194	1371	300
Chongqing			230
Sichuan	3548	3777	998
Guizhou	647	2006	3259
Yunnan	9027	6418	6563
Tibet	506	1173	228

	1995	1996	1997
Shaanxi	7320	4228	1230
Gansu	7519	251	1073
Qinghai	357	378	1815
Ningxia	532	465	2309
Xingjiang	6633	2812	1354
Total	226466	260156	265643

XXIV. TARIFF AND VAT EXEMPTION FOR IMPORTED TECHNOLOGY AND EQUIPMENT OF THE INVESTERS INVESTING IN AREAS ENCOURAGED BY THE GOVERNMENT

1. Title of the subsidy program
Tariff and VAT exemption for imported technologies and equipment imported by investors investing in the industrial areas encouraged by the state.

2. Period covered by the notification
1998 - 2000.

3. Policy objective and/or purpose of the subsidy
Reduce the investment cost of importing technologies and equipment from abroad, so as to attract foreign direct investment and promote domestic investment as well.

4. Background and authority for the subsidy
The State Council.

5. Legislation under which it is granted
The circular No. 37(1997) issued by the State Council.

6. Form of the subsidy
Tariff and VAT exemption for imported technologies and equipment.

7. To whom and how the subsidy is provided
For foreign investors investing in the encouraged industrial areas defined by the "The Industrial catalogues for Foreign Direct Investment"(jointly issued by SDPC, SETC and MOFTEC), their imported technologies and equipment can enjoy treatment of tariff and VAT exemption.
For domestic investors investing in the encouraged industrial areas defined by the "The Catalogues of Current Priorities of Industrial Sectors, Products and Technologies Encouraged by the State" (issued by The State Development Planning Commission), their imported technologies and equipment can enjoy treatment of tariff and VAT exemption.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1998 - 2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
The importation of technologies and equipment has been encouraged by the subsidies, no specific import volume has been calculated.

ANNEX 5B

SUBSIDIES TO BE PHASED OUT

I. SUBSIDIES PROVIDED TO CERTAIN STATE-OWNED ENTERPRISES WHICH ARE RUNNING AT A LOSS

1. Title of the subsidy program
Subsidies provided to certain State-owned enterprises which are running at a loss.

2. Period covered by the notification
1990-1998.

3. Policy objective and/or purpose of the subsidy
To promote structural adjustment of those State-owned enterprises which are running at a loss, especially those in coal-mining and oil-drilling sectors, while keeping employment by means of promoting rationalization and maintaining stable production and safety.

4. Background and authority for the subsidy
Ministry of Finance.

5. Legislation under which it is granted
Assistance by budget.

6. Form of the subsidy
Grant and tax forgiving

7. To whom and how the subsidy is provided
Subsidy is provided to severe loss-making State-owned enterprises due to either fixed price of the products they produce or the increasing cost of exploitation of the resources.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy

Unit: 100 million RMB

Sector/Year	1990	1991	1992	1993	1994	1995	1996	1997	1998
Metallurgic industry	1.16	1.46	1.35	3.13	4.07	3.02	5.04	10.96	8.36
Ferrous-metal industry	0.63	0.86	1.28	1.51	5.80	5.86	4.78	6.58	4.65
Machinery industry	3.80	5.07	14.61	3.98	14.09	8.34	9.67	11.17	8.38
Coal industry	55.86	66.70	70.14	49.80	47.19	12.13	13.21	16.83	14.85
Oil industry	42.53	54.36	52.89	28.08	0.00	0.00	0.00	6.78	3.28
Chemical industry	3.83	4.03	3.70	4.11	6.90	3.47	4.26	5.32	4.96
Textile industry	1.90	2.39	2.07	3.09	2.65	3.38	6.97	16.41	15.36
Light industry	6.65	7.88	6.31	9.30	3.99	1.52	2.63	6.82	2.35
Tobacco industry	0.00	0.00	0.00	0.00	12.00	8.62	9.26	10.25	8.83
Total of the nine sectors	116.36	142.75	152.35	103.00	96.69	46.34	55.92	91.12	71.02
Other sectors	1.65	1.94	1.99	1.53	1.24	0.42	1.28	4.62	3.67
Total	118.01	144.69	154.34	104.53	97.93	46.76	57.2	95.74	74.69

9. Duration of the subsidy and/or any other time-limits attached to it
1949-2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

II. THE PRIORITY IN OBTAINING LOANS AND FOREIGN CURRENCIES BASED ON EXPORT PERFORMANCE

1. Title of the subsidy program
The priority in obtaining loans and foreign currencies based on export performance.

2. Period covered by the notification
1994-1999.

3. Policy objective and/or purpose of the subsidy
To promote the exportation of automobiles.

4. Background and authority for the subsidy
State Planning Commission.

5. Legislation under which it is granted
State Council Circular on Industrial Policy on Automobiles..

6. Form of the subsidy
Priority in obtaining loans and foreign currencies.

7. To whom and how the subsidy is provided
Priority is given to:

(1) Automotive production enterprises whose export of whole vehicle products has reached the percentage points in the volume of their sales as indicated in the following chart;

Vehicles Types	Category	Percentages
Passenger Vehicles	M1	3%
	M2	5%
	M3	8%
Freight Vehicles	N1	5%
	N2, N3	4%
Motorcycles	L	10%

and

(2) Automobile and motorcycle components manufacturing enterprises whose exports account for 10 per cent of their total annual sales.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
Zero, because no enterprises have reached the level for enjoying the priority up till now.

9. Duration of the subsidy and/or any other time-limits attached to it
China commits itself to eliminate this measure by the year of 2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
Zero.

III. PREFERENTIAL TARIFF RATES BASED ON LOCALIZATION RATE OF AUTOMOTIVE PRODUCTION

1. Title of the subsidy program
Preferential tariff rates based on localization rate of automotive production.

2. Period covered by the notification
1994-1999

3. Policy objective and/or purpose of the subsidy
To promote the localization process of automobile industry of China.

4. Background and authority for the subsidy
State Planning Commission.

5. Legislation under which it is granted
State Council Circular on Industrial Policy on Automobiles.

6. Form of the subsidy
Preferential tariff rates.

7. To whom and how the subsidy is provided

The preferential tariff rates are granted to the automotive enterprises whose localization reaches the following ratios:

(1) Localization rate reaches 40 per cent, 60 per cent or 80 per cent on products that incorporate imported technology on whole vehicles of M Category;

(2) Localization rate reaches 50 per cent, 70 per cent or 90 per cent on products that incorporate imported technology on whole vehicles of N and L Categories; and

(3) Localization rate reaches 50 per cent, 70 per cent or 90 per cent on products that incorporate imported technology on automobile and motorcycle assemblies and key components.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy

Not available.

9. Duration of the subsidy and/or any other time-limits attached to it

China commits itself to phase out this measure by the year of 2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy

The trade effect is negligible.

ANNEX 6

PRODUCTS SUBJECT TO EXPORT DUTY

NO	HS 2000	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE(%)
1	03019210	Live eels fry	20.0
2	05061000	Ossein and bones treated with acid	40.0
3	05069010	Powder and waste of bones	40.0
4	05069090	Bones and horn-cores not cut to shape, nes	40.0
5	26070000	Lead ores & concentrates	30.0
6	26080000	Zinc ores & concentrates	30.0
7	26090000	Tin ores & concentrates	50.0
8	26110000	Tungsten ores & concentrates	20.0
9	26159000	Niobium & tantalum ores & concentrates	30.0
10	26171010	Crude antimony	20.0
11	28047010	Yellow phosphorus (white phosphorus)	20.0
12	28047090	Phosphorus, nes	20.0
13	28269000	Potassium fluotantalate	30.0
14	29022000	Benzene	40.0
15	41031010	Slabs of goats, fresh or preserved, not tanned	20.0
16	72011000	Non-alloy pig iron, by wt.≤0.5% of phosphorus in primary forms	20.0
17	72012000	Non-alloy pig iron, by wt.>0.5% of phosphorus in primary forms	20.0
18	72015000	Alloy pig iron	20.0
19	72021100	Ferro-manganese, containing by weight more than 2% of carbon	20.0
20	72021900	Ferro-manganese, nes	20.0
21	72022100	Ferro-silicon, containing by weight more than 55% of silicon	25.0
22	72022900	Ferro-silicon, nes	25.0
23	72023000	Ferro-silico-manganese	20.0
24	72024100	Ferro-chromium containing by weight more than 4% of carbon	40.0
25	72024900	Ferro-chromium, nes	40.0
26	72041000	Waste & scrap, cast iron	40.0
27	72042100	Waste & scrap, stainless steel	40.0
28	72042900	Waste & scrap, of alloy steel, other than stainless	40.0
29	72043000	Waste & scrap, of tinned iron or steel	40.0
30	72044100	Ferrous waste & scrap,i/s,from the mechanical working of mtl, nes	40.0
31	72044900	Ferrous waste & scrap, iron or steel, nes	40.0
32	72045000	Remelting scrap ingots, of iron or steel	40.0
33	74020000	Cu unrefined, Cu anodes for electrolytic refining	30.0
34	74031100	Cu cathodes & sections of cathodes unwrought	30.0
35	74031200	Wire bars, Cu, unwrought	30.0
36	74031300	Billets, Cu, unwrought	30.0
37	74031900	Refined Cu products, unwrought, nes	30.0
38	74032100	Cu-zinc base alloys, unwrought	30.0
39	74032200	Cu-tin base alloys, unwrought	30.0
40	74032300	Cu-Ni base alloys'Cu-Ni-zinc base alloys, unwrought	30.0
41	74032900	Cu alloys, unwrought (other than master alloys of heading No 74.05	30.0
42	74040000	Waste & scrap, Cu'Cu alloy	30.0
43	74071000	Bars, rods & profiles of refined Cu	30.0
44	74072100	Bars, rods & profiles of Cu-Zn base alloys	30.0
45	74072200	Bars,rods & profiles of Cu-Ni'Cu-Ni-Zn base alloys	30.0

NO	HS 2000	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE(%)
46	74072900	Bars, rods & profiles, Cu alloy nes	30.0
47	74081100	Wire of refined Cu of which the max cs dimension>6mm	30.0
48	74081900	Wire of refined Cu of which the max cs dimension≤6mm	30.0
49	74082100	Wire, Cu-zinc base alloy	30.0
50	74082200	Wire, Cu-Ni base alloy'Cu-Ni-zinc base alloy	30.0
51	74082900	Wire, Cu alloy, nes	30.0
52	74091100	Plate, sheet & strip of refined Cu, in coil, thick>0.15mm	30.0
53	74091900	Plate, sheet & strip of refined Cu, not in coil, thick>0.15mm	30.0
54	74092100	Plate, sheet & strip of Cu-Zn base alloys, in coil, thick>0.15mm	30.0
55	74092900	Plate, sheet & strip of Cu-Zn base alloys, not in coil, thick> 0.15mm	30.0
56	74093100	Plate, sheet & strip of Cu-tin base alloys, in coil, thick>0.15mm	30.0
57	74093900	Plate,s heet & strip of Cu-tin base alloys, not in coil, thick> 0.15m	30.0
58	74094000	Plate, sheet & strip of Cu-Ni'Cu-Ni-Zn base alloy, thick>0.15mm	30.0
59	74099000	Plate, sheet & strip of Cu alloy, thick >0.15mm, nes	30.0
60	75021000	Ni unwrought, not alloyed	40.0
61	75022000	Ni unwrought, alloyed	40.0
62	75089010	Electroplating anodes of Ni	40.0
63	76011000	Al unwrought, not alloyed	30.0
64	76012000	Al unwrought, alloyed	30.0
65	76020000	Waste & scrap, Al	30.0
66	76041000	Bars, rods & profiles, Al, not alloyed	20.0
67	76042100	Profiles, hollow, Al, alloyed	20.0
68	76042900	Bars, rods & other profiles, Al alloyed	20.0
69	76051100	Wire,Al, not alloyed, with a max cross sectional dim>7mm	20.0
70	76051900	Wire,Al, not alloyed, with a max cross sectional dim≤7mm	20.0
71	76052100	Wire, Al alloy, with a maximum cross sectional dim> 7mm	20.0
72	76052900	Wire, Al alloy, with a maximum cross sectional dim≤7mm	20.0
73	76061120	Plate/sheet/strip, Al, not alloyed, rect'sq, 0.30≤thickness<0.36	20.0
74	76061190	Plate/sheet/strip, Al, not alloyed, rect'sq, thick>0.2mm, nes	20.0
75	76061220	Plate, sheet'strip, Al alloy, rect'sq, thickness<0.28mm	20.0
76	76061230	Plate, sheet'strip, Al alloy, rect'sq, 0.28mm≤thickness≤0.35	20.0
77	76061240	Plate, sheet'strip, Al alloy, rect'sq, 0.35mm<thickness	20.0
78	76069100	Plate, sheet'strip, Al, not alloyed, >0.2mm thick, nes	20.0
79	76069200	Plate, sheet'strip, Al alloy, >0.2mm thick, nes	20.0
80	79011100	Zinc not alloyed unwrought containing by weight≥99.99% of zinc	20.0
81	79011200	Zinc not alloyed unwrought containing by weight<99.99% of zinc	20.0
82	79012000	Zinc alloys unwrought	20.0
83	81100020	Antimony unwrought	20.0
84	81100030	Antimony waste & scrap; powders	20.0

Note:

China confirmed that the tariff levels included in this Annex are maximum levels which will not be exceeded. China confirmed furthermore that it would not increase the presently applied rates, except under exceptional circumstances. If such circumstances occurred, China would consult with affected members prior to increasing applied tariffs with a view to finding a mutually acceptable solution.

ANNEX 7

RESERVATIONS BY WTO MEMBERS

Argentina: restrictions maintained on imports from China

Argentina intends to maintain restrictions on certain products originating in China, such as textiles and clothing, footwear not used for sporting activities and toys, after the accession of China, as follows:

PRODUCT	HS CODE
Textiles and Clothing	51.11; 51.12; 51.13; 52.08; 52.09; 52.10; 52.11; 52.12; 53.09; 53.10; 53.11; 54.07; 54.08; 55.12; 55.13; 55.14; 55.15; 55.16; 56.02; 56.03; 57.01; 57.02; 57.03; 57.04; 57.05; 58.01; 58.02; 58.03; 58.04; 58.05; 58.06; 58.07; 58.08; 58.09; 58.10; 58.11; 59.03; 60.01; 60.02; 61.01; 61.02; 61.03; 61.04; 61.05; 61.06; 61.07; 61.08; 61.09; 61.10; 61.11; 61.12; 61.13; 61.14; 61.15; 61.16; 61.17; 62.01; 62.02; 62.03; 62.04; 62.05; 62.06; 62.07; 62.08; 62.09; 62.10; 62.11; 62.12; 62.13; 62.14; 62.15; 62.16; 62.17; 63.01; 63.02; 63.03; 63.04; 63.05; 63.06; 63.07; 63.08; 63.09; 63.10
Footwear not used for sporting activities	64.01; 64.02; 64.03; 64.04; 64.05
Toys	95.02; 95.03

Quotas (Resolution 862/1999): to be eliminated by 31 July 2002.

Specific duties: phasing out will be in line with the following methodology:

1. The base level of specific duties will be that in force at the time of the accession of China and the *ad valorem* equivalent of each specific duty applied to each tariff position.

2. The transition period will be five years from the date of accession of China, after which a 35% *ad valorem* duty will apply.

3. Duties in excess of 35% will be phased out as follows:

   — **First year**: a 10% reduction of the amount in excess of 35%
   — **Second year**: a 20% reduction
   — **Third year**: a 40% reduction
   — **Fourth year**: a 60% reduction
   — **Fifth year**: an 80% reduction
   — **Sixth year:** As of 1 January of the sixth year, the ceiling of the 35% *ad valorem* equivalent to the minimum specific import duties (DIEMs) will apply.

European Communities: phasing-out timetable of industrial (non-textile) quotas

Product	HS/CN Code	2001	2002	2003	2004	2005
Footwear falling within HS/CN codes	ex 6402 99 [4]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6403 51 6403 59	5% increase	10% increase	15% increase	15% increase	proposed removal
	ex 6403 91[2] ex 6403 99[2]	5% increase	5% increase	10% increase	15% increase	proposed removal
	ex 6404 11[5]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6404 19 10	5% increase	5% increase	10% increase	15% increase	proposed removal
Tableware, kitchenware of porcelain or china	6911 10	15% increase	15% increase	15% increase	15% increase	proposed removal
Ceramic tableware or kitchenware	6912 00	15% increase	15% increase	15% increase	15% increase	proposed removal

[Note that previous quotas on glassware and toys were completely lifted in 1998]

[4] Excluding footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

[5] Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bats or the like, with a non-injected sole;

(b) footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

Hungary: quantitative restrictions maintained on imports from China

Hungary undertakes to phase out these restrictions by the year 2005. The restraint levels are based on the import data of the year 1999. The annual quota growth and the carry over and carry forward rates in the case of textiles and clothing products are included in the notification.

Product	HS	Import from China in 1999	Increase of quotas in per cent				
			2001	2002	2003	2004	2005
Footwear falling within HS codes	6401	71 000 pairs	5	5	10	15	proposed removal
	6402	10 625 000 pairs	5	5	10	15	proposed removal
	6403	600 000 pairs	5	5	10	15	proposed removal
	6404	4 450 000 pairs	5	5	10	15	proposed removal
	6405	2 140 000 pairs	5	5	10	15	proposed removal
Overwear Flexibility rates: 10% of which carry forward shall not represent more than 5%	4203, ex 4303, ex 4304, 6101, 6102, 6103, 6104, 6106, 6110, 6112, 6113, 6114, 6201, 6202, 6203, 6204, 6206, 6210, 6211	15 900 000 $	6	6	6	6	proposed removal
Other clothing and ready-made clothing products Flexibility rates: 10% of which carry forward shall not represent more than 5%	ex 4303, ex 4304, 6117, 6213, 6214, 6215, 6301, 6302, 6304, 6306, 6307, 9404	4 570 000 $	6	6	6	6	proposed removal

Poland: anti-dumping measures and safeguard measures

Poland intends to continue the application of the below mentioned measures after China's accession.

1. Anti-dumping duties:

PCN 9613 10 00 0 (pocket lighters, gas fuelled, non-fillable)

PCN 9613 20 90 0 (pocket lighters, gas fuelled refillable, with other ignition system)

The bringing of these measures into conformity with the WTO Agreement[6] will be effected by the end of 2002.

2. Safeguard measures:

PCN 6402 (other footwear with outer soles and uppers of rubber or plastics).

PCN 6403 (footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather).

PCN 6404 (footwear with outer soles of rubber, plastics, leather or composition leather and upper of textile materials).

PCN 6405 (other footwear)

PCN 8516 40 10 0 (electric smoothing irons, steam smoothing)

PCN 8516 40 90 0 (electric smoothing irons, other)

The phasing out of these measures will be effected by the end of 2004.

Slovak Republic: quantitative restrictions maintained on imports from China

The Slovak Republic has concluded the bilaterals talks with China over the quantitative restrictions on imports of footwear falling within HS/CN Code 6401, 6402, 6403, 6404 and 6405.

Phasing-out Timetable on Footwear Quotas by the Slovak Republic

HS/CN Code	2001	2002	2003	2004	2005
6401 to 6405	15% increase	15% increase	15% increase	15% increase	proposed removal

[6] The WTO Agreement as defined in the Draft Protocol on the Accession of China, Section 1, para. 2.

Thailand: quantitative restrictions maintained on imports from China

Thailand intends to maintain the following measures against imports from China after its accession to the WTO Agreement:

Imports of raw silk (not thrown) under HS 5002 and silk yarn under HS 5004 from China shall be subject to:

1. Tariff Rate: 10%

2. Local Content Requirement

   2.1 Import for General Use: the importer shall purchase one unit of local raw silk or silk yarn for every 1.5 unit of raw silk or silk yarn imported from China.

   2.2 Import of High Quality Silk for Re-export: the importer shall purchase one unit of local raw silk or silk yarn for every 30 unit of raw silk or silk yarn imported from China.

Thailand intends to maintain the application of the above measures for five years after the date of China's accession.

Turkey: quantitative restrictions for non-textile products maintained on imports from China

Turkey maintains quantitative restrictions on goods specified below.

	CN CODE	DESCRIPTION OF GOODS	Quota (2000)
(1)	6402.99	Footwear	110 000 Pairs
	6403.51) 6403.59)	Footwear	26 826 Pairs
(1) (1)	6403.91) 6403.99)	Footwear	185 742 Pairs
(2)	6404.11.00.00.00	Footwear	754 350 Pairs
	6404.19.10.00.11) 6404.19.10.00.12) 6404.19.10.00.13)	Footwear	472 300 Pairs
	6911.10	Tableware, kitchenware of porcelain or china	15 225 kg
	6912.00	Ceramic tableware or kitchenware, other than of porcelain or china	45 675 kg

(1) Excluding footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

(2) Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of spikes, springs, stops, clips, bats or the like, with a non-injected sole,

(b) footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layered moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

The phasing-out timetable on these restrictions remains to be negotiated between China and Turkey.

ANNEX 8

Part I

DRAFT SCHEDULE OF CONCESSIONS AND COMMITMENTS ON GOODS

Circulated in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1.

ANNEX 9

Part II

DRAFT SCHEDULE OF SPECIFIC COMMITMENTS ON SERVICES

Circulated in document WT/ACC/SPEC/CHN/1/Rev.8/Add.2

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED

WT/ACC/SPEC/CHN/1/Rev.8/Add.1
31 July 2001
(01-3804)

Working Party on the Accession of China

DRAFT REPORT OF THE WORKING PARTY ON THE ACCESSION OF CHINA

Draft Schedule– China

Part I – Draft Schedule of Concessions and Commitments on Goods [1]

Addendum

In accordance with WTO accession procedures, the Draft Schedule of Specific Concessions and Commitments in Goods of China is attached for examination and technical verification by Members of the Working Party and China. For the facility of Members, the document has been forwarded, where possible, through electronic mail.

Proposals for technical corrections, if any, should be sent to Mr. Peter Milthorp[2] in the WTO Secretariat by 10 August 2001 at the latest for transmission to China and Members of the Working Party.

Groupe de travail de l'accession de la Chine

PROJET DE RAPPORT DU GROUPE DE TRAVAIL DE L'ACCESSION DE LA CHINE

Projet de Liste – Chine

Partie I – Projet de Liste de concessions et d'engagements concernant les marchandises[1]

Addendum

Conformément aux procédures d'accession à l'OMC, le projet de Liste de concessions et d'engagements spécifiques de la Chine concernant les marchandises est joint pour examen et vérification technique par les membres du Groupe de travail et la Chine. Pour la commodité des Membres, le document a été transmis, quand cela était possible, par courrier électronique.

Toutes éventuelles propositions de correction technique devraient être envoyées à M. Peter Milthorp[2] au Secrétariat de l'OMC le 10 août 2001 au plus tard pour transmission à la Chine et aux membres du Groupe de travail.

Grupo de Trabajo sobre la Adhesión de China

PROYECTO DE INFORME DEL GRUPO DE TRABAJO SOBRE LA ADHESIÓN DE CHINA

Proyecto de Lista - China

Parte I - Proyecto de Lista de concesiones y compromisos en materia de mercancías[1]

Addendum

De conformidad con los procedimientos de adhesión a la OMC, se adjunta el proyecto de Lista de concesiones y compromisos en materia de mercancías de China para su examen y verificación técnica por los miembros del Grupo de Trabajo y China. Para comodidad de los Miembros, el documento se ha enviado siempre que ha sido posible a través del correo electrónico.

Las propuestas de correcciones técnicas, si las hay, deben enviarse al Sr. Peter Milthorp[2] de la Secretaría de la OMC, el 10 de agosto de 2001 a más tardar, para su comunicación a China y a los miembros del Grupo de Trabajo.

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[1] In English only./En anglais seulement./En inglés solamente.

[2] Room 1132, telephone 739 5016, e-mail peter.milthorp@wto.org./Bureau 1132, téléphone 739 5016, adresse électronique: peter.milthorp@wto.org./Despacho 1132, teléfono 739 5016, correo electrónico peter.milthorp@wto.org.

WORLD TRADE ORGANIZATION

RESTRICTED

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Working Party on the Accession of China

DRAFT REPORT OF THE WORKING PARTY ON THE ACCESSION OF CHINA

Draft Schedule – China

Part II – Draft Schedule of Specific Commitments on Services

Addendum

In accordance with WTO accession procedures, the Draft Schedule of Specific Commitments on Services of China is attached for examination and technical verification by Members of the Working Party and China. For the facility of Members, the document has been forwarded, where possible, through electronic mail.

Proposals for technical corrections, if any, should be sent to Mr. Peter Milthorp[1] in the WTO Secretariat by 10 August 2001 at the latest for transmission to China and Members of the Working Party.

[1] Room 1132, telephone 739 5016, e-mail peter.milthorp@wto.org.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	(3) In China, foreign invested enterprises include foreign capital enterprises (also referred to as wholly foreign-owned enterprises) and joint venture enterprises and there are two types of joint venture enterprises: equity joint ventures and contractual joint ventures.[2] The proportion of foreign investment in an equity joint venture shall be no less than 25 per cent of the registered capital of the joint venture. The establishment of branches by foreign enterprises is unbound, unless otherwise indicated in specific sub-sectors, as the laws and regulations on branches of foreign enterprises are under formulation. Representative offices of foreign enterprises are permitted to be established in China, but they shall not engage in any profit-making activities except for the representative offices under CPC 861, 862, 863, 865 in the sectoral specific commitments.	(3) Unbound for all the existing subsidies to domestic services suppliers in the sectors of audio-visual, aviation and medical services.	

[2] The terms of the contract, concluded in accordance with China's laws, regulations and other measures, establishing a "contractual joint venture" govern matters such as the manner of operation and management of the joint venture as well as the investment or other contributions of the joint venture parties. Equity participation by all parties to the contractual joint venture is not required, but is determined pursuant to the joint venture contract.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	The conditions of ownership, operation and scope of activities, as set out in the respective contractual or shareholder agreement or in a license establishing or authorizing the operation or supply of services by an existing foreign service supplier, will not be made more restrictive than they exist as of the date of China's accession to the WTO. The land in the People's Republic of China is State-owned. Use of land by enterprises and individuals is subject to the following maximum term limitations: (a) 70 years for residential purposes; (b) 50 years for industrial purposes; (c) 50 years for the purpose of education, science, culture, public health and physical education; (d) 40 years for commercial, tourist and recreational purposes; (e) 50 years for comprehensive utilization or other purposes. (4) Unbound except for measures concerning the entry and temporary stay of natural persons who fall into one of the following categories: (a) Managers, executives and specialists defined as senior employees of a corporation of a WTO Member that has established a representative office, branch or subsidiary in the territory of the People's Republic of China, temporarily moving as intra-corporate transferees, shall be permitted entry for an initial stay of three years;	(4) Unbound except for the measures concerning the entry and temporary stay of natural persons who fall into the categories referred to in the market access column.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	(b) Managers, executives and specialists defined as senior employees of a corporation of other WTO Members, being engaged in the foreign invested enterprises in the territory of the People's Republic of China for conducting business, shall be granted a long-term stay permit as stipulated in the terms of contracts concerned or an initial stay of three years, whichever is shorter; (c) Service salespersons -- persons not based in the territory of the People's Republic of China and receiving no remuneration from a source located within China, and who are engaged in activities related to representing a service supplier for the purpose of negotiation for the sale of services of that supplier where (a) such sales are not directly made to the general public and (b) the salesperson is not engaged in supplying the service: entry for salespersons is limited to a 90-day period.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
A. Professional Services (a) Legal Services (CPC 861)	Business scope of foreign representative offices is only as follows: (a) to provide clients with consultancy on the legislation of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work, and on international conventions and practices; (b) to handle, when entrusted by clients or Chinese law firms, legal affairs of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work; (c) to entrust, on behalf of foreign clients, Chinese law firms to deal with the Chinese legal affairs; (d) to enter into contracts to maintain long-term entrustment relations with Chinese law firms for legal affairs; (e) to provide information on the impact of the Chinese legal environment. Entrustment allows the foreign representative office to directly instruct lawyers in the entrusted Chinese law firm, as agreed between both parties. The representatives of a foreign law firm shall be practitioner lawyers who are members of the bar or law society in a WTO member and have practiced for no less than two years outside of China. The Chief representative shall be a partner or equivalent (e.g., member of a law firm of a limited liability corporation) of a law firm of a WTO member and have practiced for no less than three years. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
b. Accounting, auditing and bookkeeping services (CPC 862)	(1) None (2) None (3) Partnerships or incorporated accounting firms are limited to Certified Public Accountants (CPAs) licensed by the Chinese authorities. (4) Unbound except as indicted in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicted in Horizontal Commitments.	Foreign accounting firms are permitted to affiliate with Chinese firms and enter into contractual agreements with their affiliated firms in other WTO members. Upon accession to the WTO, issuance of licenses to those foreigners who have passed the Chinese national CPA examination shall be accorded national treatment. Applicants will be informed of results in writing no later than 30 days after submission of their applications. Existing contractual joint venture accounting firms are not limited only to CPAs licensed by Chinese authorities. Accounting firms providing services in CPC 862 can engage in taxation and management consulting services. They will not be subject to requirements on form of establishment in CPC 865 and 8630.
c. Taxation services (CPC 8630)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. None, within six years of China's accession, foreign firms will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
d. Architectural services (CPC 8671) e. Engineering services (CPC 8672) f. Integrated engineering services (CPC 8673) g. Urban planning services (except general urban planning) (CPC 8674)	(1) None for scheme design Co-operation with Chinese professional organisations is required except scheme design (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. Within five years after China's accession to the WTO, wholly foreign-owned Enterprises will be permitted (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) Foreign service suppliers shall be registered architects/engineers, or enterprises engaged in architectural/engineering/urban planning services, in their home country (4) Unbound, except as indicated in Horizontal Commitments	
h. Medical and dental services (CPC 9312)	(1) None (2) None (3) Foreign service suppliers are permitted to establish joint venture hospitals or clinics with Chinese partners with quantitative limitations in line with China's needs, with foreign majority ownership permitted. (4) Unbound, except as indicated in Horizontal Commitments and as follows: - Foreign doctors with professional certificates issued by their home country shall be permitted to provide short-term medical services in China after they obtain licenses from the Ministry of Public Health. The term of service is six months and may extend to one year.	(1) None (2) None (3) The majority of doctors and medical personnel of the joint venture hospital and clinics shall be of Chinese nationality. (4) Unbound, except as indicated in Horizontal Commitments	
B. Computer and Related Services a. Consultancy services related to the installation of computer hardware (CPC 841)	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
b. Software implementation services (CPC 842) - Systems and software consulting services (CPC 8421) - Systems analysis services (CPC 8422)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	
- Systems design services (CPC 8423) - Programming services (CPC 8424) - Systems maintenance services (CPC 8425)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	
c. Data processing services (CPC 843) - Input preparation services (CPC 8431)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	
- Data processing and tabulation services (CPC 8432) - Time-sharing services (CPC 8433)	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
D. Real Estate Services a. Real estate services involving own or leased property (CPC 821)	(1) None (2) None (3) None except for the following: Wholly foreign-owned enterprises are not permitted for high standard real estate projects[1], such as apartments and office buildings, but excluding luxury hotels. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
b. Real estate services on a fee or contract basis (CPC 822)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
F. Other Business Services a. Advertising Services (CPC 871)	(1) Only through advertising agents registered in China who have the right to provide foreign advertising services. (2) Only through advertising agents registered in China who have the right to provide foreign advertising services. (3) Foreign service suppliers are permitted to establish advertising enterprises in China only in the form of joint ventures with foreign investment no more than 49 per cent. Within two years after China's accession, foreign majority ownership will be permitted and within four years after China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

[1] High standard real estate projects refer to the real estate projects with construction costs per unit two times more than the average construction costs per unit in the same city.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
c. Management Consulting services (CPC 865)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. None, within six years of China's accession, foreign firms will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
e. Technical testing and analysis services (CPC 8676) and freight inspection covered by (CPC 749), excluding statutory inspection services for freight inspection services	(1) None (2) None (3) Foreign services suppliers which have been engaged in inspection services in their home countries for more than three years are permitted to establish joint venture technical testing, analysis and freight inspection companies with no less than US$ 350,000 in registered capital. Within two years after China's accession, foreign majority ownership will be permitted and within four years after China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
f. Services incidental to agriculture, forestry, hunting and fishing (CPC 881, 882)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
m. Related scientific technical consulting services (CPC 8675)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
- Offshore oil-field services geological, geophysical and other scientific prospecting services (CPC 86751) Sub-surface surveying services (CPC 86752)	(1) None (2) None (3) Only in the form of petroleum exploitation in cooperation with Chinese partners (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
- Onshore oil-field services	(1) None (2) None (3) Only in the form of petroleum exploitation in cooperation with China National Petroleum Corp. (CNPC) in the designated areas approved by the Chinese government. 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. 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. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) The foreign service supplier shall furnish CNPC accurately and promptly with the reports on the petroleum operations, and shall submit to CNPC the data and samples as well as various technological, economic, accounting and administrative reports related to petroleum operations. CNPC shall have the ownership of all of the data records, samples, vouchers and other original information acquired during the implementation of the petroleum operations. The investment of foreign service suppliers shall be made in US dollars or other hard currencies. (4) Unbound except as indicated in Horizontal Commitments.	
p. Photographic services (CPC 875)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
q. Packaging services (CPC 876)	(1) None (2) None (3) Foreign service suppliers will be permitted to establish joint venture in China. Within one year after China's accession, foreign majority ownership will be permitted. Within three years after China's accession, foreign service suppliers will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
s. Convention services (CPC 87909)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
t. Translation and interpretation services (CPC 87905)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: three years of experience in translation or interpretation and a good command of the working language(s).	
- Maintenance and repair services (CPC 63, 6112 and 6122) - Maintenance and repair services of office machinery and equipment including computers (CPC 845 and 886) - Rental and leasing services (CPC 831, 832, excluding CPC 83202)	(1) None (2) None (3) Only in the form of joint ventures. Within one year after China's accession, foreign majority ownership will be permitted. Within three years after China's accession, wholly foreign-owned subsidiaries will be permitted. For Rental and Leasing services, service suppliers will have global assets of US$ 5 million. (4) Unbound, except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	
2. COMMUNICATION SERVICES B. Courier Services (CPC 75121, except for those currently specifically reserved to Chinese postal authorities by law.)	(1) None (2) None (3) Upon accession, foreign service suppliers will be permitted to establish joint ventures with foreign investment not exceeding 49 per cent. Within one year after China's accession, foreign majority ownership will be permitted. Within four years after China's accession, foreign service suppliers will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
C. Telecommunication Services[1,2,3] Value-added Services Including the following: h. Electronic mail 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)	(1) See mode 3 (2) None (3) Foreign service suppliers will be permitted to establish joint venture value-added telecommunication enterprises, without quantitative restrictions, and provide services in the cities of Shanghai, Guangzhou and Beijing. Foreign investment in joint venture shall be no more than 30 per cent. Within one year after China's accession, the areas will be expanded to include Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 49 per cent. Within two years after China's accession, there will be no geographic restriction and foreign investment shall be no more than 50 per cent.	(1) None (2) None (3) None	China undertakes the obligations contained in the reference paper attached hereto.
m. Code and protocol conversion n. On-line information and/or data processing (including transaction processing)	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

1 China's commitments are scheduled in accordance with the following: Notes for Scheduling Basic Telecom Services Commitments (S/GBT/W/2/REV/1) and Market Access Limitations on Spectrum Availability (S/GBT/W/3) attached hereto.

2 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.

3 Further liberalization of this sector, including with respect to the level of equity participation permitted, will be discussed in the services negotiations during the new round of trade talks.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
Basic Telecommunication Services - Paging Services	(1) See mode 3 (2) None (3) Foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in joint venture shall be no more than 30 per cent. Within one year after China's accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 49 per cent. Within two years after China's accession, there will be no geographic restriction and foreign investment shall be no more than 50 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	China undertakes the obligations contained in Annex 1 attached hereto.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
Mobile Voice and Data Services: - Analogue/Digital/ Cellular Services - Personal Communication Services	(1) See mode 3 (2) None (3) Upon China's accession, foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in the joint venture shall be no more than 25 per cent. Within one year after accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 35 per cent. Within three years after accession, foreign investment shall be no more than 49 per cent. Within five years after accession, there will be no geographic restriction. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
- 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 - International Services 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)	(1) See mode 3 (2) None (3) Within three years after China's accession, foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in the joint venture shall be no more than 25 per cent. Within five years after accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan. And foreign investment shall be no more than 35 per cent. Within six years after accession, there will be no geographic restriction and foreign investment shall be no more than 49 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
D. Audiovisual Services - Videos, including entertainment software and (CPC 83202), distribution services - Sound recording distribution services	(1) None (2) None (3) Upon accession, foreign services suppliers will be permitted to establish joint ventures with Chinese partners with foreign investment less than 49 per cent to engage in the distribution of audiovisual products, excluding motion pictures, without prejudice to China's right to examine the content of audio and video products. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	Without prejudice to compliance with China's regulations on the administration of films, upon accession, China will allow the importation of motion pictures for theatrical release on a revenue-sharing basis and the number of such imports shall be 20 on an annual basis.
- Cinema Theater Services	(1) None (2) None (3) Upon accession, foreign services suppliers will be permitted to construct and/or renovate cinema theaters, with foreign investment no more than 49 per cent. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES (CPC 511, 512, 513[1] 514, 515, 516, 517, 518[2])	(1) Unbound[3] (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. Within three years after China's accession to the WTO, wholly foreign-owned enterprises will be permitted. Wholly foreign-owned enterprises can only undertake the following four types of construction projects. 1. Construction projects wholly financed by foreign investment and/or grants. 2. Construction projects financed by loans of international financial institutions and awarded through international tendering according to the terms of loans. 3. Chinese-foreign jointly constructed projects with foreign investment equal to or more than 50 per cent; and Chinese-foreign jointly constructed projects with foreign investment less than 50 per cent but technically difficult to be implemented by Chinese construction enterprises alone	(1) Unbound[3] (2) None (3) None except for the following: (a) The existing registered capital requirements for joint venture construction enterprises are slightly different from those of the domestic enterprises. (b) Joint venture construction enterprises are allowed only to undertake foreign-invested construction projects. Within three years after China's accession to the WTO, none.	
	4. Chinese invested construction projects which are difficult to be implemented by Chinese construction enterprises alone can be jointly undertaken by Chinese and foreign construction enterprises with the approval of provincial government (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

[1] Including dredging services relating to infrastructure construction.

[2] 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.

[3] Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
4. DISTRIBUTION SERVICES (as defined in Annex 2) A. Commission Agents' Services (excluding salt, tobacco) B. Wholesale Trade services[1] (excluding salt, tobacco)	(1) Unbound (2) None (3) Within one year after China's accession to the WTO, foreign service suppliers may establish joint ventures to engage in the wholesale business of all imported and domestically produced products, except those products that immediately follow. For these products, foreign service suppliers will be permitted to engage in the distribution of books, newspapers, magazines, pharmaceutical products, pesticides and mulching films within three years after China's accession, and to engage in the distribution of chemical fertilizers, processed oil and crude oil within five years after China's accession. Within two years after China's accession to the WTO, foreign majority ownership will be permitted and no geographic or quantitative restrictions will apply. None, within three years after accession, except for chemical fertilizers, processed oil and crude oil within five years after accession. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	Foreign-invested enterprises are permitted to distribute their products manufactured in China, including the products listed in the market access or sector or sub-sector column, and provide subordinate services as defined in Annex 2. Foreign service suppliers may provide the full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.

[1] The restrictions on mode 1 shall not undermine the rights of WTO Members to the right to trade as stipulated in Chapter 5 of China's Protocol of accession to the WTO.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
C. Retailing Services (CPC 61 and 63, excluding tobacco)	(1) Unbound except for mail order. (2) None (3) Foreign service suppliers may supply services only in forms of joint ventures in five Special Economic Zones (Shenzhen, Zhuhai, Shantou, Xiamen and Hainan) and six cities (Beijing, Shanghai, Tianjin, Guangzhou, Dalian and Qingdao). In Beijing and Shanghai, a total of no more than four joint venture retailing enterprises are permitted respectively. In each of the other cities, no more than two joint venture retailing enterprises will be permitted. Two joint venture retailing enterprises among the four to be established in Beijing may set up their branches in the same city (i.e. Beijing). Upon China's accession to the WTO, Zhengzhou and Wuhan will be immediately open to joint venture retailing enterprises. Within two years after China's accession to the WTO, foreign majority control will be permitted in joint venture retailing enterprises and all provincial capitals, Chongqing and Ningbo will be open to joint venture retailing enterprises.	(1) Unbound except mail order. (2) None (3) None	Foreign-invested enterprises may distribute their products manufactured in China, including those excepted products as listed in the market access or sector or sub-sector column, and provide subordinate services as defined in Annex 2. Foreign service suppliers will be permitted to provide full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	Foreign service suppliers will be permitted to engage in the retailing of all products, except for the retailing of books, newspapers and magazines within one year after accession, the retailing of pharmaceutical products, pesticides, mulching films and processed oil within three years after accession and retailing of chemical fertilizers within dive years after accession. None, within three years after accession, except for: - chemical fertilizers, within five years after accession; and - those chain stores which sell products of different types and brands from multiple suppliers with more than 30 outlets. For such chains stores with more than 30 outlets, foreign majority ownership will not be permitted if those chain stores distribute any of the following products: motor vehicles (for a period of five years after accession at which time the equity limitation will have been eliminated), and products listed above and in Annex 2a of the Protocol of China's WTO Accession. The foreign chain store operators will have the freedom of choice of any partner, legally established in China according to China's laws and regulations. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
D. Franchising	(1) None (2) None (3) Within three years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Within three years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	
E. Wholesale or retail trade services away from a fixed location. For all sub-sectors listed in Annex 2	(1) None (2) None (3) Within three years after China's accession to the WTO, none*. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Within three years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	
5. EDUCATIONAL SERVICES (Excluding special education services e.g. military, police, political and party school education) A. Primary education services (CPC 921, excluding national compulsory education in CPC 92190) B. Secondary education services (CPC 922, excluding national compulsory education in CPC 92210)	(1) Unbound (2) None (3) Joint schools will be established, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments and the following: - foreign individual education service suppliers may enter into China to provide education services when invited or employed by Chinese schools and other education institutions.	(1) Unbound (2) None (3) Unbound (4) Qualifications are as follows: - possession of Bachelor's degree - or above and an appropriate professional title or certificate, with two years' professional experiences.	

* See paragraph [321] of the Working Party Report.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
C. Higher education services (CPC 923) D. Adult education services (CPC 924) E. Other education services (CPC 929, including English language training)			
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)	(1) Unbound except for environmental consultation services. (2) None (3) Foreign services suppliers engaged in environmental services are permitted to provide services only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments	
F. Other Environmental Protection Services (CPC 9409) G. Sanitation Services (CPC 9403)		.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
7. FINANCIAL SERVICES A. All Insurance and Insurance-Related Services[1] a. Life, health and pension/annuities insurance b. Non-life insurance c. Reinsurance d. Services auxiliary to insurance	(1) Unbound except for : a) international marine, aviation, and transport insurance and reinsurance; b) brokerage for insurance of large scale commercial risks, brokerage for insurance and brokerage for international marine, aviation, and transport insurance and reinsurance. (2) Unbound for brokerage. Other, none. (3) A. Form of establishment Foreign non-life insurers will be permitted to establish as a branch or as a joint venture with 51 per cent foreign ownership. Within two years after China's accession, foreign non-life insurers will be permitted to establish as a wholly-owned subsidiary; i.e., with no form of establishment restrictions. Upon accession, foreign life insurers will be permitted 50 per cent foreign ownership in a joint venture with the partner of their choice. The joint venture partners can freely agree the terms of their engagement, provided they remain within the limits of the commitments contained in this schedule.	(1) None (2) None (3) None, except for: - Foreign insurance institutions shall not engage in the statutory insurance business. - Upon accession, a 20 per cent cession of all lines of the primary risks for non-life, personal accident and health insurance business with an appointed Chinese Reinsurance Company shall be required; one year after accession, 15 per cent shall be required; two years after accession, ten per cent shall be required; and three years after accession, five per cent shall be required; and four years after accession, no compulsory cession shall be required.	

[1] Any further authorization provided to foreign insurers after accession under more favorable 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 (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	For brokerage for insurance of large scale commercial risks and brokerage for reinsurance and brokerage for international marine, aviation, and transport insurance and reinsurance: upon accession, joint venture with foreign equity no more than 50 per cent will be permitted; within three years after China's accession, foreign equity share shall be increased to 51 per cent; within five years after China's accession, wholly foreign owned subsidiary will be permitted. For other brokerage services: Unbound Internal branching for an insurance firm will be permitted consistent with the phase out of geographic restrictions. B. Geographic Coverage Upon accession, foreign life and non-life insurers, and insurance brokers will be permitted to provide services in Shanghai, Guangzhou, Dalian, Shenzhen and Foshan. Within two years after China's accession, foreign life and non-life insurers, and insurance brokers will be permitted to provide services in the following cities: Beijing, Chengdu, Chongqing, Fuzhou, Suzhou, Xiamen, Ningbo, Shenyang, Wuhan and Tianjin. Within three years after China's accession, there will be no geographic restrictions. C. Business Scope Upon accession, foreign non-life insurers will be 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 will be permitted to provide "Master policy" no later than Chinese brokers, under conditions no less favourable.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	Foreign non-life insurers are permitted only to provide insurance of enterprises abroad as well as property insurance, related liability insurance and credit insurance of foreign-invested enterprises in China upon accession. Within 2 years after China's accession, foreign non-life insurers will be permitted to provide the full range of non-life insurance services to both foreign and domestic clients. Foreign insurers are permitted to provide individual (not group) insurance to foreigners and Chinese citizens; within three years after accession, foreign insurers will be permitted to provide health insurance, group insurance and pension/annuities insurance to foreigners and Chinese. Upon accession, foreign insurers will be permitted to provide reinsurance services for life and non-life insurance as a branch, joint venture, or wholly foreign-owned subsidiary, without geographic or quantitative restrictions on the number of licenses issued. D. Licenses: Upon accession, licenses will be issued with no economic needs test or quantitative limits on licenses. Qualifications for establishing a foreign insurance institution are as follows: - the investor shall be a foreign insurance company with more than 30 years of establishment experience in a WTO member; - it shall have a representative office for two consecutive years in China;		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	- it shall have total assets of more than US $5 billion at the end of the year prior to application, except for insurance brokers. Insurance brokers shall have total assets of more than US$ 500 million. Within one year after accession, they shall have total assets of more than US$ 400 million. Within two years after accession, they shall have total assets of more than US$ 300 million Within four years after accession, they shall have total assets of more than US$ 200 million. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	
B. Banking and Other Financial Services (excluding insurance and securities) Banking services as listed below: a. Acceptance of deposits and other repayable funds from the public; b. Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction; c. Financial leasing;	(1) Unbound except for the following: - 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. (2) None (3) A. Geographic coverage. For foreign currency business, there will be no geographic restriction upon accession. For local currency business, the geographic restriction will be phased out as follows: Upon accession, Shanghai, Shenzhen, Tianjin and Dalian; Within one year after accession, Guangzhou, Zhuhai, Qingdao, Nanjing and Wuhan; within two years after accession, Jinan, Fuzhou, Chengdu and Chongqing; within three years after accession, Kunming, Beijing and Xiamen; Within four years after accession, Shantou, Ningbo, Shenyang and Xian. Within five years after accession, all geographic restrictions will be removed.	(1) None (2) None (3) Except for geographic restrictions and client limitations on local currency business (listed in the market access column), 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 (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
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.	B Clients. For foreign currency business, foreign financial institutions will be permitted to provide services in China without restriction as to clients upon accession. For local currency business, within two years after accession, foreign financial institutions will be permitted to provide services to Chinese enterprises. Within five years after accession, foreign financial institutions will be permitted to provide services to all Chinese clients. Foreign financial institutions licensed for local currency business in one region of China may service clients in any other region that has been opened for such business. C: Licensing. Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). Within five years after accession, any existing non-prudential measures restricting ownership, operation, and juridical form of foreign financial institutions, including on internal branching and licenses, shall be eliminated. Foreign financial institutions who meet the following condition are permitted to establish a subsidiary of a foreign bank or a foreign finance company in China: - total assets of more than US $10 billion at the end of the year prior to filing the application. Foreign financial institutions who meet the following condition are permitted to establish a branch of a foreign bank in China:		For financial leasing services, foreign financial leasing corporations will be permitted to provide financial leasing service at the same time as domestic corporations.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	- total assets of more than US $20 billion at the end of the year prior to filing the application. Foreign financial institutions who meet the following condition are permitted to establish a Chinese-foreign joint bank or a Chinese-foreign joint finance company in China: - total assets of more than US $10 billion at the end of the year prior to filing the application; Qualifications for foreign financial institutions to engage in local currency business are as follows: - three years business operation in China and being profitable for two consecutive years prior to the application; (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	
- Motor vehicle financing by non-bank financial institutions	(1) Unbound except for the following: - 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. (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
- 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 research and advice, advice on acquisitions and on corporate restructuring and strategy.	(1) None (2) None (3) None (Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). Branches of foreign institutions are permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
- Securities	(1) Unbound except for the following: - Foreign securities institutions may engage directly (without Chinese intermediary) in B share business. (2) None (3) a. Unbound, except for the following: Upon accession, representative offices in China of foreign securities institutions may become Special Members of all Chinese stock exchanges. Upon accession, foreign service suppliers will be permitted to establish joint ventures with foreign investment less than 33 per cent to conduct domestic securities investment fund management business. Within three years after China's accession, foreign investment shall be increased to 49 per cent. Within three years after accession, foreign securities institutions will be permitted to establish joint ventures, with foreign minority ownership not exceeding 1/3, to engage (without Chinese intermediary) in underwriting A shares and in underwriting and trading of B and H shares as well as government and corporate debts, launching of funds. b. Criteria for authorization to deal in China's financial industry are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
9. TOURISM AND TRAVEL RELATED SERVICES A. Hotels (including apartment buildings) and Restaurants (CPC 641-643)	(1) None (2) None (3) Foreign services suppliers may construct, renovate and operate hotel and restaurant establishments in China in the form of joint ventures with foreign majority ownership permitted. Within four years after accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound, except as indicated in Horizontal Commitments and as follows: - Foreign managers, specialists including chefs and senior executives who have signed contracts with joint venture hotels and restaurants in China shall be permitted to provide services in China.	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	
B. Travel Agency and Tour Operator (CPC 7471)	(1) None (2) None (3) Foreign services suppliers who meet the following conditions are permitted to provide services in the form of joint venture travel agencies and tour operators in the holiday resorts designated by the Chinese government and in the cities of Beijing, Shanghai, Guangzhou and Xi'an upon accession: a) a travel agency and tour operator mainly engaged in travel business; b) Annual world-wide turnover exceeds US$ 40 million.	1) None 2) None 3) None except that joint ventures or wholly foreign-owned travel agencies and tour operators are not permitted to engage in the activities of Chinese travelling abroad and to Hong Kong China, Macao China and Chinese Taipei	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	Within three years after accession foreign majority ownership will be permitted. Within six years after accession, wholly foreign-owned subsidiaries will be permitted and geographic restrictions will be removed. e registered capital of joint venture travel agency/tour operator shall be no less than RMB 4 million. Within three years after China's accession, the registered capital shall be no less than RMB 2.5 million. The business scope of the travel agency/ tour operator is as follows: a) travel and hotel accommodation services for foreign travellers which can be made directly with transportation and hotel operators in China covering such operations; b) travel services and hotel accommodation services for domestic travellers which can be made directly with transportation and hotel operators in China covering such operations; c) conducting of tours within China for both domestic and foreign travellers, and d) travellers check cashing services within China. Within six years after accession, there will be no restriction on the establishment of branches of the joint venture travel agency/tour operator. And the requirement on registered capital of foreign-invested travel agency/tour operator will be the same as that of Chinese travel agency/tour operator. 4) Unbound, except as indicated in Horizontal Commitments.	4) Unbound, except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
11. TRANSPORT SERVICES A. Maritime Transport Services - International transport (freight and passengers) (CPC 7211 and 7212 less cabotage transport services)	(1) (a) Liner shipping (including passenger transportation): None (b) Bulk, tramp and other international shipping (including passenger transportation): None (2) None (3) (a) Establishment of registered companies for the purpose of operating a fleet under the national flag of the People's Republic of China: - Foreign service suppliers are permitted to establish joint venture shipping companies. - Foreign investment shall not exceed 49 per cent of the total registered capital of the joint venture. - The chairman of board of directors and the general manager of the joint venture shall be appointed by the Chinese side. (b) Other forms of commercial presence for the supply of international maritime transport services: Unbound (4) (a) Ship's crew: Unbound except as indicated in Horizontal Commitments. (b) Key personnel employed by Commercial Presence as defined under mode (3) (b) above: Unbound except as indicated in Horizontal Commitments.	(1) (a) None (b) None (2) None (3) (a) None (b) Unbound (4) (a) Unbound except as indicated in Horizontal Commitments. (b) Unbound except as indicated in Horizontal Commitments.	The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: 1. Pilotage 2. Towing and tug assistance 3. Provisioning, fueling and watering 4. Garbage collecting and ballast waste disposal 5. Port Captain's services 6. Navigation aids 7. Shore-based operational services essential to ship operations, including communications, water and electrical supplies 8. Emergency repair facilities 9. Anchorage, berth and berthing services.
H. Auxiliary Services a. Maritime cargo-handling services (CPC 741) c. Customs clearance services for maritime transport	(1) Unbound* (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

* Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
d. Container station and depot services	(1) Unbound* (2) None (3) Only in forms of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
e. Maritime agency services	(1) None (2) None (3) Only in forms of joint ventures, with foreign equity share no more than 49 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
B. Internal Waterways Transport b. Freight transport (CPC 7222)	(1) Only international shipping in ports open to foreign vessels shall be permitted. (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	(1) Limitations as indicated under market access column. (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments	
C. Air Transport Services d. Aircraft repair and maintenance services (CPC 8868)	(1) Unbound* (2) None (3) Foreign service suppliers are permitted to establish joint venture aircraft repair and maintenance enterprises in China. The Chinese side shall hold controlling shares or be in a dominant position in the joint ventures. Licenses for the establishments of joint ventures are subject to economic needs test. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) The joint ventures are allowed only to undertake business in the international market. (4) Unbound except as indicated in Horizontal Commitments.	

* Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
- Computer reservation System (CRS) services	(1) A. Foreign Computer Reservation System, when having agreements with Chinese aviation enterprises and Chinese Computer Reservation System, may provide services to Chinese aviation enterprises and Chinese aviation agents by connecting with Chinese Computer Reservation System. B. 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. C. 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 General Administration of Civil Aviation of China (CAAC). (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	
E. Rail Transport Services F. Road Transport Services - Freight transportation by rail (CPC7112) - Freight transportation by road in trucks or cars (CPC7123)	(1) None (2) None 3) Only in the form of joint ventures, with foreign investment not to exceed 49 per cent. - For rail transport, within three years after China's accession, foreign majority ownership will be permitted and within six years after China's accession, wholly foreign-owned subsidiaries will be permitted. - For road transport, within one year after China's accession, foreign majority ownership will be permitted. Within three years after China's accession, wholly foreign-owned subsidiaries will be permitted.	(1) None (2) None (3) Unbound	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	
- Storage and warehousing services (CPC742)	1) Unbound 2) None 3) Upon accession, only in the form of joint ventures, with foreign investment not to exceed 49 per cent. Within one year after China's accession, foreign majority ownership will be permitted and within three years of China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments	
- Freight forwarding agency services (CPC 748 and 749 excluding freight inspection)	(1) None (2) None (3) Upon accession, foreign freight forwarding agencies which have at least three consecutive years experience are permitted to set up freight forwarding agency joint ventures in China, with foreign investment not to exceed 50 per cent; within one year after China's accession, foreign majority ownership will be permitted. Within four years after China's accession, wholly foreign-owned subsidiaries will be permitted. The minimum registered capital of the joint venture shall be no less than US$ 1 million. Within four years after accession, national treatment will be accorded in this respect. Operation term of the joint ventures shall not exceed 20 years. After one year operating in China, the joint venture can set up branches when the registered capital of both sides has been provided. Another US$ 120,000 shall be added to the original registered capital of the joint venture for the set-up of each branch. Within two years after China's accession to the WTO, this additional registered capital requirement will be implemented on the national treatment basis.	(1) None (2) None (3) None	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	A foreign freight forwarding agency may set up a second joint venture after its first joint venture has been in operation for five years. Within two years after China's accession to WTO, this requirement will be reduced to two years. 4) Unbound except as indicated in Horizontal Commitments.	4) Unbound except as indicated in Horizontal Commitments.	

LIST OF ARTICLE II EXEMPTIONS FOR CHINA

Sector or Sub-sector	Description of Measures Indicating its Inconsistency with Article II	Countries to Which the Measures Applies	Intended Duration	Conditions Creating the Need for the Exemption
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.	Unforeseeable.	According to present state of trade between signatories.
	Agreements of cargo sharing.	Algeria, Argentina, Bangladesh, Brazil, Thailand, USA, Zaire.	Subject to the effective duration of the agreements concerned.	According to present state of trade between signatories.

ANNEX 1

Reference Paper

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that

(a) are exclusively or predominantly provided by a single or limited number of suppliers; and
(b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

(a) control over essential facilities; or
(b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

(a) engaging in anti-competitive cross-subsidization;
(b) using information obtained from competitors with anti-competitive results; and
(c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

2.2 Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided.

(a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
(b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
(c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4 Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

(a) at any time; or
(b) after a reasonable period of time which has been made publicly known

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

(a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence; and
(b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

WORLD TRADE ORGANIZATION

S/GBT/W/2/Rev.1
16 January 1997

(97-0173)

Group on Basic Telecommunications

Note by the Chairman

Revision

It has been suggested by a number of delegations that it might be helpful to produce a brief and simple note on assumptions applicable to the scheduling of commitments in basic telecoms. The purpose of the attached note is to assist delegations in ensuring the transparency of their commitments and to promote a better understanding of the meaning of commitments. This note is not intended to have or acquire any binding legal status.

NOTES FOR SCHEDULING BASIC TELECOM SERVICES COMMITMENTS

1. Unless otherwise noted in the sector column, any basic telecom service listed in the sector column:

(a) encompasses local, long distance and international services for public and non-public use;

(b) may be provided on a facilities-basis or by resale; and

(c) may be provided through any means of technology (e.g., cable[3], wireless, satellites).

2. Subsector (g) --private leased circuit services -- involves the ability of service suppliers to sell or lease any type of network capacity for the supply of services listed in any other basic telecom service subsector unless otherwise noted in the sector column. This would include capacity via cable, satellite and wireless network.

3. In view of points 1 and 2 above, it should not be necessary to list cellular or mobile services as a separate subsector. However, a number of Members have done so, and a number of offers have commitments only in these subsectors. Therefore, in order to avoid extensive changes in schedules, it would seem appropriate for Members to maintain separate entries for these subsectors.

[3]Including all types of cable.

WORLD TRADE ORGANIZATION

S/GBT/W/3
3 February 1997

(97-0415)

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Group on Basic Telecommunications

CHAIRMAN'S NOTE

Market Access Limitations on Spectrum Availability

Many Members have entries in the market access column of their schedules indicating that commitments are "subject to availability of spectrum/frequency" or similar wording. In light of the physical nature of spectrum and the constraints inherent in its use, it is understandable that Members may have sought to rely on these words to adequately protect legitimate spectrum management policies. There is, however, doubt that words such as "subject to availability of spectrum/frequency" as listed in the market access column of many Members' schedules achieve that objective.

Spectrum/frequency management is not, *per se*, a measure which needs to be listed under Article XVI. Furthermore under the GATS each Member has the right to exercise spectrum/frequency management, which may affect the number of service suppliers, provided that this is done in accordance with Article VI and other relevant provisions of the GATS. This includes the ability to allocate frequency bands taking into account existing and future needs. Also, Members which have made additional commitment in line with the Reference Paper on regulatory principles are bound by its paragraph 6.

Therefore, words such as "subject to availability of spectrum/frequency" are unnecessary and should be deleted from Members' schedules.

ANNEX 2

Distribution Services

Distribution trade services are comprised of four main sub-sectors:

- commission agents services;
- wholesaling;
- retailing; and
- franchising.

The principal services rendered in each subsector can be characterized as reselling merchandise, accompanied by a variety of related subordinated services, including inventory management; assembly, sorting and grading of bulk lots; breaking bulk lots and redistributing into smaller lots; delivery services; refrigeration, storage, warehousing and garage services; sales promotion, marketing and advertising, installation and after sales services including maintenance and repair and training services. Distribution services are generally covered by CPC 61, 62, 63 and 8929.
Commission Agents' Services consist of sales on a fee or contract basis by an agent, broker or auctioneer or other wholesalers of goods/merchandise and related subordinated services.

Wholesaling consist of the sale of goods/merchandise to retailers to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

Retailing services consist of the sale of goods/merchandise for personal or household consumption either from a fixed location (e.g., store, kiosk, etc.) or away from a fixed location and related subordinated services.

Franchising services consist of the sale of the use of a product, trade name or particular business format system in exchange for fees or royalties. Product and trade name franchising involves the use of a trade name in exchange for fees or royalties and may include an obligation for exclusive sale of trade name products. Business format franchising involves the use of an entire business concept in exchange for fees and royalties, and may include the use of a trade name, business plan, and training materials and related subordinated services.

ANNEX 3

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 authorized 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 can not be underwritten or co-insured by insurers located other than where the subject-insured are located, or covered under a master policy.

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WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED

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COMMUNICATION FROM CHINA

Revision

In preparation for the Working Party meetings on 16-20 July 2001, the Chinese delegation has submitted the following revised Annex 4 on Products and Services Subject to Price Controls, dated 13 July 2001.[1]

Groupe de travail de l'accession de la Chine

COMMUNICATION DE LA CHINE

Révision

En vue des réunions du Groupe de travail qui auront lieu du 16 au 20 juillet 2001, la délégation chinoise a communiqué la version révisée ci-après de l'annexe 4 relative aux produits et services soumis à des contrôles de prix, datée du 13 juillet 2001.[1]

Grupo de Trabajo sobre la Adhesión de China

COMUNICACIÓN DE CHINA

Revisión

Para preparar la reunión del Grupo de Trabajo que se celebrará del 16 al 20 de julio de 2001, la delegación china ha presentado la siguiente versión revisada, de fecha 13 de julio de 2001, del anexo 4 relativo a los productos y servicios sometidos a controles de los precios.[1]

[1] In English only./En anglais seulement./En inglés solamente.

ANNEX 4

PRODUCTS AND SERVICES SUBJECT TO PRICE CONTROLS
13 July 2001

Products Subject to State Pricing

NO	HS NO	DESCRIPTION OF PRODUCTS	NOTES
1	10011000	Durum wheat	State store up grain, including wheat, rice, maize and soybean. Products subject to state pricing account for 10% of the total grain production.
	10019010	Seeds of Spelt, common wheat & meslin	
	10019090	Spelt, common wheat & meslin (excl. seed)	
	10051000	Maize seeds	
	10059000	Maize (excl. seed)	
	10061010	Rice seeds	
	10061090	Rice in the husk (paddy or rough)(excl. seed)	
	10062000	Husked (brown) rice	
	10063000	Semi-milled or wholly milled rice	
	12010010	seeds of soybean	
	12010091	Yellow soybeans (excl. seed)	
	12010092	Black soybeans (excl. seed)	
	12010093	Green soybeans (excl. seed)	
	12010099	Other soybeans (excl. seed), nes	
2	15071000	Crude soybean oil	State store up edible oil. Soybean oil and rape oil. Products subject to state pricing account for 10% of the total production of soybean oil and rape oil.
	15079000	Soya-bean oil (excl. crude) & fractions	
	15141010	Crude rape, colza oil & fractions thereof	
	15141090	Mustard oil & fractions thereof	
3	24011010	Flue-cured tobacco, not stemmed/stripped	
	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	
4	25010010	Salt	Edible salt
5	27112100	Natural gas in gaseous state	
6	27100011	Gasoline, incl. aviation spirit	
7	27100023	Kerosenes	
	27100024	Normal paraffin	
8	27100031	Light diesel oil	Diesel oil
	27100033	Fuel oil No.5-No.7	
	27100039	Other fuel oils	
9	27100039	Other fuel oils	Heavy oil

NO	HS NO	DESCRIPTION OF PRODUCTS	NOTES
10	29379100	Insulin & its salts	Some pharmaceuticals
	29411011	Ampicillin	
	29411012	Ampicillin trihydrate	
	29411019	Other ampicillin & its salts,nes	
	29411091	Amoxycillin	
	29411092	Amoxycillin trihydrate	
	29411093	6-Aminopenicillanic acid	
	29411094	Penicillins V	
	29411095	Sulfobenzylpenicillins	
	29411096	Cloxacillin	
	29411099	Other penicillins & derives with a penicillin acid structure;	
	29412000	Streptomycins & their derivatives; salts thereof	
	29419010	Gentamicin & its derivatives; salts thereof	
	30022000	Vaccines for human medicine	
	30023000	Vaccines for veterinary medicine	
	30066000	Chemical contraceptive preps based on hormones or spermicides	
	40141000	Sheath contraceptives	
11	31021000	Urea	Referring to urea produced by large-scale State plants, accounting for 40% of the total production.
12	50010010	Mulberry feeding silk-worm cocoons	
	50010090	Other silk-worn cocoons suitable for reeling	
13	52010000	Cotton, not carded or combed	State store up cotton

Public Utilities Subject to State Pricing

NO	CPC	PUBLIC UTILITIES
1	1720	Price of gas for civil use.
2	1800	Price of tap water.
3	1710	Price of electricity.
4	1730	Price of heating power.
5	1800	Price of water supplied by irrigation works.

Service Sectors Subject to State Pricing

NO	CPC	SERVICE	NOTES
1	7214 745** 731 7111 7112 743 7131 7139	Transport services charges.	Including rail transport of both passenger and freight, air transport of freight, port services, and pipeline transport.
2	7511 7512 7522 7521**+7529**	Post and telecommunication services charges.	Including postal services charges, national and trans-provincial telecommunication services charges.
3	964	Entrance fee for tour sites.	Referring to significant historical relics and natural landscape under protection.
4	861 862 8671 8672	Professional services charges.	Including architectural and engineering services, legal services and assets assessment services.
5	621	Charges for commission agents' services.	Referring to commission for trademark and advertisement agents.
6	81339**	Charges for settlement, clearing and transmission services of banks.	Referring to settlement, clearing and transmission services of the RMB.
7	82101	Selling price and renting fee of residential apartments.	
8	921 922 923	Education services charges.	
9	931	Health related services	

Note: CPC classification is added to the service sectors subject to state pricing in this Annex in accordance with the GATT document MTN.GNS/W/120, 10 July 1991, which provided services sectoral classification for the purpose of services negotiations during the Uruguay Round.

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED

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(01-3673)

Working Party on the Accession of China

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COMMUNICATION FROM CHINA

Revision

In connection with the Working Party meetings on 16-20 July 2001, the Chinese delegation has submitted the following revised Annex 4 on Products and Services Subject to Price Controls, dated 19 July 2001.[1]

Groupe de travail de l'accession de la Chine

COMMUNICATION DE LA CHINE

Révision

En relation avec les réunions du Groupe de travail des 16 au 20 juillet 2001, la délégation chinoise a communiqué la version révisée ci-après de l'annexe 4 relative aux produits et services soumis à des contrôles de prix, datée du 19 juillet 2001.[1]

Grupo de Trabajo sobre la Adhesión de China

COMUNICACIÓN DE CHINA

Revisión

Para preparar la reunión del Grupo de Trabajo que se celebrará del 16 al 20 de julio de 2001, la delegación china ha presentado la siguiente versión revisada, de fecha 19 de julio de 2001, del anexo 4 relativo a los productos y servicios sometidos a controles de los precios.[1]

[1] In English only./En anglais seulement./En inglés solamente.

ANNEX 4

PRODUCTS AND SERVICES SUBJECT TO PRICE CONTROLS
19 July 2001

Products Subject to State Pricing

NO	HS NO	DESCRIPTION OF PRODUCTS	NOTES
1	24011010	Flue-cured tobacco, not stemmed/stripped	
	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	
2	25010010	Salt	Edible salt
3	27112100	Natural gas in gaseous state	
4	29379100	Insulin & its salts	Pharmaceuticals
	29411011	Ampicillin	
	29411012	Ampicillin trihydrate	
	29411019	Other ampicillin & its salts,nes	
	29411091	Amoxycillin	
	29411092	Amoxycillin trihydrate	
	29411093	6-Aminopenicillanic acid	
	29411094	Penicillins V	
	29411095	Sulfobenzylpenicillins	
	29411096	Cloxacillin	
	29411099	Other penicillins & derives with a penicillin acid structure;	
	29412000	Streptomycins & their derivatives; salts thereof	
	29419010	Gentamicin & its derivatives; salts thereof	
	30022000	Vaccines for human medicine	
	30023000	Vaccines for veterinary medicine	
	30066000	Chemical contraceptive preps. based on hormones or spermicides	
	40141000	Sheath contraceptives	

Products Subject to Government Guidance Pricing

NO	HS NO	DESCRIPTION OF PRODUCTS	NOTES
1	10011000	Durum wheat	
	10019010	Seeds of Spelt, common wheat & meslin	
	10019090	Spelt, common wheat & meslin (excl. seed)	
	10051000	Maize seeds	
	10059000	Maize (excl. seed)	
	10061010	Rice seeds	
	10061090	Rice in the husk (paddy or rough)(excl. seed)	
	10062000	Husked (brown) rice	
	10063000	Semi-milled or wholly milled rice	
	12010010	seeds of soybean	
	12010091	Yellow soybeans (excl. seed)	
	12010092	Black soybeans (excl. seed)	
	12010093	Green soybeans (excl. seed)	
	12010099	Other soybeans (excl. seed), nes	
2	15071000	Crude soybean oil	
	15079000	Soya-bean oil (excl. crude) & fractions	
	15141010	Crude rape, colza oil & fractions thereof	
	15141090	Mustard oil & fractions thereof	
3	27100011	Gasoline, incl. aviation spirit	
4	27100023	Kerosenes	
	27100024	Normal paraffin	
5	27100031	Light diesel oil	Diesel oil
	27100033	Fuel oil No.5-No.7	
	27100039	Other fuel oils	
6	27100039	Other fuel oils	Heavy oil
7	31021000	Urea	
8	50010010	Mulberry feeding silk-worm cocoons	
	50010090	Other silk-worn cocoons suitable for reeling	
9	52010000	Cotton, not carded or combed	

Public Utilities Subject to Government Pricing

NO	CPC	PUBLIC UTILITIES
1	1720	Price of gas for civil use.
2	1800	Price of tap water.
3	1710	Price of electricity.
4	1730	Price of heating power.
5	1800	Price of water supplied by irrigation works.

Service Sectors Subject to Government Pricing

NO	CPC	SERVICE	NOTES
1	7511 7512 7522 7521**+7529**	Post and telecommunication services charges.	Including postal services charges, national and trans-provincial telecommunication services charges.
2	964	Entrance fee for tour sites.	Referring to significant historical relics and natural landscape under protection.
3	921 922 923	Education services charges.	

Service Sectors Subject to Government Governance Pricing

NO	CPC	SERVICE	NOTES
1	7214 745** 731 7111 7112 743 7131 7139	Transport services charges.	Including rail transport of both passenger and freight, air transport of freight, port services, and pipeline transport.
2	861 862 8671 8672	Professional services charges.	Including architectural and engineering services, legal services and assets assessment services.
3	621	Charges for commission agents' services.	Referring to commission for trademark and advertisement agents.
4	81339**	Charges for settlement, clearing and transmission services of banks.	Referring to settlement, clearing and transmission services of the RMB.
5	82101	Selling price and renting fee of residential apartments.	
6	931	Health related services	

Notes:

1. CPC classification is added to the service sectors subject to state pricing in this Annex in accordance with the GATT document MTN.GNS/W/120, 10 July 1991, which provided services sectoral classification for the purpose of services negotiations during the Uruguay Round.

2. The government pricing in the service sectors which are listed in China's Schedule of Specific Commitments shall be applied in a manner consistent with Article 6 of GATS and the Reference Paper on Basic Telecommunication.

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED

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Working Party on the Accession of China

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Revision

In preparation for the Working Party meetings on 16-20 July 2001, the Chinese delegation has submitted the following revised Annex 2a1 on Products Subject to State Trading (Import), dated 13 July 2001.[1]

Groupe de travail de l'accession de la Chine

COMMUNICATION DE LA CHINE

Révision

En vue des réunions du Groupe de travail qui auront lieu du 16 au 20 juillet 2001, la délégation chinoise a communiqué la version révisée ci-après de l'annexe 2a1 relative aux produits soumis au régime de commerce d'État (importation), datée du 13 juillet 2001.[1]

Grupo de Trabajo sobre la Adhesión de China

COMUNICACIÓN DE CHINA

Revisión

Para preparar la reunión del Grupo de Trabajo que se celebrará del 16 al 20 de julio de 2001, la delegación china ha presentado la siguiente versión revisada, de fecha 13 de julio de 2001, del anexo 2a1 relativo a los productos que son objeto de comercio estatal (importación).[1]

[1] In English only./En anglais seulement./En inglés solamente.

ANNEX 2a1

PRODUCTS SUBJECT TO STATE TRADING (IMPORT)
13 July 2001

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
GRAIN	1	10011000	Durum wheat	China National Cereals, Oil & Foodstuff Import and Export Co.
	2	10019010	Seeds of Spelt, common wheat & meslin	
	3	10019090	Spelt, common wheat & meslin (excl. seed)	
	4	11010000	Wheat or meslin flour	
	5	11031100	Groats & meal of wheat	
	6	11032100	Wheat pellets	
	7	10051000	Maize seeds	
	8	10059000	Maize (excl. seed)	
	9	11022000	Maize (corn) flour	
	10	11031300	Groats & meal of maize (corn)	
	11	11042300	Other worked grains of maize (corn), nes	
	12	10061010	Rice seeds	
	13	10061090	Rice in the husk (paddy or rough)(excl. seed)	
	14	10062000	Husked (brown) rice	
	15	10063000	Semi-milled or wholly milled rice	
	16	10064000	Broken rice	
	17	11023000	Rice flour	
	18	11031400	Groats & meal of rice	
VEGETABLE OIL	19	15071000	Crude soya-bean oil	1. China National Cereals, Oil & Foodstuff Import and Export Co. 2. China National Native Products and Animal By-products Import & Export Co. 3. China Resources Co. 4. China Nam Kwong National Import & Export Co. 5. China Liangfeng Cereals Import & Export Co. 6. China Cereals, Oil & Foodstuff Co.(Group)
	20	15079000	Soya-bean oil (excl. crude) & fractions	
	21	15111000	Crude palm oil	
	22	15119000	Palm oil (excl. crude) & liquid fractions	
	23	15141010	Crude rape, colza oil & fractions thereof	
	24	15149000	Rape, colza or mustard oil (excl. crude) & fractions thereof	
SUGAR	25	17011100	Raw cane sugar, in solid form	1. China National Cereals, Oil & Foodstuff Import and Export Co. 2. China Export Commodities Base Construction Co. 3. China Overseas Trade Co. 4. China Sugar & Wine Co. (Group) 5. China Commerce Foreign Trade Co.
	26	17011200	Raw beet sugar, in solid form	
	27	17019100	Cane or beet sugar, containing added flavouring or colouring	
	28	17019910	Granulated sugar	
	29	17019920	Superfine sugar	
	30	17019990	Other cane or beet sugar, in solid form, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
TOBACCO	31	24011010	Flue-cured tobacco, not stemmed/stripped	China National Tobacco Import & Export Co.
	32	24011090	Tobacco other than flue-cured, not stemmed/stripped	
	33	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	
	34	24012090	Tobacco o/t flue-cured, partly or wholly stemmed/stripped	
	35	24013000	Tobacco refuse	
	36	24021000	Cigars, cheroots & cigarillos containing tobacco	
	37	24022000	Cigarettes containing tobacco	
	38	24029000	Cigars, cigarillos, cigarettes, etc, not containing tobacco	
	39	24031000	Smoking tobacco with or without tobacco substitutes	
	40	24039100	Homogenized or reconstituted tobacco	
	41	24039900	Other manufactured tobacco, nes	
	42	48131000	Cigarette paper in the form of booklets or tubes	
	43	48132000	Cigarette paper in rolls of a width≤5cm	
	44	48139000	Cigarette paper, nes	
	45	55020010	Cellulose diacetate filament tow	
	46	56012210	Cigarette filter tips	
	47	84781000	Machinery for preparing/making up tobacco nes	
	48	84789000	Parts of machinery for preparing/making up tobacco nes	
CRUDE OIL	49	27090000	Petroleum oils & oils obtained from bituminous minerals, crude	1. China National Chemical Import & Export Co. 2. China International United Petroleum & Chemicals Co. 3. China National United Oil Co. 4. Zhuhai Zhenrong Company
PROCESSED OIL	50	27100011	Gasoline, incl. aviation spirit	
	51	27100013	Naphtha	
	52	27100023	Kerosenes	
	53	27100024	Normal paraffin	
	54	27100031	Light diesel oil	
	55	27100033	Fuel oil No.5-No.7	
	56	27100039	Other fuel oils	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
CHEMICAL FERTILIZER	57	31021000	Urea	1. China National Chemical Import & Export Co. 2. China National Agricultural Means of Production Group Co.
	58	31022100	Ammonium sulphate	
	59	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	
	60	31023000	Ammonium nitrate	
	61	31024000	Mixtures of ammonium nitrate with inorg non-fertilizing substances	
	62	31025000	Sodium nitrate	
	63	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	
	64	31027000	Calcium cyanamide	
	65	31028000	Mixtures of urea & ammonium nitrate in aqueous or ammoniacal solution	
	66	31029000	Mineral or chemical fertilizers, nitrogenous , nes	
	67	31031000	Superphosphates	
	68	31032000	Basic slag	
	69	31039000	Mineral or chemical fertilizers, phosphatic, nes	
	70	31041000	Carnallite, sylvite & other Crude natural potassium salts	
	71	31042000	Potassium chloride	
	72	31043000	Potassium sulphate	
	73	31049000	Mineral or chemical fertilizers, potassic, nes	
	74	31051000	Fertilizers... in packages of a gross weight=10kg	
	75	31052000	Mineral/chemical fertilizers with nitrogen, phosphorus & potassium	
	76	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	
	77	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate)	
	78	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	
	79	31055900	Mineral or chemical fertilizers with nitrogen & phosphorus, nes	
	80	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	
	81	31059000	Other fertilizers, nes	
COTTON	82	52010000	Cotton, not carded or combed	1. China National Textiles Import & Export Co. 2. Beijing Jiuda Textiles Group Co. 3. Tianjing Textiles Industry Supply and Marketing Co. 4. Shanghai Textiles Raw Materials Co.
	83	52030000	Cotton, carded or combed	

Product & HS NO	Volume to non-state traders on accession[2)]	Annual growth in non-state trade volume[3)]
Oil--processed[1)] (HS 27.10)	4 million tonnes	15 %
Oil--crude (HS 27.09)	7.2 million tonnes	15 %

1) Excludes LPG, which falls under HS 27 11, and has not been notified by China as subject to state trading. The present import quota (16.58 million tonnes rising by 15% per year) will be removed on 1 January 2004.

2) Imports to be effected pursuant to the provisions of the WTO Agreement on Import Licensing Procedures.

3) This growth rate shall be applied for a period of 10 years following accession, after which time it shall be reviewed. Pending conclusion of the review talks, the volume available to non-state importers on that date shall be increased annually in line with the average growth in overall imports of the product concerned over the preceding 10 year period.

However, for processed oil, a review shall be carried out by 2004 to establish whether the growth rate should be adjusted in the light of the evolution of trade volumes.

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED

WT/ACC/CHN/36/Rev.1
18 July 2001
(01-3563)

Working Party on the Accession of China

Original: English/ anglais/ inglés

COMMUNICATION FROM CHINA

Revision

In preparation for the Working Party meetings on 16-20 July 2001, the Chinese delegation has submitted the following revised Annex 3 on Non-Tariff Measures Subject to Phased Elimination, dated 13 July 2001.[1]

Groupe de travail de l'accession de la Chine

COMMUNICATION DE LA CHINE

Révision

En vue des réunions du Groupe de travail qui auront lieu du 16 au 20 juillet 2001, la délégation chinoise a communiqué la version révisée ci-après de l'annexe 3 sur les mesures non tarifaires devant être supprimées progressivement, datée du 13 juillet 2001.[1]

Grupo de Trabajo sobre la Adhesión de China

COMUNICACIÓN DE CHINA

Revisión

Para preparar la reunión del Grupo de Trabajo que se celebrará del 16 al 20 de julio de 2001, la delegación china ha presentado la siguiente versión revisada, de fecha 13 de julio de 2001, del anexo 3 relativo a las medidas no arancelarias que son objeto de eliminación progresiva.[1]

[1] In English only./En anglais seulement./En inglés solamente.

Annex 3

NON-TARIFF MEASURES SUBJECT TO PHASED ELIMINATION

13 July 2001

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
1	17011100	Raw cane sugar, in solid form	L	Q		upon accession	
2	17011200	Raw beet sugar, in solid form	L	Q		upon accession	
3	17019910	Granulated sugar	L	Q		upon accession	
4	17019920	Superfine sugar	L	Q		upon accession	
5	24011010	Flue-cured tobacco, not stemmed/stripped	L	Q		upon accession	
6	24011090	Tobacco other than flue-cured, not stemmed/stripped	L	Q		upon accession	
7	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	L	Q		upon accession	
8	24012090	Tobacco o/t flue-cured, partly or wholly stemmed/stripped	L	Q		upon accession	
9	24013000	Tobacco refuse	L	Q		upon accession	
10	24029000	Cigars, cigarillos, cigarettes, etc, not containing tobacco	L	Q		upon accession	
11	24039100	Homogenized or reconstituted tobacco	L	Q		upon accession	
12	27100011	Gasoline, incl. aviation spirit	L	Q		2004	1
13	27100019	Other light oils, nes	L	Q		2004	1
14	27100013	Naphtha	L	Q		2004	1
15	27100023	Kerosenes	L	Q		2004	1
16	27100024	Normal paraffin	L	Q		2004	1
17	27100031	Light diesel oil	L	Q		2004	1
18	27100033	Fuel oil No.5-No.7	L	Q		2004	1
19	27100039	Other fuel oils	L	Q		2004	1
20	28371110	Sodium cyanide	L	Q		2002	2
21	31021000	Urea	L	Q		upon accession	
22	31022100	Ammonium sulphate	L	Q		2002	3
23	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	L	Q		2002	3
24	31023000	Ammonium nitrate	L	Q		2002	3
25	31024000	Mixtures of ammonium nitrate with inorg non-fertilizing substances	L	Q		2002	3
26	31025000	Sodium nitrate	L	Q		2001	3
27	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	L	Q		2001	3
28	31027000	Calcium cyanamide	L	Q		2001	3
29	31028000	Mixtures of urea & ammonium nitrate in aqueous or ammoniacal solution	L	Q		2002	3
30	31029000	Mineral or chemical fertilizers, nitrogenous , nes	L	Q		2002	3
31	31031000	Superphosphates	L	Q		2002	3
32	31032000	Basic slag	L	Q		2002	3
33	31039000	Mineral or chemical fertilizers, phosphatic, nes	L	Q		2002	3
34	31041000	Carnallite, sylvite & other Crude natural potassium salts	L	Q		2001	3
35	31042000	Potassium chloride	L	Q		upon accession	
36	31043000	Potassium sulphate	L	Q		2002	3
37	31049000	Mineral or chemical fertilizers, potassic, nes	L	Q		2001	3
38	31051000	Fertilizers... in packages of a gross weight=10kg	L	Q		2002	3

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
39	31052000	Mineral/chemical fertilizers with nitrogen, phosphorus & potassium	L	Q		upon accession	
40	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	L	Q		upon accession	
41	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate)	L	Q		2002	3
42	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	L	Q		2002	3
43	31055900	Mineral or chemical fertilizers with nitrogen & phosphorus, nes	L	Q		2002	3
44	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	L	Q		2002	3
45	31059000	Other fertilizers, nes	L	Q		2002	3
46	39076011	Polyethylene terephthalate slices or chips,high viscosity	L	Q		2001	4
47	39076019	Other Polyethylene terephthalate slices or chips,nes	L	Q		2001	4
48	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	L	Q		2004	5
49	40012100	Smoked sheets of natural rubber	L	Q		2004	5
50	40012200	Technically specified natural rubber, in primary forms/plates, etc	L	Q		2004	5
51	40012900	Other natural rubber, in primary forms or in plates, etc, nes	L	Q		2004	5
52	40111000	New pneumatic tyres, of rubber of a kind used on motor cars	L	Q		2004	6
53	40112000	New pneumatic tyres, of rubber of a kind used on buses or lorries	L	Q		2004	6
54	40119100	New pneumatic tyres, of rubber, nes, of herring-bone or similar tread	L	Q		2002	6
55	40121010	Retreaded tyres of rubber used on automobiles	L	Q		2002	6
56	40122010	Used pneumatic tyres of rubber used on automobiles	L	Q		2002	6
57	40129020	Solid/cushion rubber tyres, etc, used on automobiles	L	Q		2001	6
58	40131000	Inner tubes, of rubber of a kind used on motor cars, buses or lorries	L	Q		2001	6
59	51011100	Greasy shorn wool, not carded or combed	L	Q		upon accession	
60	51011900	Greasy wool (excl. shorn), not carded or combed	L	Q		upon accession	
61	51012100	Degreased shorn wool, not carbonised, not carded or combed	L	Q		upon accession	
62	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	L	Q		upon accession	
63	51013000	Carbonised wool, not carded or combed	L	Q		upon accession	
64	51031010	Noils of wool, not garnetted stock	L	Q		upon accession	
65	51051000	Carded wool	L	Q		upon accession	
66	51052100	Combed wool in fragments	L	Q		upon accession	
67	51052900	Wool tops & combed wool (excl. in fragments)	L	Q		upon accession	
68	52010000	Cotton, not carded or combed	L	Q		upon accession	
69	52030000	Cotton, carded or combed	L	Q		upon accession	
70	54022000	High tenacity yarn of polyesters, nprs	L	Q		2001	7
71	54023310	Elastic filament of polyesters, not for retail sale	L	Q		2000	7
72	54023390	Other textured yarn of polyesters, not for retail sale	L	Q		2000	7

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
73	54023990	Other synthetic filament textured yarn, nes, not for retail	L	Q		2000	9
74	54024200	Single yarn of partially oriented polyesters, with≤50turns/m, nprs	L	Q		2001	7
75	54024300	Single yarn of polyesters, nes, with≤50turns/m, nprs	L	Q		2001	7
76	54024990	Single synthetic yarn, nes, with≤50turns/m, nprs	L	Q		2001	9
77	54025200	Single yarn of polyesters, with>50turns/m, nprs	L	Q		2001	7
78	54025990	Single synthetic yarn, nes, with>50turns/m, nprs	L	Q		2001	9
79	54026200	Multiple or cabled yarn of polyesters, nprs	L	Q		2001	7
80	54026990	Multiple or cabled yarn, nes, nprs	L	Q		2001	9
81	54033310	Single yarn of cellulose diacetate, not for retail sale	L	Q		2001	8
82	54041000	Synthetic monofilament of≥67decitex	L	Q		2001	7
83	55012000	Synthetic filament tow of polyesters	L	Q		2001	7
84	55013000	Synthetic filament tow, acrylic or modacrylic	L	Q		2001	9
85	55020010	Cellulose diacetate filament tow	L	Q		2001	8
86	55032000	Synthetic staple fibres, of polyesters, not carded, etc	L	Q		2001	7
87	55033000	Acrylic or modacrylic synthetic staple fibres, not carded, etc	L	Q		2000	9
88	55062000	Synthetic staple fibres, of polyesters, carded, etc	L	Q		2001	7
89	55063000	Acrylic or modacrylic synthetic staple fibres, carded, etc	L	Q		2001	9
90	55092100	Single yarn, with≥85% polyester staple fibres, nprs	L	Q		2001	7
91	55092200	Multiple or cabled yarn, with≥85% polyester staple fibres, nprs	L	Q		2001	7
92	55093100	Single yarn, with≥85% acrylic or modacrylic staple fibres, nprs	L	Q		2001	9
93	55093200	Multiple or cabled yarn,≥85% acrylic/modacrylic staple fibres, nprs	L	Q		2001	9
94	55095100	Yarn,<85% polyester staple fibres, with artificl staple fibres, nprs	L	Q		2001	7
95	55095200	Yarn,<85% polyester staple fibres, with wool/fine animal hair, nprs	L	Q		2001	7
96	55095300	Yarn,<85% polyester staple fibres, mixed with cotton, nprs	L	Q		2001	7
97	55095900	Yarn,<85% polyester staple fibres, nes, nprs	L	Q		2001	7
98	55096100	Yarn,<85% acrylic or modacrylic staple fibres, with wool..., nprs	L	Q		2001	9
99	55096200	Yarn,<85% acrylic or modacrylic staple fibres, with cotton, nprs	L	Q		2001	9
100	55096900	Yarn,<85% acrylic or modacrylic staple fibres, nes, nprs	L	Q		2001	9
101	84073100	Engines, spark-igni reciprocatng, f vehcl Ch 87, ≤ 50cc	L	Q		2003	11
102	84073200	Engines, spark-igni reciprocatng, for vehcl Ch 87,>50cc but≤250cc	L	Q		2003	11
103	84073300	Engines, spark-igni reciprocatng,f vehcl Ch 87,>250cc to 1000cc	L	Q		2003	11
104	84079090	Other engines, spark-ignition type, nes	L	Q		2003	10
105	84082010	Engines, diesel, output≥132.39kw, for vehicles of	L	Q		2003	10

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
		Ch. 87					
106	84082090	Engines, diesel, of an output<132.39kw, for vehicles of Ch 87	L	Q		2003	10
107	84089092	Engines, diesel, nes, 14kw<output<132.39kw			T	2004	
108	84143011	Compressors for refrige/freezer,motor power≤0.4kw	L	Q		2001	14
109	84143012	Compressors for refrige'freezer, 0.4kw< motor power≤5 kw	L	Q		2001	14
110	84143013	Compressors for airconditioner, 0.4kw < motor power ≤5kw	L	Q		2001	19
111	84143019	Compressors driven by a motor, nes	L	Q		2001	14
112	84143090	Compressors driven by a non-motor	L	Q		2001	10
113	84145930	Centrifugal ventilators			T	2000	
114	84151000	Air conditioning machines window'wall types, self-contained	L	Q		2002	19
115	84152000	Air conditioning machines used for persons in motor vehicles	L	Q		2002	10
116	84158110	Air-conditioner nes,with refr≤4000 Kcal/h &cool/heat cycle rev valve	L	Q		2001	19
117	84158210	Air-conditioner nes, with refrigerating unit, ≤4000 Kcal/h	L	Q		2001	19
118	84181010	Combined refri-freezers, with separate external doors, capacity>500L	L	Q		2000	14
119	84181020	Combined refri-freezers, with separate external doors, 200L<capacity ≤150L	L	Q		2001	14
120	84181030	Combined refri-freezers, with separate external doors, capacity≤200L	L	Q		2001	14
121	84182110	Refrigerators, household type, compression-type,>150L	L	Q		2001	14
122	84182120	Refrigerators, household type, compression-type,50L<capacity ≤150L	L	Q		2001	14
123	84182130	Refrigerators, household type, compression-type,capacity≤50L	L	Q		2001	14
124	84182200	Refrigerators, household type, absorption-type, electrical	L	Q		2001	14
125	84183010	Freezers of chest type, capacity≤800L, T≤-40	L	Q		2000	14
126	84183021	Freezers of chest type, 500L<capacity≤800 L, T>-40	L	Q		2000	14
127	84183029	Freezers of chest type,capacity≤500L, T>-40	L	Q		2001	14
128	84184010	Freezers of upright type,capacity≤900L, T≤-40	L	Q		2000	14
129	84184021	Freezers of upright type, 500 L<capacity≤900L, T> -40	L	Q		2000	14
130	84184029	Freezers of upright type,capacity≤500L, T> -40	L	Q		2001	14
131	84185000	Other refrigerating/freezing chests, cabinets, display counters, etc	L	Q		2001	14
132	84254990	Other hoists, nes			T	2001	
133	84261910	Ship loading cranes			T	2001	
134	84261921	Grab ship unloading cranes			T	2001	
135	84261929	Other ship unloading cranes			T	2001	
136	84263000	Portal/pedestal jib cranes			T	2001	
137	84264110	Self-propelled cranes on tyres			T	2001	
138	84264190	Other self-propelled machinery with a crane on tyres, nes			T	2001	

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
139	84281010	Lifts and skip hoists for the transport of persons			T	2002	
140	84284000	Escalators & moving walkways			T	2001	
141	84291110	Bulldozers/angledozers,tracked,with engine output>235.36 kw			T	2004	
142	84294011	Vibratory road rollers, self-propelled, dead weight≥18 t			T	2002	
143	84294019	Other road rollers, self-propelled			T	2004	
144	84305020	Mining shovels, self-propelled			T	2001	
145	84381000	Bakery mach & machy for the mfg of macaroni, spaghetti'sim prods			T	2001	
146	84391000	Machinery for making pulp of fibrous cellulosic material			T	2002	
147	84392000	Machinery for making paper/paperboard			T	2002	
148	84393000	Machinery for finishing paper/paperboard			T	2002	
149	84413090	Mach f make boxes/sim cont,of paper/pboard o/t by moulding, nes			T	2001	
150	84414000	Machines for moulding articles in paper pulp, paper/paperboard			T	2001	
151	84431910	Offset printing machinery, sheet fed			T	2004	
152	84431990	Offset printing machinery nes			T	2004	
153	84435912	Screen printing machinery, platen screen press			T	2001	
154	84451110	Textile carding machines, for cotton type fibres			T	2001	
155	84451120	Textile carding machines, for wool type fibres			T	2001	
156	84451200	Textile combing machines			T	2001	
157	84452020	Rotor spinning frames	L	Q		2001	23
158	84454010	Automatic bobbin textile winders			T	2001	
159	84459010	Warping machines			T	2001	
160	84463020	Rapier looms for weaving fabrics of a width>30cm, shuttleless			T	2001	
161	84463030	Carrier looms for weaving fabrics of width>30 cm, shuttleless			T	2001	
162	84501200	Other washing mach, dry linen capacity≤10kg, with built-in dryer	L	Q		2000	15
163	84501900	Other washing machines of a dry linen capacity≤10kg, nes	L	Q		2001	15
164	84522110	Automatic sewing machines, flat-seam type ,other than book-sewing machines			T	2001	
165	84522190	Automatic sewing machines, other than book-sewing machines			T	2001	
166	84542010	Out furnace refining equipment			T	2000	
167	84543010	Cold chamber die-casting machines			T	2001	
168	84563010	Machine-tools operatd by electro-discharge process, numerically controlled				2004	
169	84569910	Plasma cutting machines			T	2004	
170	84569990	Machine-tools operatd by electro-chem, plasma arc..., nes			T	2004	
171	84571010	Machining centres, vertical type			T	2004	
172	84571020	Machining centres, horizontal type			T	2004	
173	84571030	Machining centres, plano type			T	2004	
174	84571090	Machining centres, other type			T	2004	
175	84581100	Horizontal lathes numerically controlled			T	2004	
176	84621090	Forging'die-stamping mach & hammers, not			T	2002	

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
		numerically contrld					
177	84659600	Splitting/slicing'paring mach for wood/cork/bne/hrd rubber etc			T	2001	
178	84714991	Distributed control systems			T	2004	
179	84742010	Crushing/grinding mach for earth/ stone/ores′oth minerals,to			T	2001	
180	84742090	Crushing/grinding mach for earth/ stone/ores′oth minerals			T	2001	
181	84743100	Concrete'mortar mixers			T	2004	
182	84775900	Mach for moulding′otherwise forming rubber′plastics nes			T	2002	
183	84781000	Machinery for preparing'making up tobacco nes			T	2002	
184	84789000	Parts of machinery for preparing'making up tobacco nes			T	2001	
185	84791021	Machines for spreading bituminous concrete			T	2002	
186	84791022	Stabilizer spreading machines			T	2002	
187	84804100	Moulds, injection'compression types, for metal'metal carbides			T	2002	
188	84807100	Moulds, injection'compression types, for rubber'plastics			T	2002	
189	84834020	Planet decelerators			T	2001	
190	85042320	Liquid dielectric transformers, handling capacity≥400 MVA			T	2004	
191	85172100	Facsimile machines			T	2002	
192	85175090	Other apparatus for carrier-current line systems, nes			T	2001	
193	85184000	Audio-frequency electric amplifiers			T	2002	
194	85199910	Compact disc players, sound	L	Q		2001	13
195	85203210	Magtic tape recorder-sound player, digital audio & cassette-type	L	Q		2001	13
196	85203290	Magtic tape recorder-sound player, digital audio type, nes	L	Q		2001	13
197	85203300	Magtic tape recorder-sound player, cassette-type, nes	L	Q		2001	13
198	85203910	Magtic open-disk recorder-sound player	L	Q		2001	13
199	85203990	Magtic tape recorder-sound reproducing apparatus, nes	L	Q		2001	13
200	85209000	Magnetic tape recorders & other sound recording apparatus, nes	L	Q		2001	20
201	85211011	Magnetic video tape recorders,broadcast quality	L	Q		2002	16
202	85211019	Magnetic video tape recorders,nes	L	Q		2002	16
203	85211020	Magnetic video tape reproducers	L	Q		2002	16
204	85219010	Laser video compact disk player	L	Q		2002	20
205	85219090	Video recording or reproducing apparatus nes	L	Q		2002	20
206	85229021	Transport mechanisms of cassett sound recorders/reproducers	L	Q		2002	13
207	85229030	Parts/accessories of video recordg/reproducg apparatus	L	Q		2002	16
208	85252011	Satellite earth station for television			T	2004	
209	85252019	Satellite earth station other than for television			T	2001	
210	85252022	Portable radio telephone			T	2002	
211	85252029	Other mobile communication equipment, nes			T	2002	

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
212	85252092	Mobile communication base station			T	2002	
213	85252093	Wireless subscriber communicating equipments			T	2002	
214	85173013	Digital mobile communication switching systems			T	2002	
215	85173091	Anological mobile communication switching systems			T	2002	
216	85253010	Television cameras, for special purposes	L	Q		2002	16
217	85253091	Television cameras broadcast quality	L	Q		2002	16
218	85253099	Television cameras, nes	L	Q		2002	16
219	85254010	Still image video camera/oth video camera recorder, f special purpos	L	Q		2002	16
220	85254020	Still image video camera with a built-in video recorder, household	L	Q		2002	16
221	85254030	Still image video cameras/oth video camera recorders with digital image storage	L	Q		2002	16
222	85254090	Still image video cameras/oth video camera recorders, nes	L	Q		2002	16
223	85271200	Pocket-size radio cassette-players, no need externl power	L	Q		2000	13
224	85271300	Oth combined radio/sound recorder-player, no need extnl power	L	Q		2000	13
225	85271900	Other radio broad receiver operatng without external power, nes	L	Q		2000	13
226	85272100	Combnd radio/sound recorder-player, need extnl power for motor vehcl	L	Q		2000	13
227	85272900	Other radio broad receiver need extnl power for motor vehicles, nes	L	Q		2000	13
228	85273100	Other combined radio/sound recorder-player nes	L	Q		2000	13
229	85273200	Radio broad receiver combined with a clock, nes	L	Q		2000	13
230	85273900	Radio-broadcast receivers nes	L	Q		2000	13
231	85279010	Radio paging receivers			T	2002	
232	85281210	Colour satellite TV receivers			T	2004	
233	85281291	Colour TV set, screen diagnal≤ 42 cm	L	Q		2001	12
234	85281292	Colour TV set, 42 cm<screen diagnal≤52cm	L	Q		2001	12
235	85281293	Colour TV set, screen diagnal> 52 cm	L	Q		2002	12
236	85282100	Colour video monitors	L	Q		2002	12
237	85283010	Colour video projectors	L	Q		2002	12
238	85291020	Aerials & the parts, for radio or television receivers			T	2002	
239	85291090	Aerials & the parts, for other apparatus of headng 85.25 to 85.28			T	2004	
240	85299091	High frequency tuners			T	2004	
241	85311090	Burglar or fire alarms & similar apparatus			T	2002	
242	85352900	Automatic circuit breakers, for a voltage≥72.5KV, nes			T	2004	
243	85401100	Cathode-ray TV picture tubes,including video monitor tubes,colour	L	Q		2002	12
244	85404000	Color data/graphic display tubes of phosphor dot scrn pitch < 0.4mm	L	Q		2002	12
245	85445910	Electric cable without connectors, 80V<volt≤1,000 V			T	2001	
246	85447000	Optical fibre cables, made up of individually sheathed fibres			T	2000	
247	86040099	Railway/tram maintenance or service vehicles, nes			T	2001	

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
248	87012000	Road tractors for semi-trailers (truck tractors)	L	Q		2004	10
249	87019000	Wheeled tractors nes			T	2001	
250	87021020	Coaches for transport of passengers at aerodrome, diesel	L	Q		2004	10
251	87021091	Buses with seats≥30, diesel	L	Q		2004	10
252	87021092	Buses with 20≤seats<30, diesel	L	Q		2005	10
253	87021093	Buses with 10≤seats<20, diesel	L	Q		2005	10
254	87029010	Other buses with seats≥30, nes	L	Q		2004	10
255	87029020	Other buses with 20≤seats<30, nes	L	Q		2005	10
256	87029030	Other buses with 10≤seats<20, nes	L	Q		2005	10
257	87031000	Snowmobiles, golf cars & similar vehicles	L	Q		2001	10
258	87032130	Saloon cars, ≤1000 cc, spark-igni reciprocatng	L	Q		2005	10
259	87032190	Cars nes, ≤1000 cc, spark-igni reciprocatng	L	Q		2005	10
260	87032230	Saloon cars, >1000cc but≤1500 cc, spark-igni recip	L	Q		2005	10
261	87032240	Cross-country cars(4WD), >1000cc but≤1500cc, spark-igni recip	L	Q		2005	10
262	87032250	Minibuses (seats≤9), >1000cc but≤1500cc,spark-igni recip	L	Q		2005	10
263	87032290	Cars nes, >1000cc but≤1500 cc, spark-igni recip	L	Q		2005	10
264	87032314	Saloon cars, >1500cc but ≤2500 cc,spark-igni recip	L	Q		2005	10
265	87032315	Cross-country cars(4WD),>1500cc but≤2500 cc,spark-igni recip	L	Q		2005	10
266	87032316	Minibuses(seats≤9), >1500cc but≤2500 cc,spark-igni recip	L	Q		2005	10
267	87032319	Cars nes, >1500cc but≤2500 cc,spark-igni recip	L	Q		2005	10
268	87032334	Saloon cars >2500cc but≤3000 cc, spark-igni recip	L	Q		2005	10
269	87032335	Cross-country cars(4WD), >2500cc but≤3000 cc, spark-igni recip	L	Q		2005	10
270	87032336	Minibuses(seats≤9), >2500cc but≤3000 cc, spark-igni recip	L	Q		2005	10
271	87032339	Cars nes, >2500cc but≤3000 cc, spark-igni recip	L	Q		2005	10
272	87032430	Saloon cars, >3000 cc, spark-igni recip	L	Q		2005	10
273	87032440	Cross-country cars(4WD), >3000 cc, spark-igni recip	L	Q		2005	10
274	87032450	Minibuses (seats≤9), >3000 cc, spark-igni recip	L	Q		2005	10
275	87032490	Cars nes, >3000 cc, spark-igni recip	L	Q		2005	10
276	87033130	Saloon cars, ≤500 cc, diesel	L	Q		2005	10
277	87033140	Cross country cars(4WD), ≤1500cc, diesel	L	Q		2005	10
278	87033150	Minibuses (seats≤9), ≤1500cc, diesel	L	Q		2005	10
279	87033190	Cars nes, ≤1500cc, diesel	L	Q		2005	10
280	87033230	Saloon cars, >1500cc but≤2500 cc, diesel	L	Q		2005	10
281	87033240	Cross country cars(4WD), >1500cc but≤2500 cc, diesel	L	Q		2005	10
282	87033250	Minibuses (seats≤9), >1500cc but≤2500 cc, diesel	L	Q		2005	10
283	87033290	Cars nes, >1500cc but≤2500 cc, diesel	L	Q		2005	10
284	87033330	Saloon cars, >2500 cc, diesel	L	Q		2005	10
285	87033340	Cross country cars(4WD), >2500 cc, diesel	L	Q		2005	10
286	87033350	Minibuses (seats≤9), >2500 cc, diesel	L	Q		2005	10
287	87033390	Cars nes, >2500 cc, diesel	L	Q		2005	10
288	87039000	Motor cars with seats≤9, nes	L	Q		2005	10

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
289	87041030	Dumpers designed for off-highway use, with motor-driven wheel			T	2004	
290	87042100	Trucks diesel, g.v.w. ≤5 t	L	Q		2004	10
291	87042230	Trucks diesel, 5 t < g.v.w.<14 t	L	Q		2004	10
292	87042240	Trucks diesel, 14 t≤ g.v.w.≤20 t	L	Q		2004	10
293	87042300	Trucks diesel, g.v.w. >20 t	L	Q		2004	10
294	87043100	Trucks spark-igni, g.v.w.≤5 t	L	Q		2004	10
295	87043230	Trucks spark-igni, 5 t<g.v.w.≤8 t	L	Q		2002	10
296	87043240	Trucks spark-igni, g.v.w. > 8 t	L	Q		2002	10
297	87049000	Trucks nes	L	Q		2002	10
298	87051021	All-road Crane lorries with a lifting capacity ≤50t	L	Q		2004	21
299	87051022	All-road Crane lorries with a lifting capacity >50t, but ≤100t	L	Q		2004	
300	87051023	All-road Crane lorries with a lifting capacity >100t	L	Q		2004	
301	87051091	Other Crane lorries with a lifting capacity ≤50t	L	Q		2004	21
302	87051092	Other Crane lorries with a lifting capacity >50t, but ≤100t	L	Q		2004	
303	87051093	Other Crane lorries with a lifting capacity >100t	L	Q		2004	
304	87052000	Mobile drilling derricks	L	Q		2002	10
305	87053010	Fire fighting vehicles, mounted with scaling ladder	L	Q		2002	10
306	87053090	Other fire fighting vehicles	L	Q		2002	
307	87054000	Mobile concrete mixers	L	Q		2002	10
308	87059020	Mobile radiological units	L	Q		2002	10
309	87059030	Mobile environmental monitoring units	L	Q		2002	10
310	87059040	Mobile clinics	L	Q		2002	10
311	87059051	Airplane charging vehicles(frequency= 400Hz)	L	Q		2002	10
312	87059059	Other mobile electric generation sets	L	Q		2002	
313	87059060	Mobile refuellers/air-conditioners/deicers used for aircraft	L	Q		2002	10
314	87059070	Snow-clearance vehicles used for road or airfield runways	L	Q		2002	10
315	87059080	Oil-well measuring carts, crushing mill carts and sand	L	Q		2002	10
316	87059090	Special purpose motor vehicles nes	L	Q		2002	10
317	87060040	Chassis fit with engines for crane lorries	L	Q		2004	21
318	87071000	Bodies for passenger carrying vehicles	L	Q		2004	10
319	87111000	Motorcycles with reciprocating piston engine ≤50 cc	L	Q		2004	11
320	87112000	Motorcycles with, 50 cc< piston engine ≤250 cc	L	Q		2004	11
321	87113010	Motorcycles with, 250 cc< piston engine ≤400cc	L	Q		2004	11
322	87113020	Motorcycles with, 400 cc< piston engine ≤500cc	L	Q		2004	
323	87114000	Motorcycles with, 500 cc< piston engine ≤800cc	L	Q		2004	11
324	87115000	Motorcycles with piston engine >800 cc	L	Q		2004	11
325	87119000	Motorcycles with other than a reciprocating piston engine	L	Q		2004	11
326	87141900	Motorcycle parts nes	L	Q		2004	11
327	89012011	Finished oil tankers, loading not exceeding 100000t			T	2004	
328	89012012	Finished oil tankers, loading exceeding 100000t,not exceeding 300000t			T	2004	
329	89012013	Finished oil tankers, loading exceeding 300000t			T	2004	

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
330	89012021	Crude oil tankers, loading not exceeding 150000t			T	2004	
331	89012022	Crude oil tankers, loading exceeding 150000t,not exceeding 30000t			T	2004	
332	89012023	Crude oil tankers, loading exceeding 300000t			T	2004	
333	89012031	Liquified petroleum gas carriers, volume with 20000m^3 or less			T	2004	
334	89012032	Liquified petroleum gas carriers, volume more than 20000m^3			T	2004	
335	89012041	Liquified natural gas carriers, volume with 20000m^3 or less			T	2004	
336	89012042	Liquified natural gas carriers, volume more than 20000m^3			T	2004	
337	89012090	Other tankers, nes			T	2004	
338	89013000	Refrigerated vessels other than tankers			T	2001	
339	89019021	Motor container vessels, capable loading standard containers with 6000 or less			T	2004	
340	89019022	Motor container vessels, capable loading standard containers more than 6000			T	2004	
341	89019031	Motor Ro-Ro carriers, loading with 20000t or less			T	2004	
342	89019032	Motor Ro-Ro carriers, loading more than 20000t			T	2004	
343	89019041	Motor bulk carriers, loading not exceeding 150000t			T	2004	
344	89019042	Motor bulk carriers, loading exceeding 150000t,not exceeding 300000t			T	2004	
345	89019043	Motor bulk carriers, loading exceeding 300000t			T	2004	
346	89019050	Multi-purposes motor vessels			T	2004	
347	89019080	Other motor vessels, nes			T	2004	
348	89020010	Fishing vessels & factory ships, motorized			T	2001	
349	89040000	Tugs & pusher craft			T	2004	
350	89051000	Dredgers			T	2004	
351	90061010	Electronic colour scanners used for prep printing plate/cylinder	L	Q		2001	24
352	90065100	SLR cameras for roll film of a width ≤ 35mm	L	Q		2003	17
353	90065200	Other cameras for roll film of a width < 35 mm	L	Q		2003	17
354	90065300	Other cameras for roll film of a width of 35 mm	L	Q		2003	17
355	90065900	Photographic, other than cinematographic cameras nes	L	Q		2003	17
356	90083010	Orthographic image projectors			T	2001	
357	90121000	Microscopes other than optical microscopes & diffraction apparatus	L	Q		2000	22
358	90158000	Survey, hydro-/oceano-graphic,meteorological,geophysic instrumnt nes			T	2001	
359	90181210	B- ultrasonic diagnostic apparatus			T	2001	
360	90181291	Chromosocope ultrasonic diagnostic apparatus			T	2001	
361	90184910	Dentists' chairs with dental equipment			T	2001	
362	90189090	Medical/veterinary instruments & appliances, nes			T	2001	
363	90221300	X-ray apparatus for dental use			T	2001	
364	90221400	X-ray apparatus for medical, surgical or veterinary uses			T	2001	
365	90221990	X-ray apparatus for other uses			T	2001	
366	90222100	Alpha/beta/gamma radiation apparatus for medical/surg/dent/vet uses			T	2001	

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Serial NO
367	90278090	Instruments & apparatus for physical or chemical analysis,			T	2001	
368	90301000	Instruments/apparatus for measuring/detecting ionising radiations			T	2001	
369	90304010	Frequency meters, digital, measuring range<12.4GHz			T	2001	
370	90318010	Optical telecom. and optical fibre performance testing instruments			T	2001	
371	90311000	Machines for balancing mechanical parts, nes			T	2004	
372	91011100	Electric wrist-watches mech display, with precious mtl case	L	Q		2003	18
373	91012100	Wrist-watches, with automatic winding with pecious mtl case,nes	L	Q		2003	18
374	91012900	Wrist-watches, with a case of precious metal, nes	L	Q		2003	18
375	91021100	Electric wrist-watches with mechanical display only	L	Q		2003	18
376	91022100	Wrist-watches with automatic winding nes	L	Q		2003	18
377	91022900	Wrist-watches, nes	L	Q		2003	18

Notes:

1. The phase-out periods are based on the assumption that China would accede to the WTO in 2000 and will be postponed accordingly should China accede at a later date.
2. The products covered by the Agreement on Trade in Civil Aircraft are not subject to any NTMs specified herein.

Products Subject to Import License Only

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Phasing-out Period
1	10011000	Durum wheat	L	upon accession
2	10019010	Seeds of Spelt, common wheat & meslin	L	upon accession
3	10019090	Spelt, common wheat & meslin (excl. seed)	L	upon accession
4	10059000	Maize (excl. seed)	L	upon accession
5	10061010	Rice seeds	L	upon accession
6	10061090	Rice in the husk (paddy or rough)(excl. seed)	L	upon accession
7	10062000	Husked (brown) rice	L	upon accession
8	10063000	Semi-milled or wholly milled rice	L	upon accession
9	10064000	Broken rice	L	upon accession
10	15071000	Crude soya-bean oil	L	upon accession
11	15079000	Soya-bean oil (excl. crude) & fractions	L	upon accession
12	15081000	Crude ground-nut oil	L	upon accession
13	15089000	Ground-nut oil (excl. crude) & fractions	L	upon accession
14	15111000	Crude palm oil	L	upon accession
15	15119000	Palm oil (excl. crude) & liquid fractions	L	upon accession
16	15121100	Crude sunflower-seed & safflower oil & fractions thereof	L	upon accession
17	15122100	Crude cotton-seed oil, whether or not gossypol has been moved	L	upon accession
18	15122900	Cotton-seed oil (excl. crude) & fractions thereof	L	upon accession
19	15141010	Crude rape, colza oil & fractions thereof	L	upon accession
20	15141090	Mustard oil & fractions thereof	L	upon accession
21	15149000	Rape, colza or mustard oil (excl. crude) & fractions thereof	L	upon accession
22	15152100	Crude maize (corn) oil	L	upon accession
23	15155000	Sesame oil & fractions	L	upon accession
24	22051000	Vermouth & other wine of fresh grapes, flavoured:<2l containers	L	upon accession
25	22059000	Vermouth & other wine of fresh grapes, flavoured:>2l containers	L	upon accession
26	22071000	Undenatured ethyl alcohol, of alcoholic strength≥80%	L	upon accession
27	22082000	Spirits from distilled grape wine or marc	L	upon accession
28	22083000	Whiskeys	L	upon accession
29	22084000	Rum & tafia	L	upon accession
30	22085000	Gin & Geneva	L	upon accession
31	22087000	Liqueurs and cordials	L	upon accession
32	22089000	Spirituous beverages, nes	L	upon accession
33	37013090	Photo plates, flat, unexposed,one side>255mm, nes	L	upon accession
34	37019100	Colour photo plates/film, flat, unexposed,nes	L	upon accession
35	37023100	Colour photo film rolls,unexpsd,unperforatd,w≤105mm, nes	L	upon accession
36	37024100	Colour film rl, unexpsd/perfor, w>610mm,len>200m	L	upon accession
37	37024390	Monoch film rl, unexpsd/perfor, w>610mm, length≤200m,nes	L	upon accession
38	37024490	Monoch film rl,unexpsd/perfor, 105mm<wid≤610mm, nes	L	upon accession
39	37025100	Colour film in rolls, unexpsd, width≤16mm,& length≤14m,nes	L	upon accession
40	37025200	Colour film rolls,unexposed, width≤16mm, length>14m, nes	L	upon accession
41	37025410	Colour film rl, unexpsd,width=35mm and length≤2m,	L	upon accession
42	37025490	Colour film rl,unexpsd, width not≤35mm, length≤30m	L	upon accession
43	37025590	Colour film rl, unexpsd, 16mm<w≤35mm, length>30m, nes	L	upon accession
44	37025690	Colour film in rolls, unexposed, width>35mm, nes	L	upon accession
45	37029100	Monoch film rl,unexpsd, w≤16mm,l≤14m, nes	L	upon accession
46	37031010	Photo paper & paperboard in rolls, unexposed, width>610mm	L	upon accession
47	37032010	Other colour photo paper and paperboard, unexposed	L	upon accession

No	Product Category	Product Coverage (Serial numbers in Annex 3)	Unit	Initial Quota Volume/Value	Annual Growth Rate
1	Processed oil	12-20	Million Metric Tons	16.580	15%
2	Sodium cyanide	21	Million Metric Tons	0.018	15%
3	Chemical fertilizer	22-34, 36-38, 41-45	Million Metric Tons	8.900	15%
4	Polyethylene terephthalate slices or chips	46, 47	Million Metric Tons	0.284	15%
5	Natural rubber	48-51	Million Metric Tons	0.429	15%
6	Tires of rubber used on automobiles	52-58	Million Metric Pieces	0.810	15%
7	Polyester yarn	70-72, 74, 75, 77, 79, 82, 83, 86, 88, 90, 91, 94-97	Million Metric Tons	0.950	15%
8	Synthetic filament tow	81, 85	Million Metric Tons	0.045	15%
9	Synthetic staple fibers	73, 76, 78, 80, 84, 87, 89, 92, 93, 98-100	Million Metric Tons	0.420	15%
10	Automobiles and key parts	104-106, 112, 115, 248, 250-288, 290-297, 304, 305, 307-311, 313-316, 318	US$ Million	6000.000	15%
11	Motorcycles and key parts	101-103, 319-321, 323-326	US$ Million	286.000	15%
12	Color TV set and TV tuners	233-237, 243-244	US$ Million	325.000	15%
13	Recorders and transport mechanisms	194-199, 206, 223-230	US$ Million	387.000	15%
14	Refrigerators and compressors	108, 109, 111, 118-131	US$ Million	132.000	15%
15	Washing machines	162, 163	US$ Million	7.000	15%
16	Recording apparatus and key parts	201-203, 207, 216-222	US$ Million	293.000	15%
17	Cameras	352-355	US$ Million	14.000	15%
18	Wrist watches	372-377	US$ Million	33.000	15%
19	Air conditioners and compressors	110, 114, 116, 117	US$ Million	286.000	15%
20	Magnetic sound and video recording apparatus	200, 204, 205	US$ Million	38.000	15%
21	Crane lorries and chassis	298, 301, 317	US$ Million	88.000	15%
22	Microscopes	357	US$ Million	12.600	15%
23	Rotor spinning frames	157	US$ Million	15.800	15%
24	Electronic color scanners	351	US$ Million	10.800	15%

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED

WT/ACC/CHN/36/Rev.2
20 July 2001
(01-3624)

Working Party on the Accession of China

Original: English/ anglais/ inglés

COMMUNICATION FROM CHINA

Revision

In connection with the Working Party meetings on 16-20 July 2001, the Chinese delegation has submitted the following revised Annex 3 on Non-Tariff Measures Subject to Phased Elimination, dated 18 July 2001.[1]

Groupe de travail de l'accession de la Chine

COMMUNICATION DE LA CHINE

Révision

En vue des réunions du Groupe de travail qui auront lieu du 16 au 20 juillet 2001, la délégation chinoise a communiqué la version révisée ci-après de l'annexe 3 sur les mesures non tarifaires devant être supprimées progressivement, datée du 18 juillet 2001.[1]

Grupo de Trabajo sobre la Adhesión de China

COMUNICACIÓN DE CHINA

Revisión

Para preparar la reunión del Grupo de Trabajo que se celebrará del 16 al 20 de julio de 2001, la delegación china ha presentado la siguiente versión revisada, de fecha 18 de julio de 2001, del anexo 3 relativo a las medidas no arancelarias que son objeto de eliminación progresiva.[1]

[1] In English only./En anglais seulement./En inglés solamente.

Annex 3

NON-TARIFF MEASURES SUBJECT TO PHASED ELIMINATION
18 July 2001

Table One
Products Subject to Import License, Import Quota and Import Tendering

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
1	17011100	Raw cane sugar, in solid form	L	Q		upon accession	
2	17011200	Raw beet sugar, in solid form	L	Q		upon accession	
3	17019910	Granulated sugar	L	Q		upon accession	
4	17019920	Superfine sugar	L	Q		upon accession	
5	24011010	Flue-cured tobacco, not stemmed/stripped	L	Q		upon accession	
6	24011090	Tobacco other than flue-cured, not stemmed/stripped	L	Q		upon accession	
7	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	L	Q		upon accession	
8	24012090	Tobacco o/t flue-cured, partly or wholly stemmed/stripped	L	Q		upon accession	
9	24013000	Tobacco refuse	L	Q		upon accession	
10	24029000	Cigars, cigarillos, cigarettes, etc, not containing tobacco	L	Q		upon accession	
11	24039100	Homogenized or reconstituted tobacco	L	Q		upon accession	
12	27100011	Gasoline, incl. aviation spirit	L	Q		2004	1
13	27100019	Other light oils, nes	L	Q		2004	1
14	27100013	Naphtha	L	Q		2004	1
15	27100023	Kerosenes	L	Q		2004	1
16	27100024	Normal paraffin	L	Q		2004	1
17	27100031	Light diesel oil	L	Q		2004	1
18	27100033	Fuel oil No.5-No.7	L	Q		2004	1
19	27100039	Other fuel oils	L	Q		2004	1
20	28371110	Sodium cyanide	L	Q		2002	2
21	31021000	Urea	L	Q		upon accession	
22	31022100	Ammonium sulphate	L	Q		2002	3
23	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	L	Q		2002	3
24	31023000	Ammonium nitrate	L	Q		2002	3
25	31024000	Mixtures of ammonium nitrate with inorg non-fertilizing substances	L	Q		2002	3
26	31025000	Sodium nitrate	L	Q		upon accession	
27	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	L	Q		upon accession	
28	31027000	Calcium cyanamide	L	Q		upon accession	
29	31028000	Mixtures of urea & ammonium nitrate in aqueous or ammoniacal solution	L	Q		2002	3

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
30	31029000	Mineral or chemical fertilizers, nitrogenous, nes	L	Q		2002	3
31	31031000	Superphosphates	L	Q		2002	3
32	31032000	Basic slag	L	Q		2002	3
33	31039000	Mineral or chemical fertilizers, phosphatic, nes	L	Q		2002	3
34	31041000	Carnallite, sylvite & other Crude natural potassium salts	L	Q		upon accession	
35	31042000	Potassium chloride	L	Q		upon accession	
36	31043000	Potassium sulphate	L	Q		2002	3
37	31049000	Mineral or chemical fertilizers, potassic, nes	L	Q		upon accession	
38	31051000	Fertilizers... in packages of a gross weight=10kg	L	Q		2002	3
39	31052000	Mineral/chemical fertilizers with nitrogen, phosphorus & potassium	L	Q		upon accession	
40	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	L	Q		upon accession	
41	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate)	L	Q		2002	3
42	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	L	Q		2002	3
43	31055900	Mineral or chemical fertilizers with nitrogen & phosphorus, nes	L	Q		2002	3
44	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	L	Q		2002	3
45	31059000	Other fertilizers, nes	L	Q		2002	3
46	39076011	Polyethylene terephthalate slices or chips, high viscosity	L	Q		upon accession	
47	39076019	Other Polyethylene terephthalate slices or chips, nes	L	Q		upon accession	
48	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	L	Q		2004	4
49	40012100	Smoked sheets of natural rubber	L	Q		2004	4
50	40012200	Technically specified natural rubber, in primary forms/plates, etc	L	Q		2004	4
51	40012900	Other natural rubber, in primary forms or in plates, etc, nes	L	Q		2004	4
52	40111000	New pneumatic tyres, of rubber of a kind used on motor cars	L	Q		2004	5
53	40112000	New pneumatic tyres, of rubber of a kind used on buses or lorries	L	Q		2004	5
54	40119100	New pneumatic tyres, of rubber, nes, of herring-bone or similar tread	L	Q		2002	5
55	40121010	Retreaded tyres of rubber used on automobiles	L	Q		2002	5
56	40122010	Used pneumatic tyres of rubber used on automobiles	L	Q		2002	5
57	40129020	Solid/cushion rubber tyres, etc, used on automobiles	L	Q		upon accession	
58	40131000	Inner tubes, of rubber of a kind used on motor cars, buses or lorries	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
59	51011100	Greasy shorn wool, not carded or combed	L	Q		upon accession	
60	51011900	Greasy wool (excl. shorn), not carded or combed	L	Q		upon accession	
61	51012100	Degreased shorn wool, not carbonised, not carded or combed	L	Q		upon accession	
62	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	L	Q		upon accession	
63	51013000	Carbonised wool, not carded or combed	L	Q		upon accession	
64	51031010	Noils of wool, not garnetted stock	L	Q		upon accession	
65	51051000	Carded wool	L	Q		upon accession	
66	51052100	Combed wool in fragments	L	Q		upon accession	
67	51052900	Wool tops & combed wool (excl. in fragments)	L	Q		upon accession	
68	52010000	Cotton, not carded or combed	L	Q		upon accession	
69	52030000	Cotton, carded or combed	L	Q		upon accession	
70	54022000	High tenacity yarn of polyesters, nprs	L	Q		upon accession	
71	54023310	Elastic filament of polyesters, not for retail sale	L	Q		upon accession	
72	54023390	Other textured yarn of polyesters, not for retail sale	L	Q		upon accession	
73	54023990	Other synthetic filament textured yarn, nes, not for retai	L	Q		upon accession	
74	54024200	Single yarn of partially oriented polyesters, with≤50turns/m, nprs	L	Q		upon accession	
75	54024300	Single yarn of polyesters, nes, with≤50turns/m, nprs	L	Q		upon accession	
76	54024990	Single synthetic yarn, nes, with≤50turns/m, nprs	L	Q		upon accession	
77	54025200	Single yarn of polyesters, with>50turns/m, nprs	L	Q		upon accession	
78	54025990	Single synthetic yarn, nes, with>50turns/m, nprs	L	Q		upon accession	
79	54026200	Multiple or cabled yarn of polyesters, nprs	L	Q		upon accession	
80	54026990	Multiple or cabled yarn, nes, nprs	L	Q		upon accession	
81	54033310	Single yarn of cellulose diacetate, not for retail sale	L	Q		upon accession	
82	54041000	Synthetic monofilament of≥67decitex	L	Q		upon accession	
83	55012000	Synthetic filament tow of polyesters	L	Q		upon accession	
84	55013000	Synthetic filament tow, acrylic or modacrylic	L	Q		upon accession	
85	55020010	Cellulose diacetate filament tow	L	Q		upon accession	
86	55032000	Synthetic staple fibres, of polyesters, not carded, etc	L	Q		upon accession	
87	55033000	Acrylic or modacrylic synthetic staple fibres, not carded, etc	L	Q		upon accession	
88	55062000	Synthetic staple fibres, of polyesters, carded, etc	L	Q		upon accession	
89	55063000	Acrylic or modacrylic synthetic staple fibres, carded, etc	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
90	55092100	Single yarn, with≥85% polyester staple fibres, nprs	L	Q		upon accession	
91	55092200	Multiple or cabled yarn, with≥85% polyester staple fibres, nprs	L	Q		upon accession	
92	55093100	Single yarn, with≥85% acrylic or modacrylic staple fibres, nprs	L	Q		upon accession	
93	55093200	Multiple or cabled yarn,≥85% acrylic/modacrylic staple fibres, nprs	L	Q		upon accession	
94	55095100	Yarn,<85% polyester staple fibres, with artificial staple fibres, nprs	L	Q		upon accession	
95	55095200	Yarn,<85% polyester staple fibres, with wool/fine animal hair, nprs	L	Q		upon accession	
96	55095300	Yarn,<85% polyester staple fibres, mixed with cotton, nprs	L	Q		upon accession	
97	55095900	Yarn,<85% polyester staple fibres, nes, nprs	L	Q		upon accession	
98	55096100	Yarn,<85% acrylic or modacrylic staple fibres, with wool..., nprs	L	Q		upon accession	
99	55096200	Yarn,<85% acrylic or modacrylic staple fibres, with cotton, nprs	L	Q		upon accession	
100	55096900	Yarn,<85% acrylic or modacrylic staple fibres, nes, nprs	L	Q		upon accession	
101	84073100	Engines, spark-igni reciprocating, f vehcl Ch 87, ≤ 50cc	L	Q		2003	6
102	84073200	Engines, spark-igni reciprocating, for vehcl Ch 87,>50cc but≤250cc	L	Q		2003	6
103	84073300	Engines, spark-igni reciprocating, f vehcl Ch 87,>250cc to 1000cc	L	Q		2003	6
104	84079090	Other engines, spark-ignition type, nes	L	Q		2003	7
105	84082010	Engines, diesel, output≥132.39kw, for vehicles of Ch. 87	L	Q		2003	7
106	84082090	Engines, diesel, of an output<132.39kw, for vehicles of Ch 87	L	Q		2003	7
107	84089092	Engines, diesel, nes, 14kw<output<132.39kw			T	2004	
108	84143011	Compressors for refrige/freezer, motor power≤0.4kw	L	Q		upon accession	
109	84143012	Compressors for refrige'freezer, 0.4kw< motor power≤5 kw	L	Q		upon accession	
110	84143013	Compressors for airconditioner, 0.4kw < motor power ≤5kw	L	Q		upon accession	
111	84143019	Compressors driven by a motor, nes	L	Q		upon accession	
112	84143090	Compressors driven by a non-motor	L	Q		upon accession	
113	84145930	Centrifugal ventilators			T	upon accession	
114	84151000	Air conditioning machines window/wall types, self-contained	L	Q		2002	8
115	84152000	Air conditioning machines used for persons in motor vehicles	L	Q		2002	7
116	84158110	Air-conditioner nes, with refr≤4000 Kcal/h &cool/heat cycle rev valve	L	Q		upon accession	
117	84158210	Air-conditioner nes, with refrigerating unit, ≤4000 Kcal/h	L	Q		upon accession	
118	84181010	Combined refri-freezers, with separate	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		external doors, capacity>500L					
119	84181020	Combined refri-freezers, with separate external doors, 200L<capacity ≤150L	L	Q		upon accession	
120	84181030	Combined refri-freezers, with separate external doors, capacity≤200L	L	Q		upon accession	
121	84182110	Refrigerators, household type, compression-type,>150L	L	Q		upon accession	
122	84182120	Refrigerators, household type, compression-type,50L<capacity ≤150L	L	Q		upon accession	
123	84182130	Refrigerators, household type, compression-type,capacity≤50L	L	Q		upon accession	
124	84182200	Refrigerators, household type, absorption-type, electrical	L	Q		upon accession	
125	84183010	Freezers of chest type, capacity≤800L, T≤-40	L	Q		upon accession	
126	84183021	Freezers of chest type, 500L<capacity≤800 L, T>-40	L	Q		upon accession	
127	84183029	Freezers of chest type,capacity≤500L, T>-40	L	Q		upon accession	
128	84184010	Freezers of upright type,capacity≤900L, T≤-40	L	Q		upon accession	
129	84184021	Freezers of upright type, 500 L<capacity≤900L, T> -40	L	Q		upon accession	
130	84184029	Freezers of upright type,capacity≤500L, T> -40	L	Q		upon accession	
131	84185000	Other refrigerating/freezing chests, cabinets, display counters, etc	L	Q		upon accession	
132	84254990	Other hoists, nes			T	upon accession	
133	84261910	Ship loading cranes			T	upon accession	
134	84261921	Grab ship unloading cranes			T	upon accession	
135	84261929	Other ship unloading cranes			T	upon accession	
136	84263000	Portal/pedestal jib cranes			T	upon accession	
137	84264110	Self-propelled cranes on tyres			T	upon accession	
138	84264190	Other self-propelled machinery with a crane on tyres, nes			T	upon accession	
139	84281010	Lifts and skip hoists for the transport of persons			T	2002	
140	84284000	Escalators & moving walkways			T	upon accession	
141	84291110	Bulldozers/angledozers, tracked, with engine output>235.36 kw			T	2004	
142	84294011	Vibratory road rollers, self-propelled, dead weight≥18 t			T	2002	
143	84294019	Other road rollers, self-propelled			T	2004	
144	84305020	Mining shovels, self-propelled			T	upon accession	
145	84381000	Bakery mach & machy for the mfg of macaroni, spaghetti/sim prods			T	upon accession	
146	84391000	Machinery for making pulp of fibrous cellulosic material			T	2002	
147	84392000	Machinery for making paper/paperboard			T	2002	
148	84393000	Machinery for finishing paper/paperboard			T	2002	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
149	84413090	Mach f make boxes/sim cont, of paper/pboard o/t by moulding, nes			T	upon accession	
150	84414000	Machines for moulding articles in paper pulp, paper/paperboard			T	upon accession	
151	84431910	Offset printing machinery, sheet fed			T	2004	
152	84431990	Offset printing machinery nes			T	2004	
153	84435912	Screen printing machinery, platen screen press			T	upon accession	
154	84451110	Textile carding machines, for cotton type fibres			T	upon accession	
155	84451120	Textile carding machines, for wool type fibres			T	upon accession	
156	84451200	Textile combing machines			T	upon accession	
157	84452020	Rotor spinning frames	L	Q		upon accession	
158	84454010	Automatic bobbin textile winders			T	upon accession	
159	84459010	Warping machines			T	upon accession	
160	84463020	Rapier looms for weaving fabrics of a width>30cm, shuttleless			T	upon accession	
161	84463030	Carrier looms for weaving fabrics of width>30 cm, shuttleless			T	upon accession	
162	84501200	Other washing mach, dry linen capacity≤10kg, with built-in dryer	L	Q		upon accession	
163	84501900	Other washing machines of a dry linen capacity≤10kg, nes	L	Q		upon accession	
164	84522110	Automatic sewing machines, flat-seam type ,other than book-sewing machines			T	upon accession	
165	84522190	Automatic sewing machines, other than book-sewing machines			T	upon accession	
166	84542010	Out furnace refining equipment			T	upon accession	
167	84543010	Cold chamber die-casting machines			T	upon accession	
168	84563010	Machine-tools operated by electro-discharge processed, numerically controlled			T	2004	
169	84569910	Plasma cutting machines			T	2004	
170	84569990	Machine-tools operated by electro-chem, plasma arc..., nes			T	2004	
171	84571010	Machining centres, vertical type			T	2004	
172	84571020	Machining centres, horizontal type			T	2004	
173	84571030	Machining centres, plano type			T	2004	
174	84571090	Machining centres, other type			T	2004	
175	84581100	Horizontal lathes numerically controlled			T	2004	
176	84621090	Forging/die-stamping mach & hammers, not numerically contrld			T	2002	
177	84659600	Splitting/slicing'paring mach for wood/cork/bne/hrd rubber etc			T	upon accession	
178	84714991	Distributed control systems			T	2004	
179	84742010	Crushing/grinding mach for earth/ stone/ores/other minerals, to			T	upon accession	
180	84742090	Crushing/grinding mach for earth/ stone/ores/other minerals			T	upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
181	84743100	Concrete'mortar mixers			T	2004	
182	84775900	Mach for moulding′otherwise forming rubber′plastics nes			T	2002	
183	84781000	Machinery for preparing'making up tobacco nes			T	2002	
184	84789000	Parts of machinery for preparing'making up tobacco nes			T	upon accession	
185	84791021	Machines for spreading bituminous concrete			T	2002	
186	84791022	Stabilizer spreading machines			T	2002	
187	84804100	Moulds, injection'compression types, for metal'metal carbides			T	2002	
188	84807100	Moulds, injection'compression types, for rubber'plastics			T	2002	
189	84834020	Planet decelerators			T	upon accession	
190	85042320	Liquid dielectric transformers, handling capacity≥400 MVA			T	2004	
191	85172100	Facsimile machines			T	2002	
192	85175090	Other apparatus for carrier-current line systems, nes			T	upon accession	
193	85184000	Audio-frequency electric amplifiers			T	2002	
194	85199910	Compact disc players, sound	L	Q		upon accession	
195	85203210	Magnetic tape recorder-sound player, digital audio & cassette-type	L	Q		upon accession	
196	85203290	Magnetic tape recorder-sound player, digital audio type, nes	L	Q		upon accession	
197	85203300	Magnetic tape recorder-sound player, cassette-type, nes	L	Q		upon accession	
198	85203910	Magnetic open-disk recorder-sound player	L	Q		upon accession	
199	85203990	Magnetic tape recorder-sound reproducing apparatus, nes	L	Q		upon accession	
200	85209000	Magnetic tape recorders & other sound recording apparatus, nes	L	Q		upon accession	
201	85211011	Magnetic video tape recorders, broadcast quality	L	Q		2002	9
202	85211019	Magnetic video tape recorders, nes	L	Q		2002	9
203	85211020	Magnetic video tape reproducers	L	Q		2002	9
204	85219010	Laser video compact disk player	L	Q		2002	10
205	85219090	Video recording or reproducing apparatus nes	L	Q		2002	10
206	85229021	Transport mechanisms of cassette sound recorders/reproducers	L	Q		2002	11
207	85229030	Parts/accessories of video recordg/reproducg apparatus	L	Q		2002	9
208	85252011	Satellite earth station for television			T	2004	
209	85252019	Satellite earth station other than for television			T	upon accession	
210	85252022	Portable radio telephone			T	2002	
211	85252029	Other mobile communication equipment, nes			T	2002	
212	85252092	Mobile communication base station			T	2002	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
213	85252093	Wireless subscriber communicating equipments			T	2002	
214	85173013	Digital mobile communication switching systems			T	2002	
215	85173091	Anological mobile communication switching systems			T	2002	
216	85253010	Television cameras, for special purposes	L	Q		2002	9
217	85253091	Television cameras broadcast quality	L	Q		2002	9
218	85253099	Television cameras, nes	L	Q		2002	9
219	85254010	Still image video camera/oth video camera recorder, f special purpos	L	Q		2002	9
220	85254020	Still image video camera with a built-in video recorder, household	L	Q		2002	9
221	85254030	Still image video cameras/oth video camera recorders with digital image storage	L	Q		2002	9
222	85254090	Still image video cameras/oth video camera recorders, nes	L	Q		2002	9
223	85271200	Pocket-size radio cassette-players, no need externl power	L	Q		upon accession	
224	85271300	Oth combined radio/sound recorder-player, no need extnl power	L	Q		upon accession	
225	85271900	Other radio broad receiver operating without external power, nes	L	Q		upon accession	
226	85272100	Combined radio/sound recorder-player, need extnl power for motor vehcl	L	Q		upon accession	
227	85272900	Other radio broad receiver need extnl power for motor vehicles, nes	L	Q		upon accession	
228	85273100	Other combined radio/sound recorder-player nes	L	Q		upon accession	
229	85273200	Radio broad receiver combined with a clock, nes	L	Q		upon accession	
230	85273900	Radio-broadcast receivers nes	L	Q		upon accession	
231	85279010	Radio paging receivers			T	2002	
232	85281210	Colour satellite TV receivers			T	2004	
233	85281291	Colour TV set, screen diagonal ≤ 42 cm	L	Q		upon accession	
234	85281292	Colour TV set, 42 cm<screen diagonal ≤52cm	L	Q		upon accession	
235	85281293	Colour TV set, screen diagonal > 52 cm	L	Q		2002	12
236	85282100	Colour video monitors	L	Q		2002	12
237	85283010	Colour video projectors	L	Q		2002	12
238	85291020	Aerials & the parts, for radio or television receivers			T	2002	
239	85291090	Aerials & the parts, for other apparatus of heading 85.25 to 85.28			T	2004	
240	85299091	High frequency tuners			T	2004	
241	85311090	Burglar or fire alarms & similar apparatus			T	2002	
242	85352900	Automatic circuit breakers, for a voltage≥72.5KV, nes			T	2004	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
243	85401100	Cathode-ray TV picture tubes, including video monitor tubes, colour	L	Q		2002	12
244	85404000	Color data/graphic display tubes of phosphor dot scrn pitch < 0.4mm	L	Q		2002	12
245	85445910	Electric cable without connectors, 80V<volt≤1,000 V			T	upon accession	
246	85447000	Optical fibre cables, made up of individually sheathed fibres			T	upon accession	
247	86040099	Railway/tram maintenance or service vehicles, nes			T	upon accession	
248	87012000	Road tractors for semi-trailers (truck tractors)	L	Q		2004	7
249	87019000	Wheeled tractors nes			T	upon accession	
250	87021020	Coaches for transport of passengers at aerodrome, diesel	L	Q		2004	7
251	87021091	Buses with seats≥30, diesel	L	Q		2004	7
252	87021092	Buses with 20≤seats<30, diesel	L	Q		2005	7
253	87021093	Buses with 10≤seats<20, diesel	L	Q		2005	7
254	87029010	Other buses with seats≥30, nes	L	Q		2004	7
255	87029020	Other buses with 20≤seats<30, nes	L	Q		2005	7
256	87029030	Other buses with 10≤seats<20, nes	L	Q		2005	7
257	87031000	Snowmobiles, golf cars & similar vehicles	L	Q		upon accession	
258	87032130	Saloon cars, ≤1000 cc, spark-igni reciprocatng	L	Q		2005	7
259	87032190	Cars nes, ≤1000 cc, spark-igni reciprocatng	L	Q		2005	7
260	87032230	Saloon cars, >1000cc but≤1500 cc, spark-igni recip	L	Q		2005	7
261	87032240	Cross-country cars(4WD), >1000cc but≤1500cc, spark-igni recip	L	Q		2005	7
262	87032250	Minibuses (seats≤9), >1000cc but≤1500cc,spark-igni recip	L	Q		2005	7
263	87032290	Cars nes, >1000cc but≤1500 cc, spark-igni recip	L	Q		2005	7
264	87032314	Saloon cars, >1500cc but ≤2500 cc,spark-igni recip	L	Q		2005	7
265	87032315	Cross-country cars(4WD),>1500cc but≤2500 cc,spark-igni recip	L	Q		2005	7
266	87032316	Minibuses(seats≤9), >1500cc but≤2500 cc,spark-igni recip	L	Q		2005	7
267	87032319	Cars nes, >1500cc but≤2500 cc,spark-igni recip	L	Q		2005	7
268	87032334	Saloon cars >2500cc but≤3000 cc, spark-igni recip	L	Q		2005	7
269	87032335	Cross-country cars(4WD), >2500cc but≤3000 cc, spark-igni recip	L	Q		2005	7
270	87032336	Minibuses(seats≤9), >2500cc but≤3000 cc, spark-igni recip	L	Q		2005	7
271	87032339	Cars nes, >2500cc but≤3000 cc, spark-igni recip	L	Q		2005	7
272	87032430	Saloon cars, >3000 cc, spark-igni recip	L	Q		2005	7

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
273	87032440	Cross-country cars(4WD), >3000 cc, spark-igni recip	L	Q		2005	7
274	87032450	Minibuses (seats≤9), >3000 cc, spark-igni recip	L	Q		2005	7
275	87032490	Cars nes, >3000 cc, spark-igni recip	L	Q		2005	7
276	87033130	Saloon cars, ≤500 cc, diesel	L	Q		2005	7
277	87033140	Cross country cars(4WD), ≤1500cc, diesel	L	Q		2005	7
278	87033150	Minibuses (seats≤9), ≤1500cc, diesel	L	Q		2005	7
279	87033190	Cars nes, ≤1500cc, diesel	L	Q		2005	7
280	87033230	Saloon cars, >1500cc but≤2500 cc, diesel	L	Q		2005	7
281	87033240	Cross country cars(4WD), >1500cc but≤2500 cc, diesel	L	Q		2005	7
282	87033250	Minibuses (seats≤9), >1500cc but≤2500 cc, diesel	L	Q		2005	7
283	87033290	Cars nes, >1500cc but≤2500 cc, diesel	L	Q		2005	7
284	87033330	Saloon cars, >2500 cc, diesel	L	Q		2005	7
285	87033340	Cross country cars(4WD), >2500 cc, diesel	L	Q		2005	7
286	87033350	Minibuses (seats≤9), >2500 cc, diesel	L	Q		2005	7
287	87033390	Cars nes, >2500 cc, diesel	L	Q		2005	7
288	87039000	Motor cars with seats≤9, nes	L	Q		2005	7
289	87041030	Dumpers designed for off-highway use, with motor-driven wheel			T	2004	
290	87042100	Trucks diesel, g.v.w. ≤5 t	L	Q		2004	7
291	87042230	Trucks diesel, 5 t < g.v.w.<14 t	L	Q		2004	7
292	87042240	Trucks diesel, 14 t≤ g.v.w.≤20 t	L	Q		2004	7
293	87042300	Trucks diesel, g.v.w. >20 t	L	Q		2004	7
294	87043100	Trucks spark-igni, g.v.w.≤5 t	L	Q		2004	7
295	87043230	Trucks spark-igni, 5 t<g.v.w.≤8 t	L	Q		2002	7
296	87043240	Trucks spark-igni, g.v.w. > 8 t	L	Q		2002	7
297	87049000	Trucks nes	L	Q		2002	7
298	87051021	All-road Crane lorries with a lifting capacity ≤50t	L	Q		2004	13
299	87051022	All-road Crane lorries with a lifting capacity >50t, but ≤100t	L	Q		2004	13
300	87051023	All-road Crane lorries with a lifting capacity >100t	L	Q		2004	13
301	87051091	Other Crane lorries with a lifting capacity ≤50t	L	Q		2004	13
302	87051092	Other Crane lorries with a lifting capacity >50t, but ≤100t	L	Q		2004	13
303	87051093	Other Crane lorries with a lifting capacity >100t	L	Q		2004	13
304	87052000	Mobile drilling derricks	L	Q		2002	7
305	87053010	Fire fighting vehicles, mounted with scaling ladder	L	Q		2002	7
306	87053090	Other fire fighting vehicles	L	Q		2002	7

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
307	87054000	Mobile concrete mixers	L	Q		2002	7
308	87059020	Mobile radiological units	L	Q		2002	7
309	87059030	Mobile environmental monitoring units	L	Q		2002	7
310	87059040	Mobile clinics	L	Q		2002	7
311	87059051	Airplane charging vehicles(frequency= 400Hz)	L	Q		2002	7
312	87059059	Other mobile electric generation sets	L	Q		2002	7
313	87059060	Mobile refuellers/air-conditioners/deicers used for aircraft	L	Q		2002	7
314	87059070	Snow-clearance vehicles used for road or airfield runways	L	Q		2002	7
315	87059080	Oil-well measuring carts, crushing mill carts and sand	L	Q		2002	7
316	87059090	Special purpose motor vehicles nes	L	Q		2002	7
317	87060040	Chassis fit with engines for crane lorries	L	Q		2004	13
318	87071000	Bodies for passenger carrying vehicles	L	Q		2004	7
319	87111000	Motorcycles with reciprocating piston engine ≤50 cc	L	Q		2004	6
320	87112000	Motorcycles with, 50 cc< piston engine ≤250 cc	L	Q		2004	6
321	87113010	Motorcycles with, 250 cc< piston engine ≤400cc	L	Q		2004	6
322	87113020	Motorcycles with, 400 cc< piston engine ≤500cc	L	Q		2004	6
323	87114000	Motorcycles with, 500 cc< piston engine ≤800cc	L	Q		2004	6
324	87115000	Motorcycles with piston engine >800 cc	L	Q		2004	6
325	87119000	Motorcycles with other than a reciprocating piston engine	L	Q		2004	6
326	87141900	Motorcycle parts nes	L	Q		2004	6
327	89012011	Finished oil tankers, loading not exceeding 100000t			T	2004	
328	89012012	Finished oil tankers, loading exceeding 100000t,not exceeding 300000t			T	2004	
329	89012013	Finished oil tankers, loading exceeding 300000t			T	2004	
330	89012021	Crude oil tankers, loading not exceeding 150000t			T	2004	
331	89012022	Crude oil tankers, loading exceeding 150000t,not exceeding 30000t			T	2004	
332	89012023	Crude oil tankers, loading exceeding 300000t			T	2004	
333	89012031	Liquified petroleum gas carriers, volume with 20000m^3 or less			T	2004	
334	89012032	Liquified petroleum gas carriers, volume more than 20000m^3			T	2004	
335	89012041	Liquified natural gas carriers, volume with 20000m^3 or less			T	2004	
336	89012042	Liquified natural gas carriers, volume more than 20000m^3			T	2004	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
337	89012090	Other tankers, nes			T	2004	
338	89013000	Refrigerated vessels other than tankers			T	upon accession	
339	89019021	Motor container vessels, capable loading standard containers with 6000 or less			T	2004	
340	89019022	Motor container vessels, capable loading standard containers more than 6000			T	2004	
341	89019031	Motor Ro-Ro carriers, loading with 20000t or less			T	2004	
342	89019032	Motor Ro-Ro carriers, loading more than 20000t			T	2004	
343	89019041	Motor bulk carriers, loading not exceeding 150000t			T	2004	
344	89019042	Motor bulk carriers, loading exceeding 150000t,not exceeding 300000t			T	2004	
345	89019043	Motor bulk carriers, loading exceeding 300000t			T	2004	
346	89019050	Multi-purposes motor vessels			T	2004	
347	89019080	Other motor vessels, nes			T	2004	
348	89020010	Fishing vessels & factory ships, motorized			T	upon accession	
349	89040000	Tugs & pusher craft			T	2004	
350	89051000	Dredgers			T	2004	
351	90061010	Electronic colour scanners used for prep printing plate/cylinder	L	Q		upon accession	
352	90065100	SLR cameras for roll film of a width ≤ 35mm	L	Q		2003	14
353	90065200	Other cameras for roll film of a width < 35 mm	L	Q		2003	14
354	90065300	Other cameras for roll film of a width of 35 mm	L	Q		2003	14
355	90065900	Photographic, other than cinematographic cameras nes	L	Q		2003	14
356	90083010	Orthographic image projectors			T	upon accession	
357	90121000	Microscopes other than optical microscopes & diffraction apparatus	L	Q		upon accession	
358	90158000	Survey,hydro-/oceano-graphic, meteorological, geophysic instrument nes			T	upon accession	
359	90181210	B- ultrasonic diagnostic apparatus			T	upon accession	
360	90181291	Chromosocope ultrasonic diagnostic apparatus			T	upon accession	
361	90184910	Dentists' chairs with dental equipment			T	upon accession	
362	90189090	Medical/veterinary instruments & appliances, nes			T	upon accession	
363	90221300	X-ray apparatus for dental use			T	upon accession	
364	90221400	X-ray apparatus for medical, surgical or veterinary uses			T	upon accession	
365	90221990	X-ray apparatus for other uses			T	upon accession	
366	90222100	Alpha/beta/gamma radiation apparatus for medical/surg/dent/vet uses			T	upon accession	
367	90278090	Instruments & apparatus for physical or chemical analysis,			T	upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
368	90301000	Instruments/apparatus for measur/detecting ionising radiations			T	upon accession	
369	90304010	Frequency meters, digital, measuring range<12.4GHz			T	upon accession	
370	90318010	Optical telecom. And optical fibre performance testing instru			T	upon accession	
371	90311000	Machines for balancing mechanical parts, nes			T	2004	
372	91011100	Electric wrist-watches mech display, with precious mtl case	L	Q		2003	15
373	91012100	Wrist-watches, with automatic winding with precious mtl case, nes	L	Q		2003	15
374	91012900	Wrist-watches, with a case of precious metal, nes	L	Q		2003	15
375	91021100	Electric wrist-watches with mechanical display only	L	Q		2003	15
376	91022100	Wrist-watches with automatic winding nes	L	Q		2003	15
377	91022900	Wrist-watches, nes	L	Q		2003	15

Notes:

1. "L" stands for "import license";
"Q" stands for "import quota"; and
"T" stands for "specific import tendering requirements for machinery and electronic products".

2. The NTMs will be eliminated as of 1 January of each calendar year as specified in the column of Phasing-out Period.

3. The products covered by the Agreement on Trade in Civil Aircraft are not subject to any NTMs specified herein.

Table Two
Product Quota
(Initial Quota Volume/Value and Annual Growth Rate)

Quota Category		Product Coverage (Serial No in Table One)	Unit	Initial Quota Volume/Value	Annual Growth Rate
1	Processed oil	12-19	Million Metric Tons	16.58	15%
2	Sodium cyanide	20	Million Metric Tons	0.018	15%
3	Chemical fertilizer	22-25, 29-33, 36, 38, 41-45	Million Metric Tons	8.9	15%
4	Natural rubber	48-51	Million Metric Tons	0.429	15%
5	Tires of rubber used on automobiles	52-56	Million Pieces	0.81	15%
6	Motorcycles and key parts	101-103, 319-326	US$ Million	286	15%
7	Automobiles and key parts	104-106, 115, 248, 250-256, 258-288, 290-297, 304-316, 318	US$ Million	6000	15%
8	Air conditioners and compressors	114	US$ Million	286	15%
9	Recording apparatus and key parts	201-203, 207, 216-222	US$ Million	293	15%
10	Magnetic sound and video recording apparatus	204, 205	US$ Million	38	15%
11	Recorders and transport mechanisms	206	US$ Million	387	15%
12	Color TV set and TV tuners	235-237, 243, 244	US$ Million	325	15%
13	Crane lorries and chassis	298-303, 317	US$ Million	88	15%
14	Cameras	352-355	US$ Million	14	15%
15	Wrist watches	372-377	US$ Million	33	15%

Table Three
Products Subject to Import License Only

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Phasing-out Period
1	10011000	Durum wheat	L	upon accession
2	10019010	Seeds of Spelt, common wheat & meslin	L	upon accession
3	10019090	Spelt, common wheat & meslin (excl. seed)	L	upon accession
4	10059000	Maize (excl. seed)	L	upon accession
5	10061010	Rice seeds	L	upon accession
6	10061090	Rice in the husk (paddy or rough) (excl. seed)	L	upon accession
7	10062000	Husked (brown) rice	L	upon accession
8	10063000	Semi-milled or wholly milled rice	L	upon accession
9	10064000	Broken rice	L	upon accession
10	15071000	Crude soya-bean oil	L	upon accession
11	15079000	Soya-bean oil (excl. crude) & fractions	L	upon accession
12	15081000	Crude ground-nut oil	L	upon accession
13	15089000	Ground-nut oil (excl. crude) & fractions	L	upon accession
14	15111000	Crude palm oil	L	upon accession
15	15119000	Palm oil (excl. crude) & liquid fractions	L	upon accession
16	15121100	Crude sunflower-seed & safflower oil & fractions thereof	L	upon accession
17	15122100	Crude cotton-seed oil, whether or not gossypol has been moved	L	upon accession
18	15122900	Cotton-seed oil (excl. crude) & fractions thereof	L	upon accession
19	15141010	Crude rape, colza oil & fractions thereof	L	upon accession
20	15141090	Mustard oil & fractions thereof	L	upon accession
21	15149000	Rape, colza or mustard oil (excl. crude) & fractions thereof	L	upon accession
22	15152100	Crude maize (corn) oil	L	upon accession
23	15155000	Sesame oil & fractions	L	upon accession
24	22051000	Vermouth & other wine of fresh grapes, flavoured:<2l containers	L	upon accession
25	22059000	Vermouth & other wine of fresh grapes, flavoured:>2l containers	L	upon accession
26	22071000	Undenatured ethyl alcohol, of alcoholic strength≥80%	L	upon accession
27	22082000	Spirits from distilled grape wine or marc	L	upon accession
28	22083000	Whiskeys	L	upon accession
29	22084000	Rum & tafia	L	upon accession
30	22085000	Gin & Geneva	L	upon accession
31	22087000	Liqueurs and cordials	L	upon accession
32	22089000	Spirituous beverages, nes	L	upon accession
33	37013090	Photo plates, flat, unexposed, one side>255mm, nes	L	upon accession
34	37019100	Colour photo plates/film, flat, unexposed, nes	L	upon accession
35	37023100	Colour photo film rolls,unexpsd,unperforatd,w≤105mm, nes	L	upon accession
36	37024100	Colour film rl, unexpsd/perfor, w>610mm,len>200m	L	upon accession
37	37024390	Monoch film rl, unexpsd/perfor, w>610mm, length≤200m,nes	L	upon accession
38	37024490	Monoch film rl, unexpsd/perfor, 105mm<wid≤610mm, nes	L	upon accession
39	37025100	Colour film in rolls, unexposed, width ≤16mm, & length≤14m, nes	L	upon accession
40	37025200	Colour film rolls, unexposed, width≤16mm, length>14m, nes	L	upon accession
41	37025410	Colour film rl, unexpsd,width=35mm and length≤2m,	L	upon accession

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Phasing-out Period
42	37025490	Colour film rl, unexpsd, width not≤35mm, length≤30m	L	upon accession
43	37025590	Colour film rl, unexpsd, 16mm<w≤35mm, length>30m, nes	L	upon accession
44	37025690	Colour film in rolls, unexposed, width>35mm, nes	L	upon accession
45	37029100	Monoch film rl, unexpsd, w≤16mm,l≤14m, nes	L	upon accession
46	37031010	Photo paper & paperboard in rolls, unexposed, width>610mm	L	upon accession
47	37032010	Other colour photo paper and paperboard, unexposed	L	upon accession

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED

WT/ACC/CHN/38/Rev.3
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(01-3596)

Working Party on the Accession of China

Original: English/ anglais/ inglés

COMMUNICATION FROM CHINA

Revision

In preparation for the Working Party meetings on 16-20 July 2001, the Chinese delegation has submitted the following revised document on Domestic Support.[1]

Groupe de travail de l'accession de la Chine

COMMUNICATION DE LA CHINE

Révision

En vue des réunions du Groupe de travail qui auront lieu du 16 au 20 juillet 2001, la délégation chinoise a communiqué le document révisé ci-après concernant le soutien interne.[1]

Grupo de Trabajo sobre la Adhesión de China

COMUNICACIÓN DE CHINA

Revisión

Para preparar la reunión del Grupo de Trabajo que se celebrará del 16 al 20 de julio de 2001, la delegación china ha presentado la siguiente versión revisada del documento relativo a la ayuda interna.[1]

[1] In English only./En anglais seulement./En inglés solamente.

Supporting Table DS: 1

DOMESTIC SUPPORT: People's Republic of China
REPORTING PERIOD: 1996-1998

Measures exempt from the reduction commitment – "Green Box"

Measure type	Name and description of measure with reference to criteria in Annex 2	Calendar year	Outlay monetary value of measure in year in question (million RMB yuan)	Data sources[1]
1	2	3	4	5
a) General services				
i) Research	Budget allocations for research programs and research activities at CAS, CAAS, PAAS, sub-national agricultural institutes, [2] including expenditures on development of agricultural varieties and experiments, and the three expenditures on agro-science and technology.[3] Exempt under Annex 2, para 2. (a)	1996	3551	Outlay Documents of MOF
		1997	4078	
		1998	4545	
		average	4058	
ii) Pest and disease control	Operating expenditures to the prevention and control agencies of plant and animal pest and disease of MOA, SAF and sub-national governments.[4] Exempt under Annex 2, para 2. (b)	1996	1957	Outlay Documents of MOF
		1997	2145	
		1998	2294	
		average	2132	
iii) Training	Expenditures to agricultural training institutions [5] of MOA, sub-national governments, to establish general and special training facilities and conduct training to farmers, administrative staffs and technical personnel in the field of agriculture. Exempt under Annex 2, para 2. (c)	1996	194	Outlay Documents of MOF
		1997	211	
		1998	220	
		average	208	
iv) Extension and advisory services	Operating expenditures of the agricultural extension and advisory institutions[6] of MOA and sub-national governments. Exempt under Annex 2, para 2. (d)	1996	5635	Outlay Documents of MOF
		1997	6111	
		1998	7008	
		average	6251	

Measure type	Name and description of measure with reference to criteria in Annex 2	Calendar year	Outlay monetary value of measure in year in question (million RMB yuan)	Data sources
1	2	3	4	5
v) Inspection services	Outlays for inspection and quarantine agencies of agricultural products[7], to conduct inspection services including general inspection services and inspection of particular products for health, safety, grading or standardization purposes. Exempt under Annex 2, para 2. (e)	1996	1016	Outlay Documents of MOF
		1997	1436	
		1998	1500	
		average	1318	
vi) Marketing and promotional services	Operating expenditures to AIC, SGOIC and AFO[8]. Since it is unable to partition from these expenditures relevant outlay items, they are included in "viii) Other general services" in this table. Exempt under Annex 2, para 2. (f)	1996	0	
		1997	0	
		1998	0	
		average	0	
vii) Infrastructure services	Outlays to agricultural infrastructure services, including flood control engineering, drainage and irrigation facilities, rural roads, rural electricity reticulation, as well as environmental programs related to rural afforestation, soil and water conservation. Exempt under Annex 2, para 2. (g)	1996	40367	Outlay Documents of MOF
		1997	44907	
		1998	60483	
		average	48586	
viii) Other general services	Operating expenditures related to buildings, facilities, salaries and expenses of agricultural administrative and service agencies, including MOA, SAF, SMB and MWR[9], as well as pensions to retired employees of the above-mentioned government agencies. Exempt under Annex 2, para 2.	1996	13928	Outlay Documents of MOF
		1997	15654	
		1998	18435	
		average	16006	
b) Public stockholding for food security purposes	Outlays of public stockholding of wheat, corn, rice, vegetable oils and sugar for food security purposes.[10] Exempt under Annex 2, para 3.	1996	28773	Outlay Documents of MOF
		1997	35335	
		1998	51027	
		average	38378	
c) Domestic food aid	Financial assistance to low-income urban and rural citizens in order to help them attain staple food.[11] Exempt under Annex 2, para 4.	1996	2012	Outlay Documents of MOF
		1997	1875	
		1998	1766	
		average	1884	
d) Decoupled income support	No expenditures	1996	0	
		1997	0	
		1998	0	
		average	0	

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Measure type	Name and description of measure with reference to criteria in Annex 2	Calendar year	Outlay monetary value of measure in year in question (million RMB yuan)	Data sources
1	2	3	4	5
e) income insurance and income safety-net programs	No expenditures	1996	0	
		1997	0	
		1998	0	
		average	0	
f) Payments for relief from natural disasters	Outlays for compensating farmers' losses of agricultural production due to natural disasters,[12] and restoring farmland damaged by natural disasters, as well as rebuilding damaged agricultural facilities. Exempt under Annex 2, para 8.	1996	3791	Outlay Documents of MOF
		1997	4042	
		1998	5453	
		average	4429	
g) structural adjustment assistance provided through producer retirement programs	No expenditures	1996	0	
		1997	0	
		1998	0	
		average	0	
h) structural adjustment assistance provided through resource retirement programs	No expenditures	1996	0	
		1997	0	
		1998	0	
		average	0	
i) structural adjustment assistance provided through investment aids	No expenditures	1996	0	
		1997	0	
		1998	0	
		average	0	
j) Environmental programs	Outlays for agricultural environment program, including afforestation, desert control and prevention, water resources protection, water and soil conservation. The payment is provided to environmental protection agencies and administrative agencies of forestry, including SAEP, SAF and AEPs, AFs of sub-national governments.[13] Exempt under Annex 2, para 12	1996	4954	Outlay Documents of MOF
		1997	5460	
		1998	5620	
		average	5345	

Measure type	Name and description of measure with reference to criteria in Annex 2	Calendar year	Outlay monetary value of measure in year in question (million RMB yuan)	Data sources
1	2	3	4	5
k) Regional assistance programs	Outlays for poverty Alleviation program.[14] Exempt under Annex 2, para 13.	1996	6000	Outlay Documents of MOF
		1997	10000	
		1998	11000	
		average	9000	
Total		1996	112178	
		1997	131254	
		1998	210815	
		average	151416	

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Supporting Table DS: 2

DOMESTIC SUPPORT: People's Republic of China
REPORTING PERIOD: 1996-1998

Measures exempt from the reduction commitment – Special and differential treatment – "Development Programmes"

Measure Type	Name and description of measure with reference to criteria in Article 6:2 of AOA	Calendar year	Monetary value of measure in year in question (million RMB yuan)	Data sources
1	2	3	4	5
NIL				

Supporting Table DS: 3

DOMESTIC SUPPORT: People's Republic of China
REPORTING PERIOD: 1996-1998

Measures exempt from the reduction commitment – Direct Payments under Production-Limiting Programs – "Exempt Direct Payment"

Measure Type	Name and description of measure with reference to criteria in Article 6:5 of AOA	Year	Monetary value of measure in year in question	Data sources
1	2	3	4	5
NIL				

Supporting Table DS: 4

DOMESTIC SUPPORT: People's Republic of China
REPORTING PERIOD: 1996-1998

Calculation of the Total Aggregate Measurement of Support

Description of basic production	Product-specific AMS (from Supporting Tables DS:5 to DS:7 below)	Product-specific Measurements of Support (from Supporting Tables DS:8 below)	Base Total AMS (Aggregate) [15]	Comments
1	2	3	4	5
	million RMB yuan			
Wheat	-7946		0	*de minimis*
Japonica Rice	-9340		0	*de minimis*
Indica Rice	-3869		0	*de minimis*
Corn	935		0	*de minimis*
Cotton	-4997		0	*de minimis*
Total Non-Product-Specific AMS (from Supporting Table DS:9 below) 29402			0	*de minimis*
Base Total AMS			0	

Supporting Table DS: 5

DOMESTIC SUPPORT: People's Republic of China
REPORTING PERIOD: 1996-1998

Product-Specific Aggregate Measurement of Support: Market Price Support

Description of basic products	Calendar year	Measure type (s)	Applied administered price[16] (RMB yuan/ton)	External reference price [17&18] (RMB yuan/ton)	Eligible production[19] (1000 tons)	Associated fees / levies (million RMB yuan)	Total market price support (million RMB yuan)	Data sources
1	2	3	4	5	6	7	8=(4-5)*7	9
a) Wheat	1996	State Procurement Pricing	1480.0	1885.0	15000		-6075	See notes
	1997	State Procurement Pricing	1480.0	1629.6	15000		-2244	
		Protective Price System	1340.0	1629.6	31002		-8979	
	1998	State Procurement Pricing	1420.0	1579.8	15000		-2397	
		Protective Price System	1260.0	1579.8	12956		-4144	
	average							
b) Japonica Rice	1996	State Procurement Pricing	2200.0	3682.9	5250		-7785	See notes
	1997	State Procurement Pricing	2200.0	2862.1	5250		-3476	
		Protective Price System	1971.4	2862.1	6452		-5746	
	1998	State Procurement Pricing	2114.3	3326.9	5250		-6366	
		Protective Price System	1914.3	3326.9	3290		-4647	
	average							
c) Indica Rice	1996	State Procurement Pricing	2142.9	3082.1	10500		-9862	See notes
	1997	State Procurement Pricing	2142.9	2033.0	10500		1153	
		Protective Price System	1885.7	2033.0	12903		-1901	
	1998	State Procurement Pricing	1931.4	1913.9	10500		184	
		Protective Price System	1734.3	1913.9	6580		-1182	
	average							

Description of basic products	Calendar year	Measure type(s)	Applied administered price (RMB yuan/ton)	External reference price (RMB yuan/ton)	Eligible production ('000 tons)	Associated fees / levies (million RMB yuan)	Total market price support (million RMB yuan)	Data sources
1	2	3	4	5	6	7	8=(4-5)*7	9
d) Corn	1996	State Procurement Pricing	1120.0	1581.4	12500		-5767	See notes
	1997	State Procurement Pricing	1240.0	1075.8	12500		2052	
		Protective Price System	1100.0	1075.8	14422		349	
	1998	State Procurement Pricing	1180.0	939.2	12500		3010	
		Protective Price System	1060.0	939.2	26174		3161	
	average							
e) Cotton	1996	State Procurement Pricing	14000.0	15306.3	4203		-5491	See notes
	1997	State Procurement Pricing	14000.0	14708.6	4602		-3261	
	1998	State Procurement Pricing	12350.0	13736.5	4501		-6241	
	average							

Supporting Table DS: 6

DOMESTIC SUPPORT: People's Republic of China
REPORTING PERIOD: 1996-1998

Product-Specific Aggregate Measurement of Support: Non-exempt Direct Payments

Description of basic products	Year	Measure type(s)	Applied administered price (RMB/ton)	External reference price (RMB/ton)	Eligible production ('000 tons)	Total price-related direct payments (RMB million)	Other non-exempt direct payments (RMB million)	Associated fees/levies (RMB million)	Total direct payments (RMB million)	Data sources
1	2	3	4	5	6	7	8	9	10	11
NIL										

Supporting Table DS: 7

DOMESTIC SUPPORT: People's Republic of China
REPORTING PERIOD: 1996-1998

Product-Specific Equivalent Measurements of Support: Other Product-Specific Support and Total Product-Specific AMS

Description of basic product	Calendar year	Measurement type(s)	Other product-specific budgetary outlays	Other product specific support (include calculation details)	Associated fees / levies	Total other product-specific support	Market price support (Supporting Table DS:5)	Non-exempt direct payments (Supporting Table DS:6)	Total Product-Specific AMS	Data sources
1	2	3	4	5	6	7=(4+5-6)	8	9	10=(7+8+9)	11
		million RMB yuan								
a) Wheat	1996						-6075		-6075	
	1997						-11223		-11223	
	1998						-6541		-6541	
	average						-7946		-7946	
b) Japonica Rice	1996						-7785		-7785	
	1997						-9222		-9222	
	1998						-11014		-11014	
	average						-9340		-9340	
c) Indica Rice	1996						-9862		-9862	
	1997						-747		-747	
	1998						-998		-998	
	average						-3869		-3869	
d) Corn	1996						-5767		-5767	
	1997						2401		2401	
	1998						6171		6171	
	average						935		935	
e) Cotton	1996						-5491		-5491	
	1997						-3261		-3261	
	1998						-6241		-6241	
	average						-4997		-4997	

Supporting Table DS: 8

DOMESTIC SUPPORT: People's Republic of China
REPORTING PERIOD: 1996-1998

Product-Specific Equivalent Measurements of Support

Description of basic products	Year	Measure type(s)	Applied administered price	Production eligible to receive the applied administered price	Market price support budgetary outlays	Equivalent measurement of support (include calculation details)	Non-exempt direct payments	Other product-specific support	Associated fees/levies	Total monetary value of equivalent commitment	Data sources
1	2	3	4	5	6	7	8	9	10	11	12
NIL											

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Supporting Table DS: 9

DOMESTIC SUPPORT: People's Republic of China
REPORTING PERIOD: 1996-1998

Non-Product Specific AMS

Measure type(s)	Calendar year	Non-product-specific budgetary outlays	Other non-product-specific support (include calculated details)	Associated fees/levies	Total non-product-specific support	Data sources
1	2	3	4	5	6=3+4-5	7
		million RMB yuan				
a) Input subsidies[20]	1996	26559			26559	Outlay Documents of MOF
	1997	24524			24524	
	1998	33242			33242	
	average	28108			28108	
b) Interest Subsidy for Poverty Alleviation Loans.[21]	1996	1468			1468	See notes
	1997	1535			1535	
	1998	880			880	
	average	1294			1294	
Total	1996				28027	
	1997				26059	
	1998				34122	
	average				29402	

Supporting Table ES: 1

DOMESTIC SUPPORT: People's Republic of China
REPORTING PERIOD: 1996-1998

Export Subsidies: Outlay and Quantity Reduction Commitments

Description of products	Direct export subsidies	Sales of stocks	Producer financed subsidies	Cost reduction measures	Internal transport subsidies	Total product specific export subsidies	Quantity of subsidized export	Data source
1	2	3	4	5	6	7	8	9
NIL								

Notes

[1] The data in the table are outlays for calendar years, which come from the Outlay Documents of the Ministry of Finance. The outlay data include~~s~~ both the outlays of the national and sub-national governments. China will release all the information on the agricultural outlay data of the government in publications in the future.

[2] All the abbreviations in the Supporting Tables are ~~detailed~~ included in the ~~Attachment~~Appendix DS1-1. CAS, CAAS, PAAS and sub-national agricultural institutes are public agricultural institutes set up by governments at ~~different levels~~various levels. Their major ~~mission~~ responsibilities are~~is~~ to make agro-scientific research, including improved varieties development, plant protection, dry farming and water-saving irrigation, soil and water conservation, plant and animal sciences, and integrated agricultural systems.

[3] The three expenditures on agro-science and technology are under~~: an~~ the ~~-~~outlay heading for public agricultural institutes in the budget allocations, including expenditures on new varieties research, intermediate experiment and grants for key research projects.

[4] Agencies for pest and disease control of plants and animals are public institutions established under the support~~s~~ of the national and sub-national governments. NATEC under MOA ~~sets up~~consists of ~~-~~plant pest and disease inspection division, prevention and treatment division, medical equipments division and plant quarantine division. NATEC is responsible for the nation-wide pest and disease control of plants. Under MOA, there is also NHVS, which is responsible for nation-wide inspection and prevention of animal diseases. ATECs and HVSs are also established at various levels from provincial to township's, which ~~take charge of~~are responsible for the prevention of plant and animal diseases in their respective regions. The outlays are from the financial departments at ~~different levels~~various levels.

[5] Agricultural training institutions are established by governments at ~~different levels~~various levels, including International Exchange Service Center under MOA, Central Broadcast and TV School for Agriculture, and Agricultural Training College~~s~~ /Centers, which provide training to agricultural administrative staff ~~as well as~~and ~~-~~technical training to farmers. Sub-national governments also set up their own agricultural training centers. Operating expenditures of the institutions are from budget allocation of governments at various levels.

[6] Extension and advisory institutions of agriculture are public institutions established by governments at various levels, including NATEC, NATES, and NAMTDES under MOA, ~~and~~ ATECs~~, ATESs,~~ and AMTDESs at sub-national levels. These institutions are ~~indulged~~ included in extension and advisory services to agricultural producers and funded by the budget allocation at various levels.

[7] Inspection agencies of agricultural products: SAIQ~~, are~~ which is responsible for inspection and quarantine of imported and exported animals and plants, and PEI, VDSI, AQI under MOA which are responsible for monitoring and supervision of pesticide residue, veterinary drug residue and animal disease. Expenses of these institutions are covered by expenditures of governments at ~~different levels~~various levels.

[8] AIC under MOA and SGOIC under SAG are responsible for~~,~~ providing official information on production and prices of agricultural products to the public; AFO under MOA is responsible for~~,~~ ~~-~~holding the national wide agricultural fairs.

[9] Expenditures for other general services also include expenses of the following non-profit institutions: AIC, SGOIC and AFO see~~described~~ above; ASRCC under MOA which is responsible for providing support to rural cooperative economic organizations and monitoring farmers' income; TVEs Development Center under MOA which is responsible for~~to~~ providing~~e~~ services to TVEs. Expenditures of the~~o~~se institutions, as well as their payment for retired staff are covered~~included~~ under~~in~~ this heading.

[10] In order to safeguard food security, the Chinese government set up the Buffer Reserve System to agricultural products that have a significant bearing on the national economy and people's livelihood, namely wheat, rice, corn, ~~vegetable oil~~ vegetable oils and sugar. In the 1996-1998 base period, the buffer reserve of grain for food security purposes was conducted in the following ways:

(1) *Wheat, rice and corn*: According to the State Buffer Reserve System for food security purpose, ~~State-owned~~ State-owned grain enterprises at provincial, county and township ~~-~~levels designated by the S~~s~~tate purchase~~d~~ wheat, rice and corn at the government ~~procurement price~~procurement prices within the procurement amount~~quota~~ predetermined by the System ~~limit for food security purpose~~, and then ~~turn their procurement to state-owned~~ state-owned grain reserve enterprises reserve the purchased ~~for holding~~grains. When ~~grain provision~~food security i~~w~~as endangered~~threatened~~ due to~~because of~~ natural disasters or reduction of grain production, the designated ~~state-owned~~ state-owned grain enterprises sell~~old~~ the reserved grains at market prices. Outlays for the program cover all the operating ~~cost~~costs, including transportation and storage ~~cost~~costs, and loan interest. Thi~~s~~e information is provided ~~based on the~~according to F~~f~~ootnote 5 of Annex 2. The S~~s~~tate sets~~stipulates~~ government procurement ~~quota~~ amount and government ~~procurement price~~procurement prices of wheat, rice and corn, as shown in the AMS calculation of wheat, rice and corn in Supporting Table DS 5.

(2) ~~*Vegetable oil*~~ *Vegetable oils and Sugar*: T~~t~~he S~~s~~tate ~~will~~ purchase ~~vegetable oil~~ vegetable oils and sugar at market prices and set procurement amount through ~~commercial companies~~enterprises, and store the purchased vegetable oils and sugar through ~~commercial~~ reserve enterprises. ~~At the time of force majeure and~~In case of natural disaster when food security of residence i~~w~~as ~~threatened~~endangered and base nutrition level is decrease~~e~~ing,~~d~~ t~~,~~ the S~~s~~tate ~~would~~ sells the reserved ~~vegetable oil~~ vegetable oils and sugar at the market prices. Outlays for the reserve program cover operating ~~cost~~costs related to transportation, storage and loan interest.

[11] The p~~P~~eople eligible for food assistance in 1996 and 1997 were the people of "no working ability, no dependence and no income source". From 1998, the people eligible for ~~the~~ food assistance should be those below~~under~~ the minimum income ~~guarantee lines~~level defined by governments at various levels. Food assistance is provided by governments in forms of cash and food ~~commodities to help people attain staple food~~.

[12] Eligibility to such a payment for farmers is determined~~cided~~ by a production loss which exceeds 70% of the average of production in the preceding three-year period. The government assesses the loss of agricultural production of farmers based on statistics provided by MCA, SMB, MOA/PDA, MWR and SSB, and makes verification through~~by~~ field survey conducted by ~~dispatching~~ a working group composed of officials from all relevant governmental agencies~~to disaster-stricken areas. The group composed of officials from all relevant governmental agencies will conduct field investigation as well as collect local public opinions~~.

[13] AEPs and AFs at the national and sub-national levels are responsible for the implementation of environment protective program. China increased outlays for bioenvironmental program and set up the program of natural forestry protection in 1998.

[14] ~~Poverty reduction program~~Poverty alleviation program: in the 1996-98 base period, there were 592 poor counties recognized by the S~~s~~tate, where the per capita annual net-income of the rural residence was less than RMB 400 yuan (1990's price) and per capita daily calorie intaking was less than 2100 kilocalorie. These ~~state-graded~~ poor counties scatter in 26 provinces and autonomous regions. Among them, 73 poor counties are in Yunnan P~~p~~rovince; 50 in Shannxi P~~p~~rovince; 48 in Guizhou P~~p~~rovince; 43 in Sichuan ~~province~~Province; 39 in Hebei ~~province~~Province; 35 in Shanxi ~~province~~Province; 28 in Henan ~~Province~~Province; 28 in Guangxi ~~Province~~ Autonomous Region; 25 in Xinjiang Autonomous Region; 25 in Hubei ~~Province~~Province; 18 in Jiangxi ~~Province~~Province; 17 in Qinhai ~~Province~~Province; 10 in Hunan ~~Province~~Province; 10 in Shandong ~~Province~~Province; 5 in Tibet Autonomous Region; 11 in Heilongjiang ~~Province~~Province; 9 in Liaoning Province; 8 in Ningxia; 8 in Fujian Province; 5 in Haina Province.

Financial outlays for poverty reduction are used to help poor areas develop the following projects: small-scale reservoirs, farmland facilities, drinking water projects, afforestation, pasture ~~establishment~~, roads and bridges, rural hydro-power stations, electricity transmission lines, rural markets and schools.

The payments also serve specific agricultural development programs for Dingxi and Hexi prefectures (in Gansu ~~Province~~Province) and Xihaigu prefecture (in Ningxia Autonomous Region~~) in Northwest China~~).

~~Attachment~~Appendix DS1-1: The Definition of Abbreviations:

ABC	Agricultural Bank of China
ADBC	Agricultural Development Bank of China
AEPs	Provincial or county level Administration of Environmental Protection
AFO	Agriculture Fair Office
AFs	Provincial or county level Administration of Forest
AIC	Agricultural Information Center
AMTDES	Agricultural Mechanization Technology Development and Extension Station
AQI	Animal Quarantine Institute
ASRCC	Administrative Station of Rural Cooperative Economy
ATECs	Agro Technical Extension Center
CAAS	Chinese Academy of Agricultural Sciences
CAS	Chinese Academy of Sciences
CATEC	County-level Agro technical Extension Center
FD	Provincial or county level Financial Department
HVSs	Husbandry and Veterinary Station
ICBC	Industrial and Commercial Bank of China
MATEC	Municipal/ Prefectural-level Agrotechnical Extension Center
MCA	Ministry of Civil Affairs
MFTEC	Ministry of Foreign Trade and Economic Cooperation
MOA	Ministry of Agriculture
MOF	Ministry of Finance
MOST	Ministry of Sciences and Technology
MWR	Ministry of Water Resources
NAMTDES	National Agricultural Mechanization Technology Development and Extension Station
NATEC	National-level Agrotechnical Extension Center
NHVS	National Husbandry and Veterinary Station

PAAS	Provincials Academy of Agricultural Sciences
PADO	Poor Area Development Office
PATEC	Provincial-level Agrotechnical Extension Center
PBC	People's Bank of China
PDA	Provincial Department of Agriculture
PEI	Pesticide Examination Institute
POE	Privately-Owned Enterprise
RCRE	Research Center for Rural Economy
RMB yuan	Renminbi yuan, Chinese currency
SAEP	State Administration of Environmental Protection
SAF	State Administration of Forest
SAG	State Administration of Grain
SAIQ	State Administration of Entry-Exit Inspection and Quarantine
SDPC	State Development and Planning Commission
SGOIC	State Grain and Oils Information Center
SMB	State Meteorological Bureau
SMC	Supply and Marketing Cooperatives
SSB	State Statistical Bureau
TATEC	Township-level Agrotechnical Extension Center
TVEs	Township and Village Enterprises
VDSI	Veterinary Drug Supervision Institute

~~Attachment~~Appendix **DS1-2: Official Exchange Rate**

Exchange rate used in calculation of all subsidy-related information

Currency Unit = RMB Yuan

1998 US $ = 8.279 Yuan

1997 US $ = 8.289 Yuan

1996 US $ = 8.314 Yuan

Data Sources:

SSB, *Statistical Yearbook of China* 1999.

[15] Calculation details are shown in Appendix DS 4-1.

Appendix DS4-1: *de minimis* adjustment

Description of basic production	Calendar year	Calculated AMS before de minimis exemption (from Supporting Tables DS:5 to DS:7 below)	Value of Production 1/	Calculated AMS as percentage of the value of production	Total AMS after *de minimis* exemption 2/
1	2	3	4	5 = 3/4 * 100%	6
		million RMB yuan	million RMB yuan	%	million RMB yuan
a) Wheat	Average of 1996-98	-7946	166046	0.00	0.0
b) Japonica Rice	Average of 1996-98	-9340	86932	0.00	0.0
c) Indica Rice	Average of 1996-98	-3869	199576	0.00	0.0
d) Corn	Average of 1996-98	935	135023	0.69	0.0
e) Cotton	Average of 1996-98	-4997	59299	0.00	0.0
Total Non-Product-SpecificAMS (from Supporting Table DS:9)	Average of 1996-98	29402	2048860	1.44	0.0

Notes:

1/ Value of Production:

(1) Value of production for specific product = Production x Producer price. Calculation details are shown in Appendix DS 4-2.

(2) Total value of agricultural production is reported by SSB, as shown in Appendix DS 4-3.

2/ AMS is not subject to reduction or inclusion in the Total AMS because the calculated AMS is *de minimis* exclusion.

Appendix DS 4-2: Production Value of Specific Product

Products	Year	Production 1/	Producer Price 2/	Value of Production
		million tons	RMB yuan/ton	million RMB Yuan
Wheat	1996	110.57	1620.20	179146
	1997	123.29	1402.20	172877
	1998	109.73	1331.60	146116
	Average			166046
Japonica Rice	1996	35.40	2572.86	91091
	1997	38.17	2154.57	82248
	1998	40.87	2140.00	87457
	Average			86932
Indica Rice	1996	101.17	2215.14	224099
	1997	102.34	1916.86	196176
	1998	98.23	1816.67	178453
	Average			199576
Corn	1996	127.47	1144.60	145902
	1997	104.31	1113.40	116139
	1998	132.95	1075.80	143028
	Average			135023
Cotton	1996	4.20	14158.60	59509
	1997	4.60	14107.00	64935
	1998	4.50	11876.20	53455
	Average			59299

Notes:

1/ Data for production of wheat, corn and cotton are contained in *Statistical Yearbook of China* published by SSB in 1999.
Data for production of japonica rice, indica rice are contained *Agricultural Statistical Data* published by MOA in 1999.

2/ Producer prices are the weighted average of market prices and government administered prices for specific products, which is calculated and reported by SSB.
Data for producer price are contained in *Rural Economic Statistical Yearbook of China* published by SSB in 1999.

Appendix DS4-3: Total Value of Agricultural Production

	Year	Value of Production (million RMB yuan)
Total Value of Agricultural Production 1/	1996	1955972
	1997	2066355
	1998	2124253
	Average	2048860
Production Value of Crop Products	1996	1353975
	1997	1385254
	1998	1424188
	Average	1387806
Production Value of Livestock Products	1996	601997
	1997	681101
	1998	700065
	Average	661054

Notes:

1/ Total Value of Agricultural Production = Production Value of Crop Products + Production Value of Livestock Products.

Data Sources:

SSB, *Statistical Yearbook of China*, 1999.

[16] Applied administered price--China's agricultural pricing policy in the 1996-1998 base period:

(1) **State Procurement Pricing**:

The government procures wheat, rice, corn and cotton from farmers through state-owned grain enterprises at state procurement price in order to safeguard food security. Calculation details on Market Price Support under State Procurement Price Policy is shown in the Appendix DS 5-1.

-- Terminology of State Procurement Pricing Policies:

(a) In 1985, the government reformed the purchase and marketing system of agricultural products and eliminated the State monopoly system for purchase and marketing of agricultural products and began to implement contract purchase system of agricultural products produced by farmers. Therefore, the term "state contract purchase price" was used for the 1985-1990 period.

(b) In 1990, the Chinese government changed the term of "contract purchase system" with "state procurement system". However, "contract purchase price" was still used in parallel with "state procurement price" at that time.

(c) Starting from 1996, "state procurement price" was adopted. And in the same year, the government dropped the state negotiated purchase price system.

--Products Coverage:

Before 1995, the state procurement pricing system covered many agricultural products, including wheat, rice, corn, cotton, soybeans, rape seeds and sugar crops etc. In the 1996-1998 base period, the products covered by the system only include wheat, rice, corn and cotton.

Appendix DS 5-1 Market Price Support by State Procurement Price Policies

Description of basic products	Calendar year	State Procurement Price (RMB yuan/ton) 1/	External reference price (RMB yuan/ton) 2/	Eligible production ('000 tons) 3/	Total market price support (million RMB yuan)
1	2	3	4	5	6=(3-4)*5
a) Wheat	1996	1480.0	1885.0	15000	-6075
	1997	1480.0	1629.6	15000	-2244
	1998	1420.0	1579.8	15000	-2397
	average				
b) Japonica Rice	1996	2200.0	3682.9	5250	-7785
	1997	2200.0	2862.1	5250	-3476
	1998	2114.3	3326.9	5250	-6366
	average				
c) Indica Rice	1996	2142.9	3082.1	10500	-9862
	1997	2142.9	2033.0	10500	1153
	1998	1931.4	1913.9	10500	184
	average				
d) Corn	1996	1120.0	1581.4	12500	-5767
	1997	1240.0	1075.8	12500	2052
	1998	1180.0	939.2	12500	3010
	average				
e) Cotton	1996	14000.0	15306.3	4203	-5491
	1997	14000.0	14708.6	4602	-3261
	1998	12350.0	13736.5	4501	-6241
	average				

Notes:

1/ The government procures wheat, rice, corn and cotton from farmers through state-owned grain enterprises at state procurement price in order to safeguard food security.

2/ see Endnote 2 below.

3/ see Endnote 4. below

Data sources:

The data for State Procurement Price are reported in *China's Agricultural Development Report* published by MOA.

(2) **Protective Price System:**

Chinese government adopted the protective price policy in 1993. The purpose of the policy was to safeguard farmers' income. Protective price determined by farmers' production cost plus a certain amount of profit. In fact, the policy was not implemented until 1997, when the government began to require the state-owned grain enterprises to purchase farmers' grain at protective price. Calculation details on Market Price Support by State Procurement Price Policies is shown in the Appendix DS 5-2.

--*Products Coverage:*

In 1997-98, the products covered by the protective price policy were wheat, rice and corn.

Appendix DS 5-2 Market Price Support by State Protective Price Policies

Description of basic products	Calendar year	Protective Price (RMB yuan/ton) 1/	External reference price (RMB yuan/ton) 2/	Eligible production ('000 tons) 3/	Total market price support (million RMB yuan)
1	2	3	4	5	6=(3-4)*5
a) Wheat	1997	1340.0	1629.6	31002	-8979
	1998	1260.0	1579.8	12956	-4144
	average				
b) Japonica Rice	1997	1971.4	2862.1	6452	-5746
	1998	1914.3	3326.9	3290	-4647
	average				
c) Indica Rice	1997	1885.7	2033.0	12903	-1901
	1998	1734.3	1913.9	6580	-1182
	average				
d) Corn	1997	1100.0	1075.8	14422	349
	1998	1060.0	939.2	26174	3161
	average				

Notes:

1/ The protective price set up by the government is to safeguard farmers' income. The state-owned grain enterprises were designated to purchase farmers' grain at protective price and pre-set amount.

2/ see Endnote 2 below.

3/ see Endnote 4 below.

Data sources:

The data for Protective Price are provided by SAG and SDPC.

[17] External Reference Price:

(1) *Wheat & Cotton*: These two products were net-import products in the 1996-1998 base period, therefore, their external reference prices were determined by the CIF prices, on the basis of China's Customs statistics. See Appendix DS 5-3 for calculation details.

(2) *Corn, Japonica Rice and Indica Rice*: These three products were net-export products in the 1996-1998 base period, therefore, their external reference prices were determined by the FOB prices, on the basis of China's Customs statistics. See Appendix DS 5-4 for calculation details.

[18] Exchange Rate: see Appendix DS 1-2 at the Supporting Table DS 1.

[19] Eligible Production:

(1) Eligible production for grain:

(a) Eligible Production for State Procurement Price refers to the amount purchased by state-owned enterprises from farmers at state procurement price for the food security purpose (see Endnote 10 of Supporting Table DS 1).

(b) Eligible Production for Protective Price refers to the amount purchased by state-owned enterprises from farmers at protective price in order to protect farmer's income.

Data sources:
Eligible production for grain at state procurement price and protective price are provided by SAG and SDPC.

(2) Eligible Production for cotton:
Eligible production cotton equals to its production. All cotton produced by farmers was usually purchased by state-owned cotton enterprises at state procurement price.

Data sources:
The data of cotton production are reported in *Statistical Yearbook of China* published by SSB in 1997, 1998 and 1999.

Appendix DS 5-3: CIF Prices for Wheat & Cotton

HS Code	Calendar Year	Import Volume (tons)	Import Value (US $)	CIF Price (US $/ton)	CIF Price 1/ (RMB yuan/ton)
10011000 Wheat	1996	4512381	1023059000	226.7	1885.0
	1997	1508909	296653000	196.6	1629.6
	1998	1275384	243373000	190.8	1579.8
	Average of 1996-98			204.7	1698.1
52010000 Cotton	1996	650000	1196670000	1841.0	15306.3
	1997	750000	1330850000	1774.5	14708.6
	1998	200000	331840000	1659.2	13736.5
	Average of 1996-98			1758.2	14583.8

Notes:

1/ Exchange Rate: see Appendix DS 1-2 at Supporting Table DS 1.

Data sources:

General Administration of Customs, *Statistical Yearbook* of *Chinese Customs,* 1997, 1998 and 1999.

Appendix DS 5-4: FOB Prices for Corn, Japonica Rice and Indica Rice

HS Code	Calendar Year	Export Volume (tons)	Export Value (US $)	FOB Price (US $/ton)	FOB Price 3/ (RMB yuan/ton)
10059000 Corn	1996	157630.60	29982000	190.2	1581.4
	1997	6616813	858779000	129.8	1075.8
	1998	4686318	531643000	113.4	939.2
	Average of 1996-98			144.5	1198.8
10063000 Japonica Rice 1/	1996	85933.49	38066000	443.0	3682.9
	1997	184650.79	63758000	345.3	2862.1
	1998	140340.03	56395000	401.9	3326.9
	Average of 1996-98			396.7	3290.6
10063000 Indica Rice 2/	1996	27479.28	10187000	370.7	3082.1
	1997	569058.74	139571000	245.4	2033.0
	1998	2761298.49	638352000	231.2	1913.9
	Average of 1996-98			282.4	2343.0

Notes:

1/ In Appendix DS 5-4, Japonica rice exported as foreign food aid are not calculated. The export of Japonica rice in 1996 calculated here includes the exports to Russia, Kazakhstan, Kirghistan, Korea, Libya, Mongolia and Japan, while that in 1997 includes the exports to Australia, Bulgaria, Russian, Kazakhstan, Kirghistan, Canada, Libya, Romania, Mongolia, Japan, Turkey, Ukraine, Spain and Jordan, and that in 1998, includes the exports to Russia, Kazakhstan, Korea, Kirghistan, Libya, Mongolia, South Africa and Japan.

2/ In the table, Indica rice exported as foreign food aid are not calculated. The export of Indica Rice in 1996 calculated here includes the exports to Macao, Mauritius, Hong Kong, Singapore, while that in 1997 includes the exports to UAE, Macao, Togo, Philippine, Cuba, Ghana, Cote deVior, Kenya, Mauritius, Hong Kong, Singapore, Indonesia, and that in 1998, includes the exports to UAE, Macao, Philippine, Mauritius, Hong Kong, Singapore and Indonesia.

3/ Exchange Rate: see Appendix DS 1-2 of Supporting Table DS 1.

Data sources:

General Administration of Customs, *Statistical Yearbook* of *Chinese Customs,* 1997, 1998 and 1999.

[20] Financial outlays to compensate the losses of state-owned agricultural input manufacturers resulted from selling their products to farmers at the State administered price for the purpose of reducing farmers' production cost. Only pesticide, fertilizer and mulching film were involved in the Input Subsidy Program during the 1996-1998 base period.

Data sources:
MOF, Outlay Documents of the Ministry of Finance, 1997-1999.

[21] Interest Subsidy for Poverty Alleviation Loans: As a support to poverty reduction, ADBC (1996-1997) and ABC (1998) provided loans with preferential interest rate to agricultural producers in poor areas (for the definition of poor areas, please refer to Endnote 14 of Supporting Table DS 1). The gap between the base interest rate and the preferential interest rate was subsidized by the budget allocation, the calculation details of which is contained in Appendix DS 9-1.

Appendix DS 9-1: Interest Subsidy for Poverty Alleviation Loans

	Year	Base interest rate 1/	Preferential interest rate 2/	Interest rate subsidy	Value of outstanding preferential loans	Value of interest subsidy on preferential loans
		(%)	(%)	(%)	(million RMB yuan)	(million RMB yuan)
1	2	3	4	5 = 3 - 4	6	7 = 5 x 6
Poverty Alleviation Loans with interest subsidy	1996	10.08	2.88	7.2	17734	1276.8
	1997	8.64	2.88	5.76	20162	1161.3
	1998	6.39	2.88	3.51	23049	809.0
	Average					1082.4
Poverty Alleviation Loans with preferential interest rate	1996	10.08	7.2	2.88	6627	190.9
	1997	8.64	5.76	2.88	12966	373.4
	1998	6.39	2.88	3.51	2018	70.8
	Average					211.7
Total	1996					1467.7
	1997					1534.8
	1998					879.9
	Average					1294.1

Notes:
1/ Base interest rate was set by the PBC. During the 1996-1998 base period, there was no market interest rate in China.
2/ Preferential interest rate on one-year loans implemented by ADBC (1996-1997) and ABC (1998).
Data Sources:
(1) ADBC: *The Statistical Yearbook of ADBC*, 1996, 1997, 1998.
(2) ABC: The Statistical Yearbook of ABC, 1997, 1998, 1999.

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED

WT/ACC/CHN/41/Rev.1
18 July 2001
(01-3559)

Working Party on the Accession of China

Original: English/ anglais/ inglés

COMMUNICATION FROM CHINA

Revision

In preparation for the Working Party meetings on 16-20 July 2001, the Chinese delegation has submitted the following revised Annex 2a2 on Products Subject to State Trading (Export), dated 13 July 2001.[1]

Groupe de travail de l'accession de la Chine

COMMUNICATION DE LA CHINE

Révision

En vue des réunions du Groupe de travail qui auront lieu du 16 au 20 juillet 2001, la délégation chinoise a communiqué la version révisée ci-après de l'annexe 2a2 relative aux produits soumis au régime de commerce d'État (exportation), datée du 13 juillet 2001.[1]

Grupo de Trabajo sobre la Adhesión de China

COMUNICACIÓN DE CHINA

Revisión

Para preparar la reunión del Grupo de Trabajo que se celebrará del 16 al 20 de julio de 2001, la delegación china ha presentado la siguiente versión revisada, de fecha 13 de julio de 2001, del anexo 2a2 relativo a los productos que son objeto de comercio estatal (importación).[1]

[1] In English only./En anglais seulement./En inglés solamente.

ANNEX 2a2

PRODUCTS SUBJECT TO STATE TRADING (EXPORT)
13 July 2001

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
TEA	1	09021010	Flavoured green tea in packings≤3kg	China National Native Products and Animal By-Products Import & Export Co
	2	09021090	Unflavoured green tea in packings≤3kg	
	3	09022010	Flavoured green tea in packings > 3kg	
	4	09022090	Unflavoured green tea in packings > 3kg	
RICE	5	10061010	Rice seeds	1. China National Cereals Oil and Foodstuffs Import & Export Co. 2. Jilin Grain Import & Export Co. Ltd.
	6	10061090	Rice in the husk (paddy or rough)(excl. seed)	
	7	10062000	Husked (brown) rice	
	8	10063000	Semi-milled or wholly milled rice	
	9	10064000	Broken rice	
CORN	10	10051000	Maize seeds	
	11	10059000	Maize (excl. seed)	
	12	11042300	Other worked grains of maize (corn), nes	
SOY BEAN	13	12010010	seeds of soya bean	
	14	12010091	Yellow soya beans (excl. seed)	
	15	12010092	Black soya beans (excl. seed)	
	16	12010093	Green soya beans (excl. seed)	
	17	12010099	Other soya beans (excl. seed), nes	
TUSGSTEN ORE	18	26110000	Tungsten ores & concentrates	1. China National Metals and Minerals Import & Export Co. 2. China National Non-ferrous Import & Export Co. 3. China Rare Earth and Metal Group Co. 4. China National Chemical Import & Export Co.
	19	26209010	Ash & residues containing mainly tungsten	
	20	26209090	Ash & residues containing other metals or metallic compound	
AMMONIUM PARATUNG-STATES	21	28418010	Ammonium paratungstate	
	22	28418040	Ammonium tungstates	
TUNGSTATE PRODUCTS	23	28259011	Tungstic acid	
	24	28259012	Tungsten trioxides	
	25	28259019	Other tungsten oxides & hydroxides, nes	
	26	28418020	Sodium tungstate	
	27	28418030	Calcium tungstate	
	28	28499020	Carbides of tungsten	
	29	81011000	Tungsten powders	
	30	81019100	Tungsten unwrought,incl bars/rods simply sintered; waste/scrap	
COAL	31	27011100	Anthracite, not agglomerated	1. China National Coal Industry Import & Export Co. 2. China National Metals and Minerals Import & Export Co. 3. Shanxi Coal Import & Export Group Co. 4. Shenhua Group Ltd.
	32	27011210	Bituminous coking coal, not agglomerated	
	33	27011290	Other bituminous coal, not agglomerated	
	34	27011900	Other coal, not agglomerated, nes	
	35	27021000	Lignite, not agglomerated	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
CRUDE OIL	36	27090000	Petroleum oils & oils obtained from bituminous minerals, crude	1. China National Chemical Import & Export Co.; 2. China International United Petroleum & Chemicals Co. 3. China National United Oil Co.
PROCESSED OIL	37	27100011	Gasoline, incl. aviation spirit	
	38	27100013	Naphtha	
	39	27100019	Other light oils, nes	
	40	27100023	Kerosenes	
	41	27100024	Normal paraffin	
	42	27100029	Other medium oils, nes	
	43	27100031	Light diesel oil	
	44	27100033	Fuel oil No.5-No.7	
	45	27100039	Other fuel oils	
	46	27100053	Lubricating greases	
	47	27100054	Lubricating oils	
	48	27100059	Other heavy oils & preps thereof, nes	
	49	27111100	Natural gas, liquefied	
SILK	50	50010010	Mulberry feeding silk-worm cocoons	China National Silk Import & Export Co.
	51	50010090	Other silk-worn cocoons suitable for reeling	
	52	50020011	Plant reeled (filature silk)	
	53	50020012	Steam filature silk, home reeled	
	54	50020013	Steam filature silk, doupion	
	55	50020019	Other steam filature silk	
	56	50020020	Tussah silk	
	57	50020090	Other raw silk, nes	
	58	50031000	Silk waste, not carded or combed	
	59	50039000	Silk waste, carded or combed	
	60	50040000	Silk yarn (excl. spun from silk waste), not put up for retail sale	
	61	50050010	Yarn spun from noil, not put up for retail sale	
	62	50050090	Yarn spun from other silk waste, not put up for retail sale	
UN-BLEACHED SILK	63	50071010	Unbleached or bleached woven fabrics of noil silk	
	64	50072011	Unbleached or bleached woven fabrics of mulberry silk, ≥85% silk	
	65	50072021	Unbleached or bleached woven fabrics of tussah silk, ≥85% silk	
	66	50072031	Unbleached or bleached woven fabrics of spun silk, ≥85% silk	
COTTON	67	52010000	Cotton, not carded or combed	1. China National Textiles Import & Export Co.
	68	52030000	Cotton, carded or combed	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
COTTON YARN, containing 85% or more by weight of cotton	69	52041100	Cotton sewing thread, with≥85% cotton, not put up for retail sale	2. Qingdao Textiles United Import & Export Co. 3. Beijing No.2 Cotton Mill 4. Beijing No.3 Cotton Mill 5. Tianjin No.1 Cotton Mill 6. Shanghai Shenda Co. Ltd 7. Shanghai Huashen Textiles and Dying Co. (Group) 8. Dalian Huanqiu Textiles Group Co. 9. Shijiazhuang Changshan Textiles Group 10. Luoyang Cotton Mill, Henan Province 11. Songyue Textiles Industry Group, Henan Province 12. Dezhou Cotton Mill,
	70	52051100	Uncombed single cotton yarn, with≥85% cotton, nprs,≤14mn	
	71	52051200	Uncombed single cotton yarn, with≥85% cotton, nprs,>14mn but≤43mn	
	72	52051300	Uncombed single cotton yarn, with≥85% cotton, nprs,>43mn but≤52mn	
	73	52051400	Uncombed single cotton yarn, with≥85% cotton, nprs,>52mn but≤80mn	
	74	52051500	Uncombed single cotton yarn, with≥85% cotton, nprs,>80mn	
	75	52052100	Combed single cotton yarn, with≥85% cotton, nprs, ≤14mn	
	76	52052200	Combed single cotton yarn, with≥85% cotton, nprs,>14mn but≤43mn	
	77	52052300	Combed single cotton yarn, with≥85% cotton, nprs,>43mn but≤52mn	
	78	52052400	Combed single cotton yarn, with≥85% cotton, nprs,>52mn but≤80mn	
	79	52052600	Combed single cotton yarn, with≥85% cotton, nprs,>80mn but≤94mn	
	80	52053100	Uncombed cabled cotton yarn, with≥85% cotton, nprs, ≤14mn	
	81	52053200	Uncombed cabled cotton yarn, with≥85% cotton, nprs,>14mn but≤43mn	
	82	52053300	Uncombed cabled cotton yarn, with≥85% cotton, nprs,>43mn but≤52mn	
	83	52053400	Uncombed cabled cotton yarn, with≥85% cotton, nprs,>52mn but≤80mn	
	84	52053500	Uncombed cabled cotton yarn, with≥85% cotton, nprs,>80mn	
	85	52054100	Combed cabled cotton yarn, with≥85% cotton, nprs, ≤14mn	
	86	52054200	Combed cabled cotton yarn, with≥85% cotton, nprs,>14mn but≤43mn	
	87	52054300	Combed cabled cotton yarn, with≥85% cotton, nprs,>43mn but≤52mn	
	88	52054400	Combed cabled cotton yarn, with≥85% cotton, nprs,>52mn but≤80mn	
	89	52054600	Combed cabled cotton yarn, with≥85% cotton, nprs,>80mn but≤94mn	
	90	52071000	Cotton yarn (excl. sewing), put up for retail sale, with≥85% cotton	
	91	52041900	Cotton sewing thread, with<85% cotton, not put up for retail sale	
	92	52061100	Uncombed single cotton yarn, with<85% cotton, nprs, ≤14mn	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	93	52061200	Uncombed single cotton yarn, with<85% cotton, nprs,>14mn but≤43mn	
	94	52061300	Uncombed single cotton yarn, with<85% cotton, nprs,>43mn but≤52mn	
	95	52061400	Uncombed single cotton yarn, with<85% cotton, nprs,>52mn but≤80mn	
COTTON YARN, containing less than 85% by weight of cotton	96	52061500	Uncombed single cotton yarn, with<85% cotton, nprs,>80mn	13. Wuxi No.1 Cotton Mill 14. Puxin Textiles Mill, Hubei Province 15. Northwest No.1 Cotton Mill 16. Chengdu Jiuxing Textiles Group Co. 17. Suzhou Sulun Textiles Joint Company (Group) 18. Northwest No.7 Cotton Mill 19. Xiangmian Group Co., Hubei Province 20. Handan Lihua Textiles Group Co. 21. Xinjiang Textiles Industry Co. (Group) 22. Anqing Textiles Mill 23. Jinan No.2 Cotton Mill 24. Tianjin No.2 Cotton Mill
	97	52062100	Combed single cotton yarn, with<85% cotton, nprs, ≤14mn	
	98	52062200	Combed single cotton yarn, with<85% cotton, nprs,>14mn but≤43mn	
	99	52062300	Combed single cotton yarn, with<85% cotton, nprs,>43mn but≤52mn	
	100	52062400	Combed single cotton yarn, with<85% cotton, nprs,>52mn but≤80mn	
	101	52062500	Combed single cotton yarn, with<85% cotton, nprs,>80mn	
	102	52063100	Uncombed cabled cotton yarn, with<85% cotton, nprs, ≤14mn	
	103	52063200	Uncombed cabled cotton yarn, with<85% cotton, nprs,>14mn but≤43mn	
	104	52063300	Uncombed cabled cotton yarn, with<85% cotton, nprs,>43mn but≤52mn	
	105	52063400	Uncombed cabled cotton yarn, with<85% cotton, nprs,>52mn but≤80mn	
	106	52063500	Uncombed cabled cotton yarn, with<85% cotton, nprs,>80mn	
	107	52064100	Combed cabled cotton yarn, with<85% cotton, nprs, ≤14mn	
	108	52064200	Combed cabled cotton yarn, with<85% cotton, nprs,>14mn but≤43mn	
	109	52064300	Combed cabled cotton yarn, with<85% cotton, nprs,>43mn but≤52mn	
	110	52064400	Combed cabled cotton yarn, with<85% cotton, nprs,>52mn but≤80mn	
	111	52064500	Combed cabled cotton yarn, with<85% cotton, nprs,>80mn	
	112	52079000	Cotton yarn (excl. sewing), put up for retail sale, with<85% cotton	
WOVEN FABRICS OF COTTON, containing 85% or more by weight of cotton	113	52081100	Unbleached plain cotton weave, with≥ 85% cotton, ≤100g/m2	25. Jinhua Textiles Mill, Shanxi Province 26. Jinwei Group Co., Zhejiang Province 27. Northwest No.5 Cotton Mill 28. Baoding No.1 Cotton Mill 29. Liaoyang Textiles Mill 30. Changchun textiles
	114	52081200	Unbleached plain cotton weave, ≥85% cotton, >100g/m2, but≤200g/m2	
	115	52081300	Unbleached 3 or 4-thread twill, with≥85% cotton, ≤200g/m2	
	116	52081900	Unbleached woven cotton fabrics, nes, with≥85% cotton	
	117	52091100	Unbleached plain cotton weave, with≥ 85% cotton,>200g/m2	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	118	52091200	Unbleached 3 or 4-thread twill, with≥85% cotton	Mill 31. Huaxin Cotton Mill, Henan Province 32. Baotou Textiles Mill 33. Ninbo Hefeng textiles Group Co.
	119	52091900	Unbleached cotton fabrics, with≥85% cotton,>200g/m2, nes	
	120	52101100	Unbleached plain cotton weave, with<85% cotton, ≤200g/m2	
	121	52101200	Unbleached 3 or 4-thread twill, with<85% cotton, ≤200g/m2	
	122	52101900	Unbleached woven cotton fabrics, nes, with<85% cotton, ≤200g/m2	
WOVEN FABRICS OF COTTON, containing 85% or more by weight of cotton	123	52111100	Unbleached plain cotton weave, with<85% cotton,>200g/m2	34. Northwest No.4 Cotton Mill 35. Xinjiang Shihezi Bayi Cotton Mill
	124	52111200	Unbleached 3 or 4-thread twill, with<85% cotton,>200g/m2	
	125	52111900	Unbleached woven cotton fabrics, nes, with<85% cotton,>200g/m2	
ANTIMONY ORES	126	26171010	Crude antimony	1. China National Metals and Minerals Import & Export Co. 2. China National Non-ferrous Import & Export Co. 3. China Rare Earth and Metal Group Co.
	127	26171090	Other antimony ores & concentrates, nes	
ANTIMONY OXIDE	128	28258000	Antimony oxides	
ANTIMONY PRODUCTS	129	81100020	Antimony unwrought	
	130	81100030	Antimony waste & scrap; powders	
	131	81100090	Antimony wrought & articles thereof	
SILVER	132	71061000	Silver powder	1. China Banknote Printing and Minting Corporation 2. China Cooper Lead Zinc Group
	133	71069100	Silver in unwrought forms	
	134	71069200	Silver in other semi-manufactured forms	

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED

WT/ACC/CHN/47
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Working Party on the Accession of China

Original: English/ anglais/ inglés

COMMUNICATION FROM CHINA

In preparation for the Working Party meetings on 16-20 July 2001, the Chinese delegation has submitted the following revised [1] Annex 2b on Products Subject to Designated Trading, dated 13 July 2001.[2]

Groupe de travail de l'accession de la Chine

COMMUNICATION DE LA CHINE

En vue des réunions du Groupe de travail qui auront lieu du 16 au 20 juillet 2001, la délégation chinoise a communiqué la version révisée[1] ci-après de l'annexe 2b relative aux produits soumis à un régime de commerce déterminé, datée du 13 juillet 2001.[2]

Grupo de Trabajo sobre la Adhesión de China

COMUNICACIÓN DE CHINA

Para preparar la reunión del Grupo de Trabajo que se celebrará del 16 al 20 de julio de 2001, la delegación china ha presentado la siguiente versión revisada[1], de fecha 13 de julio de 2001, del anexo 2b relativo a los productos que son objeto de comercio por empresas designadas.[2]

[1] Former version issued in document WT/ACC/CHN/18./L'ancienne version a été distribuée sous la cote WT/ACC/CHN/18./La versión anterior se distribuyó en el documento WT/ACC/CHN/18.

[2] In English only./En anglais seulement./En inglés solamente.

ANNEX 2b

PRODUCTS SUBJECT TO DESIGNATED TRADING
13 July 2001

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
NATURAL RUBBER	1	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	Liberalized within 3 years after the entry into force of this Protocol.
	2	40012100	Smoked sheets of natural rubber	
	3	40012200	Technically specified natural rubber, in primary forms/plates, etc	
	4	40012900	Other natural rubber, in primary forms or in plates, etc, nes	
TIMBER	5	44020000	Wood charcoal	Liberalized within 3 years after the entry into force of this Protocol.
	6	44031000	Wood in the rough..., treated with paint, stains, creosote, etc	
	7	44032000	Untreated coniferous wood in the rough...	
	8	44034910	Teak wood in the rough	
	9	44034990	Other specified tropical wood in the rough	
	10	44039100	Oak (Quercus spp.) wood in the rough, (excl. treated)	
	11	44039200	Beech (Fagus spp.) wood in the rough, (excl. treated)	
	12	44039910	Nan Mu (Phoebe) wood in the rough, (excl. treated)	
	13	44039920	Camphor wood in the rough, (excl. treated)	
	14	44039930	Padauk in the rough, (excl. treated)	
	15	44039940	Paulownia wood in the rough, (excl. treated)	
	16	44039990	Other wood, nes, in the rough, (excl. treated)	
	17	44041000	Coniferous hoopwood; split poles, etc; wooden sticks, etc; chipwood	
	18	44042000	Non-conifrous hoopwood; split poles, wooden sticks, etc; chipwood	
	19	44050000	Wood wool; wood flour	
	20	44061000	Railway or tramway sleepers (cross-ties) of wood, not impregnated	
	21	44069000	Railway or tramway sleepers (cross-ties) of wood, impregnated	
	22	44071000	Conifers wood sawn or chipped lengthwise, sliced or peeled,thick>6mm	
	23	44072400	Baboen, Mahogany, Imbuia & Balsa wood, sawn lengthwise...,thick>6mm	
	24	44072500	Dark/light Red Meranti & Meranti Bakau, sawn lengthwise...,thick>6mm	
	25	44072600	White Lauan/Meranti/Seraya, Yelw Meranti&Alan,sawn lengthws, thick>6mm	
	26	44072910	Teak wood, sawn lengthwise...,thick>6mm	
	27	44072990	Other specified tropical woods, sawn lengthwise...,thick>6mm	
	28	44079100	Oak wood,sawn/chipped lengthwise,sliced/peeled, thick>6mm	
	29	44079200	Beech wood,sawn/chipped lengthwise,sliced/peeled,thick>6mm	
	30	44079910	Nan Mu,Camphor or Padauk wood,sawn lengthwise..,thick>6mm	
	31	44079920	Paulownia wood sawn lengthwise.., thick >6mm	
	32	44079990	Other wood, nes, sawn lengthwise..., thick>6mm	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
PLYWOOD	33	44121300	Plywood with≥1 outer ply of tropical wood, each ply ≤6mm thick	Liberalized within 3 years after the entry into force of this Protocol.
	34	44121400	Plywood with≥1 outer ply of non-coniferous wood, nes, each ply≤6mm	
	35	44121900	Plywood, each ply≤6mm thick, nes	
WOOL	36	51011100	Greasy shorn wool, not carded or combed	Liberalized within 3 years after the entry into force of this Protocol.
	37	51011900	Greasy wool (excl. shorn), not carded or combed	
	38	51012100	Degreased shorn wool, not carbonised, not carded or combed	
	39	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	
	40	51013000	Carbonised wool, not carded or combed	
	41	51031010	Noils of wool, not garnetted stock	
	42	51051000	Carded wool	
	43	51052100	Combed wool in fragments	
	44	51052900	Wool tops & combed wool (excl. in fragments)	
ACRYLIC	45	54023910	Synthetic filament textured yarn of polypropylene, not for re	Liberalized within 3 years after the entry into force of this Protocol.
	46	54023990	Other synthetic filament textured yarn, nes, not for retai	
	47	54024910	Single synthetic yarn of polypropylrnr, with≤ 50turns/m, nprs	
	48	54024920	Single synthetic yarn of polyurethane, with≤ 50turns/m, nprs	
	49	54024990	Single synthetic yarn, nes, with≤50turns/m, nprs	
	50	54025910	Single synthetic yarn of polypropylrne, with>50turns/m, nprs	
	51	54025990	Single synthetic yarn, nes, with>50turns/m, nprs	
	52	54026910	Multiple or cabled yarn of polypropylene nprs	
	53	54026920	Multiple or cabled yarn of polyurethane,nprs	
	54	54026990	Multiple or cabled yarn, nes, nprs	
	55	55013000	Synthetic filament tow, acrylic or modacrylic	
	56	55033000	Acrylic or modacrylic synthetic staple fibres, not carded, etc	
	57	55063000	Acrylic or modacrylic synthetic staple fibres, carded, etc	
	58	55093100	Single yarn, with≥85% acrylic or modacrylic staple fibres, nprs	
	59	55093200	Multiple or cabled yarn, ≥85% acrylic/modacrylic staple fibres, nprs	
	60	55096100	Yarn,<85% acrylic or modacrylic staple fibres, with wool..., nprs	
	61	55096200	Yarn,<85% acrylic or modacrylic staple fibres, with cotton, nprs	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	62	55096900	Yarn,<85% acrylic or modacrylic staple fibres, nes, nprs	
STEEL	63	72081000	Flat rlld prod, i/nas, in coil, hr,w≥600mm, patterns in relief	Liberalized within 3 years after the entry into force of this Protocol..
	64	72082500	Flat rlld prod, i/nas, in coil, hr,w≥600mm, pickled, thick≥4.75mm	
	65	72082600	Flat rlld prod, i/nas, in coil, hr,w≥600mm, pickld, 3mm≤thick<4.75mm	
	66	72082700	Flat rlld prod, i/nas, in coil, hr,w≥600mm, pickled, thick< 3mm	
	67	72083600	Flat rlld prod, i/nas, in coil, hr,w≥600mm, thick>10mm	
	68	72083700	Flat rlld prod, i/nas, in coil, hr,w≥600mm, 4.75mm≤ thick<10mm	
	69	72083800	Flat rlld prod, i/nas,in coil, hr,w≥600mm, 3mm≤ thick<4.75mm	
	70	72083900	Flat rlld prod, i/nas, in coil, hr,w≥600mm,thick<3mm	
	71	72084000	Flat rlld prod, i/nas, not in coil, hr,w≥600mm, patterns in relief	
	72	72085100	Flat rlld prod, i/nas, not in coil, hr,w≥600mm, thick>10mm	
	73	72085200	Flat rlld prod, i/nas, not in coil, hr,w≥600mm, 4.75mm ≤thick<10mm	
	74	72085300	Flat rlld prod, i/nas,not in coil, hr,w≥600mm, 3mm≤ thick<4.75mm	
	75	72085400	Flat rlld prod, i/nas, not in coil, hr,w≥ 600mm,thick<3mm	
	76	72089000	Flat rlld prod, i/nas, not further worked than hot rlld, nes	
	77	72091500	Flat rlld prod, i/nas, in coil, cr,w≥600mm,thick≥3mm	
	78	72091600	Flat rlld prod, i/nas,in coil, cr,w≥600mm, 1mm<thick<3mm	
	79	72091700	Flat rlld prod,i/nas,in coil,cr,w≥600mm,0.5mm≤thick ≤1mm	
	80	72091800	Flat rlld prod, i/nas, in coil, cr,w≥ 600mm,thick<0.5mm	
	81	72092500	Flat rlld prod, i/nas, not in coil, cr,w≥600mm,thick≥ 3mm	
	82	72092600	Flat rlld prod, i/nas, not in coil,cr,w≥ 600mm,1mm<thick<3mm	
	83	72092700	Flat rlld prod,i/nas,nt in coil,cr,w≥600mm,0.5mm≤ thick≤1mm	
	84	72092800	Flat rlld prod, i/nas, nt in coil, cr,w≥ 600mm,thick<0.5mm	
	85	72099000	Flat rlld prod, i/nas, not in coil, cr,w≥600mm, nes	
	86	72101100	Flat rlld prod,i/nas, plated/coated with tin,w≥ 600mm,thick≥0.5mm	
	87	72101200	Flat rlld prod, i/nas, plated or coated with tin,w≥ 600mm,thick<0.5mm	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	88	72102000	Flat rlld prod,i/nas,platd/coatd with lead,w≥ 600mm,incl terne-plate	
	89	72103000	Flat rlld prod, i/nas, electrocly platd/coatd with zinc,w ≥600mm	
	90	72104100	Flat rlld prod, i/nas, pltd or ctd w zinc, corrugated,w≥ 600mm, nes	
	91	72104900	Flat rlld prod, i/nas, plated or coated with zinc,w≥ 600mm, nes	
STEEL	92	72105000	Flat rld prod,i/nas,pltd/ctd w chrm oxids/chrom w chrm oxide,w≥600mm	Liberalized within 3 years after the entry into force of this Protocol.
	93	72106100	Flat rlld prod, i/nas, platd/coatd wth aluminium-zinc alloy,w≥600mm	
	94	72106900	Flat rlld prod, i/nas, plated or coated with aluminium,w ≥600mm, nes	
	95	72107000	Flat rlld prod,i/nas,painted, varnish./coated with plastics,w≥600mm	
	96	72109000	Flat rlld prod, i/nas, clad, plated or coated,w≥600mm, nes	
	97	72111300	Flat rlld prod,i/nas,hr,rlld on 4 face,150mm<w<600mm,thick≥4mm	
	98	72111400	Flat rlld prod, i/nas, hr,w<600mm,thick=4.75mm	
	99	72111900	Flat rlld prod,i/nas,hr,w<600mm,thick<3mm, myp 275/thick>3mm	
	100	72112300	Flat rld prod,i/nas,cr,w<600mm,containg<0.25% carbon	
	101	72112900	Flat rlld prod,i/nas,cr,w<600mm, containg≥ 0.25% carbon	
	102	72119000	Flat rlld prod, i/nas,w<600mm, not clad, plated/coated, nes	
	103	72121000	Flat rlld prod, i/nas,w<600mm, plated/coated with tin, nes	
	104	72122000	Flat rlld prod, i/nas,w<600mm, electrolically platd/coatd with zinc	
	105	72123000	Flat rlld prod, i/nas,w<600mm, otherwise platd/coated with zinc	
	106	72124000	Flat rlld prod,i/nas,w<600mm,painted,varnished/coated with plastics	
	107	72125000	Flat rlld prod, i/nas,w<600mm, plated or coated, nes	
	108	72126000	Flat rlld prod, i/nas,w<600mm, clad	
	109	72131000	Bars & rods, i/nas, hr,in irreg wound coils,cntg indent,ribs,etc prod d	
	110	72132000	Bars & rods, i/nas, hr, in irreg wound coils, of free cutting steel	
	111	72139100	Bars/rods,i/nas,hr,in irreg wnd coils of circ cross sect,dia<14mm	
	112	72139900	Bars/rods,i/nas,hr,in irreg wound coils of circular cross sect, nes	
	113	72141000	Bars & rods, iron or non-alloy steel forged	
	114	72142000	Bars&rods,i/nas,hr,hd or he,cntg indent,ribs,etc,prod dur rp/tar,nes	
	137	72172000	Wire,i/nas,plated or coated with zinc	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	138	72173000	Wire,i/nas,plated or coated with other base metals nes	
	139	72179000	Wire, iron or non alloy steel, nes	
	140	72181000	Ingots & other primary forms of stainless steel	
	141	72189100	Semi-finished products of stainless steel, rectangular cros section	
	142	72189900	Other semi-finished products of stainless steel, nes	
	143	72191100	Flat rlld prod,stainless steel,hr,in coil,w≥600mm,exce 10mm thick	
STEEL	144	72191200	Flat rlld prod, stainls steel, hr, in coil,w≥600mm, 4.75mm≤th≤10mm	Liberalized within 3 years after the entry into force of this Protocol.
	145	72191300	Flat rlld prod, stainls steel, hr in coil,w≥600mm, 3mm ≤thick<4.75mm	
	146	72191400	Flat rlld prod, stainls steel, hr in coil,w≥ 600mm,thick<3mm	
	147	72192100	Flat rlld prod, stainless steel, hr, nic,w≥600mm, exce 10mm thick	
	148	72192200	Flat rlld prod, stainless steel, hr, nic,w≥600mm, 4.75mm≤thick≤10mm	
	149	72192300	Flat rlld prod, stainless steel, hr, nic,w≥600mm, 3mm ≤thick <4.75mm	
	150	72192400	Flat rlld prod, stainless steel, hr, nic,w≥600mm, thick<3mm	
	151	72193100	Flat rlld prod, stainless steel, cr,w≥600mm, 4.75mm or more thick	
	152	72193200	Flat rlld prod, stainless steel, cr,w≥600mm, 3mm≤ thick<4.75mm	
	153	72193300	Flat rlld prod, stainless steel, cr,w≥600mm, 1mm<thick<3mm	
	163	72221900	Bars/rods, stainless steel, nfw than hot rld/drawn/extrud, nes	
	164	72222000	Bars/rods, stainless steel, nfw than cold formed/cold finished	
	165	72223000	Bars/rods, stainless steel, nes	
	166	72224000	Angles, shapes & sections, stainless steel	
	167	72230000	Wire of stainless steel	
	168	72241000	Ingots & other primary forms of alloy steel, o/t stainless	
	169	72249010	Blooms/pieces roughly shapd by forgng, ≥10 t, alloy stl o/t stainls	
	170	72249090	Semi-finished products of alloy steel o/t stainless, nes	
	171	72251100	Flat rlld prd of Si-electricl steel,w≥600mm, grain-orient	
	172	72251900	Flat rlld prd of sillicon-electricl steel,w≥600mm, nes	
	173	72252000	Flat rlld products of high speed steel,w≥600mm	
	174	72253000	Flat rlld prod, as, o/t stainls, in coils, nfw than hr,w≥ 600mm,nes	
	175	72254000	Flat rlld prod, as, o/t stainls, nic nfw than hr,w≥ 600mm, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	176	72255000	Flat rlld prod, as, o/t stainls, nfw than cold rlld,w≥ 600mm, nes	
	177	72259100	Flat rlld prod, as, o/t stainls,w≥600mm,electrly coatd with zinc	
	178	72259200	Flat rlld prod, as, o/t stainls,w≥600mm,otherwise coatd with zinc	
	179	72259900	Flat rlld prod, as, o/t stainls,w≥600mm, nes	
	180	72261100	Flat rlld prd, Si-electricl steel,w<,grain-orientd,nes	
	181	72261900	Flat rlld prd, silicon-electrical steel,w<600mm, nes	
	182	72262000	Flat rlld prod, of high speed steel,w<600mm	
	183	72269100	Flat rlld prod, as, o/t stainless, nfw than hot rlld,w<600mm, nes	
STEEL	184	72269200	Flat rlld prod, as, o/t stainless, nfw than cold rlld,w<600mm	
	185	72269300	Flat rlld prod, as, o/t stainls,w<600mm,electrly coatd with zinc	
	186	72269400	Flat rlld prod, as, o/t stainls,w<600mm,otherwise coatd with zinc	
	187	72269900	Flat rlld prod, as, o/t stainless,w<600mm, nes	
	188	72271000	Bars & rods, of high speed steel, hr, in irregularly wound coils	
	189	72272000	Bars & rods, of silico-manganese steel, hr, in irregular wound coils	
	190	72279000	Bars & rods,alloy s,o/t stainless hr,in irregularly wound coils,nes	
	191	72281000	Bars & rods of high speed steel, nes	
	192	72282000	Bars & rods of silico-manganese steel nes	
	193	72283000	Bars & rods,alloy s,o/t stainls nfw than hot rld/drawn/extrud, nes	
	194	72284000	Bars & rods, as, o/t stainless, not further worked than forged	
	195	72285000	Bars & rods, as, o/t stainless, not further wkd than cld formed/fin	
	207	73023000	Switch blades/crossng frogs/point rods/oth crossng pieces,iron/stl	
	208	73024000	Fish plates & sole plates, iron'steel	
	209	73029000	Rail'tramway construction material of iron'steel, nes	
	210	73030010	Tube../hollw profile of cast irn, circul cros sec, inside dia.≥500mm	
	211	73030090	Tubes, pipes & hollow profiles of cast iron, nes	
	212	73041000	Pipes, line, i/s, smls, of a kind used for oil'gas pipelines	
	213	73042100	Drill pipe,i/s,smls,for use in drilling for oil'gas	
	214	73042900	Casings/tubing pipe,i/s,smls,for use in drilling for oil'gas	
	215	73043110	Boiler tube/pipe, i/non alloy s, smls, circular cs, cold drw/rld	
	216	73043120	Geo casng/drill pipe, i/non alloy s, smls,circul cs, cold drw/rld	
	217	73043190	Tubes, pipe..., i/non alloy s, smls, circular cs,cold dr/rl, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	218	73043910	Boiler tube/pipe, i/non alloy s, smls, circular cs, not cld dr/rl	
	219	73043920	Geo casin/drill pipe, i/non alloy s, smls, circ cs, not cld dr/rl	
	220	73043990	Tubes, pipe..., i/non alloy s, smls, circular cs, not cld dr/rl,nes	
	221	73044190	Tubes, pipe, stainls steel, smls, circ cros sec , cold d/r, nes	
	222	73044910	Boiler tube/pipe, stnls s, smls,circular cs, not cold draw/rold	
	223	73044990	Tubes, pipe.., stnls s, smls,circular cs,not cold dr/rl, nes	
	224	73045110	Boiler tube/pipe, alloy s o/t stnls, smls,circ cros sec, cold dr/rl	
STEEL	225	73045120	Geo casing/drill pipe, alloy s o/t stnls,smls, circ cs, cold dr/rl	Liberalized within 3 years after the entry into force of this Protocol.
	226	73045190	Tube/pipe., alloy s o/t stnls, smls, circ cs, cold d/r, nes	
	227	73045910	Boiler tube/pipe, alloy s o/t stnls, smls, circ cs, not cld d/r, nes	
	228	73045920	Geo casng/drill pipe, alloy s o/t stnls,smls, circ cs,nt cld d/r, nes	
	229	73045990	Tube/pipe., alloy s o/t stnls,smls, circ cs, not cold dr/rl, nes	
	230	73049000	Tubes, pipe & hollow profiles, i's, smls, nes	
	231	73051100	Pipe,line,i/s,longitudinally subm arc wld,int/ext cs,dia>406.4mm	
	232	73051200	Pipe,line,i/s,longitudinally wld w int/ext circ cs,ext dia>406.4mm	
	233	73051900	Pipe, line,i/s, int/ext circ cross sect, wld, ext dia>406.4mm, nes	
	234	73052000	Casings,i/s,int/ext circ c sect,wld ext dia>406.4mm,o/g drill,nes	
	235	73053100	Tubes & pipe, i/s, longitudinally welded, external dia>406.4mm, nes	
	236	73053900	Tubes & pipe,i/s,welded,riveted'sim closed,ext dia>406.4mm,nes	
	237	73059000	Tubes & pipe, i/s, riveted'sim closed, ext dia>406.4mm, nes	
	238	73061000	Pipe,line,i/s,welded,riveted'sim closed,nes,for o/g pipeline	
	239	73062000	Casing/tubing,i/s,welded,riveted'sim clsd,nes,for o/g drilling	
	240	73063000	Tubes,pipe & hollow profiles,iron'nas,welded,of circ cs,nes	
	241	73064000	Tubes,pipe & hollow profiles,stnls steel,welded,of circ cs,nes	
	242	73065000	Tubes, pipe & hollow profiles,al/s,(o/t stain) wld,of circ cs, nes	
	243	73066000	Tubes, pipe & hollow profiles, i/s, welded, of non circ cs, nes	
	244	73069000	Tubes, pipe & hollow profiles, i/s, welded, nes	
	245	73121000	Stranded wire, ropes & cables of i's,not electrically insulated	

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED

WT/ACC/CHN/48
18 July 2001
(01-3552)

Working Party on the Accession of China

Original: English/ anglais/ inglés

COMMUNICATION FROM CHINA

In preparation for the Working Party meetings on 16-20 July 2001, the Chinese delegation has submitted the following revised[1] Annex 6 on Products Subject to Export Duty, dated 13 July 2001.[2]

Groupe de travail de l'accession de la Chine

COMMUNICATION DE LA CHINE

En vue des réunions du Groupe de travail qui auront lieu du 16 au 20 juillet 2001, la délégation chinoise a communiqué la version révisée[1] ci-après de l'annexe 6 relative aux produits soumis à des droits d'exportation, datée du 13 juillet 2001.[2]

Grupo de Trabajo sobre la Adhesión de China

COMUNICACIÓN DE CHINA

Para preparar la reunión del Grupo de Trabajo que se celebrará del 16 al 20 de julio de 2001, la delegación china ha presentado la siguiente versión revisada[1], de fecha 13 de julio de 2001, del anexo 6 relativo a los productos sujetos a derechos de exportación.[2]

[1] Former version issued in document WT/ACC/CHN/18./L'ancienne version a été distribuée sous la cote WT/ACC/CHN/18./La versión anterior se distribuyó en el documento WT/ACC/CHN/18.

[2] In English only./En anglais seulement./En inglés solamente.

ANNEX 6

PRODUCTS SUBJECT TO EXPORT DUTY
13 July 2001

NO	HS NO	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE(%)
1	03019210	Live eels fry	20.0
2	05061000	Ossein and bones treated with acid	40.0
3	05069010	Powder and waste of bones	40.0
4	05069090	Bones and horn-cores not cut to shape, nes	40.0
5	26070000	Lead ores & concentrates	30.0
6	26080000	Zinc ores & concentrates	30.0
7	26090000	Tin ores & concentrates	50.0
8	26110000	Tungsten ores & concentrates	20.0
9	26159000	Niobium & tantalum ores & concentrates	30.0
10	26171010	Crude antimony	20.0
11	28047010	Yellow phosphorus (white phosphorus)	20.0
12	28047090	Phosphorus, nes	20.0
13	28269000	Potassium fluotantalate	30.0
14	29022000	Benzene	40.0
15	41031010	Slabs of goats, fresh or preserved, not tanned	20.0
16	72011000	Non-alloy pig iron, by wt.≤0.5% of phosphorus in primary forms	20.0
17	72012000	Non-alloy pig iron, by wt.>0.5% of phosphorus in primary forms	20.0
18	72015000	Alloy pig iron	20.0
19	72021100	Ferro-manganese, containing by weight more than 2% of carbon	20.0
20	72021900	Ferro-manganese, nes	20.0
21	72022100	Ferro-silicon, containing by weight more than 55% of silicon	25.0
22	72022900	Ferro-silicon, nes	25.0
23	72023000	Ferro-silico-manganese	20.0
24	72024100	Ferro-chromium containing by weight more than 4% of carbon	40.0
25	72024900	Ferro-chromium, nes	40.0
26	72041000	Waste & scrap, cast iron	40.0
27	72042100	Waste & scrap, stainless steel	40.0
28	72042900	Waste & scrap, of alloy steel, other than stainless	40.0
29	72043000	Waste & scrap, of tinned iron or steel	40.0
30	72044100	Ferrous waste & scrap,i/s,from the mechanical working of mtl, nes	40.0
31	72044900	Ferrous waste & scrap, iron or steel, nes	40.0
32	72045000	Remelting scrap ingots, of iron or steel	40.0
33	74020000	Cu unrefined, Cu anodes for electrolytic refining	30.0
34	74031100	Cu cathodes & sections of cathodes unwrought	30.0
35	74031200	Wire bars, Cu, unwrought	30.0
36	74031300	Billets, Cu, unwrought	30.0
37	74031900	Refined Cu products, unwrought, nes	30.0
38	74032100	Cu-zinc base alloys, unwrought	30.0
39	74032200	Cu-tin base alloys, unwrought	30.0
40	74032300	Cu-Ni base alloys'Cu-Ni-zinc base alloys, unwrought	30.0
41	74032900	Cu alloys, unwrought (other than master alloys of heading No 74.05	30.0
42	74040000	Waste & scrap, Cu'Cu alloy	30.0
43	74071000	Bars, rods & profiles of refined Cu	30.0
44	74072100	Bars, rods & profiles of Cu-Zn base alloys	30.0

NO	HS NO	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE(%)
45	74072200	Bars,rods & profiles of Cu-Ni'Cu-Ni-Zn base alloys	30.0
46	74072900	Bars, rods & profiles, Cu alloy nes	30.0
47	74081100	Wire of refined Cu of which the max cs dimension>6mm	30.0
48	74081900	Wire of refined Cu of which the max cs dimension≤6mm	30.0
49	74082100	Wire, Cu-zinc base alloy	30.0
50	74082200	Wire, Cu-Ni base alloy'Cu-Ni-zinc base alloy	30.0
51	74082900	Wire, Cu alloy, nes	30.0
52	74091100	Plate, sheet & strip of refined Cu, in coil, thick>0.15mm	30.0
53	74091900	Plate, sheet & strip of refined Cu, not in coil, thick>0.15mm	30.0
54	74092100	Plate, sheet & strip of Cu-Zn base alloys, in coil, thick>0.15mm	30.0
55	74092900	Plate, sheet & strip of Cu-Zn base alloys, not in coil, thick> 0.15mm	30.0
56	74093100	Plate, sheet & strip of Cu-tin base alloys, in coil, thick>0.15mm	30.0
57	74093900	Plate,s heet & strip of Cu-tin base alloys, not in coil, thick> 0.15m	30.0
58	74094000	Plate, sheet & strip of Cu-Ni'Cu-Ni-Zn base alloy, thick>0.15mm	30.0
59	74099000	Plate, sheet & strip of Cu alloy, thick >0.15mm, nes	30.0
60	75021000	Ni unwrought, not alloyed	40.0
61	75022000	Ni unwrought, alloyed	40.0
62	75089010	Electroplating anodes of Ni	40.0
63	76011000	Al unwrought, not alloyed	30.0
64	76012000	Al unwrought, alloyed	30.0
65	76020000	Waste & scrap, Al	30.0
66	76041000	Bars, rods & profiles, Al, not alloyed	20.0
67	76042100	Profiles, hollow, Al, alloyed	20.0
68	76042900	Bars, rods & other profiles, Al alloyed	20.0
69	76051100	Wire,Al, not alloyed, with a max cross sectional dim>7mm	20.0
70	76051900	Wire,Al, not alloyed, with a max cross sectional dim≤7mm	20.0
71	76052100	Wire, Al alloy, with a maximum cross sectional dim> 7mm	20.0
72	76052900	Wire, Al alloy, with a maximum cross sectional dim≤7mm	20.0
73	76061120	Plate/sheet/strip, Al, not alloyed, rect'sq, 0.30≤thickness<0.36	20.0
74	76061190	Plate/sheet/strip, Al, not alloyed, rect'sq, thick>0.2mm, nes	20.0
75	76061220	Plate, sheet'strip, Al alloy, rect'sq, thickness<0.28mm	20.0
76	76061230	Plate, sheet'strip, Al alloy, rect'sq, 0.28mm≤thickness≤0.35	20.0
77	76061240	Plate, sheet'strip, Al alloy, rect'sq, 0.35mm<thickness	20.0
78	76069100	Plate, sheet'strip, Al, not alloyed, >0.2mm thick, nes	20.0
79	76069200	Plate, sheet'strip, Al alloy, >0.2mm thick, nes	20.0
80	79011100	Zinc not alloyed unwrought containing by weight≥99.99% of zinc	20.0
81	79011200	Zinc not alloyed unwrought containing by weight<99.99% of zinc	20.0
82	79012000	Zinc alloys unwrought	20.0
83	81100020	Antimony unwrought	20.0
84	81100030	Antimony waste & scrap; powders	20.0

2001年

第18次

世界贸易组织

中国工作组第 18 次会议

(2001 年 9 月 11 日至 9 月 17 日)

WTO中国工作组第18次会议

2001年9月11日至9月17日，WTO中国工作组第18次会议在日内瓦举行，外经贸部首席谈判代表龙永图率中国代表团出席，中国常驻日内瓦代表团大使沙祖康和国务院法制办副主任李适时担任副团长，代表团由外经贸部、外交部、农业部、文化部、海关总署、质检总局、国务院法制办、外汇局等部门的官员组成。从9月5日至17日，工作组非正式会议和双边磋商交叉进行，9月17日下午举行工作组正式会议。

工作组正式会议原定9月13日举行，但9月11日下午非正式会议刚刚进行一半时，美国助理贸易代表贝德突然宣布国内发生紧急事件，请求休会。此时正是美国时间9月11日上午，世贸中心大楼刚刚遭到飞机撞击。如果美国代表团回国、正式会议改期举行，就意味着中国难以在2001年年内完成加入程序。然而，美国代表团最终表示决定留在日内瓦继续出席会议，在与中国、美国和欧盟等主要成员磋商后，主席决定将原定9月13日举行的正式会议推迟至9月17日。

此次会议的主要任务是对议定书和工作组报告书进行最后审议和核对。这些法律文件不仅包括大量文字，而且包括大量数字，长达近千页。

中国代表团根据国内有关部门的审核意见，提出了中方修改意见，与此同时，其他成员也提出了修改意见。中方在审议中表明了中方立场，驳回了一些不合理或企图重开谈判的要求。经过反复谈判，使所有问题均获解决。

议定书共有9个附件，其中货物贸易减让表和服务贸易

减让表反映了双边市场准入谈判的结果，仅货物贸易减让表一个附件即占全部法律文件70%的篇幅。这两个减让表由秘书处根据中国与几十个成员的双边市场准入协议合并编制而成，各成员需要根据双边协议核对减让表是否如实反映双边谈判的结果。

从9月5日起，中国代表团先遣人员就开始与有关成员进行技术核对工作。9月10日至14日，各方举行了一系列非正式会议和双边磋商，对工作组报告书、议定书、货物贸易减让表、服务贸易减让表进行了审议和核对。在这一过程中，中方发现了一些技术错误，其中一些是在以往谈判中遗漏的，主要涉及关税减让的实施期(协议以数字年或日历年标注实施期而产生差异)和关税配额(配额量原为等比方式确定，后改用等差方式确定而产生差异，因实施期标注差异而产生配额内、外税率差异等)。经过多次诸边会议和双边磋商，中方与有关成员达成了一致，纠正了这些技术错误，通过换函形式或签署补充协议等方式对双边协议内容进行了修改和核正。9月15日凌晨1时，各方就全部问题达成一致，对减让表进行了修改[1]。

9月13日在接近全部谈判完成的前夕，在日内瓦湖畔新落成的中国驻日内瓦代表团经贸处，中国新任常驻日内瓦代表团大使沙祖康与墨西哥驻WTO大使佩雷斯·墨塔签署了两国WTO双边协议，中国最终全部结束了与WTO成员的双边谈判。

在9月17日举行的正式会议上，中国工作组主席吉拉德主持逐项通过了中国工作组报告书(草案)、议定书(草案)、货物贸易减让表、服务贸易减让表以及《关于中国加入

[1] WTO文件WT/ACC/SPEC/CHN/1/REV.8/ADD.1/REV.1/CORR.1，2001年9月17日。

WTO的决定》(草案)，会议决定将这些文件提交WTO总理事会审议，并最终提交第四届部长级会议审议通过。吉拉德随即宣布，中国工作组完成了各项工作，结束了历史使命。

工作组成员在通过法律文件之后纷纷发言，对中国加入WTO谈判的完成表示热烈祝贺，并表示中国加入WTO有利于中国，也有利于WTO成员，期待着与中国在WTO中进行合作，希望中国在成为成员后，为加强多边贸易体制作出自己的贡献。

中国代表团团长、外经贸部首席谈判代表龙永图在发言中指出，今天是一个值得纪念的重要日子，它标志着中国入世谈判的最后结束，同时，也表明历时14年6个月的中国工作组已经完成历史使命。

龙强调，中国加入WTO，是中国和世界双赢和共赢的结果。对世界而言，加入WTO后，中国巨大的市场潜力将会逐步转化为现实的购买力，从而为世界各国各地区提供一个巨大的开放的市场，这是中国对人类作出的重要贡献。对中国来说，中国将按照WTO的原则，进一步完善符合国际通行规则的社会主义市场经济体制。中国将按照WTO相互开放市场的原则，加强与包括广大发展中国家在内的所有WTO成员的经济技术合作，这必将大大促进中国的现代化建设和参与国际经济的能力。

龙表示，加入WTO后，中国将根据权利与义务平衡的原则，在享受自身权利的同时，严格遵守WTO规则，认真履行承诺，并将根据自身的经济发展水平，为加强多边贸易体制作出积极贡献。

WTO中国工作组第 18 次会议

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19		Comments on the Comments on the Goods Schedule	2001.9.4	753
20		各方核对结果中未决问题(服务贸易除外)	2001.9.8	757
21		张向晨副司长就澄清关税减让公式问题致捷克等10成员代表团官员的函	2001.9.10	761
22		张向晨副司长就双边协议中的技术错误致拉美5国代表团官员的函	2001.9.10	765
23		龙永图副部长致WTO秘书处侯赛因司长的函(附Corrigendum on the Revised Draft Goods Schedule of China)	2001.9.11	767
24		张向晨副司长就双边协议并入货物贸易减让表事致印度代表团官员的函	2001.9.11	782
25		张向晨副司长就关税减让公式问题致土耳其代表团官员的函	2001.9.13	783
26		张向晨副司长就关税减让公式问题致巴基斯坦代表团官员的函	2001.9.13	791
27		张向晨副司长就关税减让公式问题致新加坡代表团官员的函	2001.9.13	793
28		张向晨副司长就关税减让公式问题致匈牙利代表团官员的函	2001.9.13	794
29		张向晨副司长就修改双边协议问题致多米尼加大使的函	2001.9.13	795
30		Joint Letter to the Secretariat(欧共体、拉美5国、澳大利亚、巴基斯坦、新西兰、土耳其、匈牙利、新加坡、韩国、马来西亚)	2001.9.14	796
31		中国与加拿大关于澄清双边协议有关内容的协议	2001.9.14	808
32		Paragraph 312(美国、欧盟案文)	2001.9.14	810
33		China's Additional Comment on Rev.8 Corr.1+2(中国案文)	2001.9.14	811
34		Corrigendum on the Out-Quota Rates for TRQ Products	2001.9.14	812
35		Corrigendum to WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1	2001.9.14	821
		正式散发文件 (按文件号排列)		
36*	WT/ACC/CHN/1/Rev.8/Add.1/Rev.1	Draft Schedule-China, Part I-Draft Schedule of Concessions and Commitments on Goods(Revision)	2001.9.12	839
37	WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1/Corr.1	Draft Schedule-China, Part I-Draft Schedule of Concessions and Commitments on Goods(Corrigendum)	2001.9.17	840

序号	文件号	文件名	日期	页码
38	WT/ACC/SPEC/CHN/1/Rev.8/Add.2	Draft Schedule-China, Part II-Draft Schedule of Specific Commitments on Services(Addendum)	2001.7.31	859
39	WT/ACC/SPEC/CHN/1/Rev.8/Add.2/Rev.1	Draft Schedule-China, Part II-Draft Schedule of Specific Commitments on Services (Revision)	2001.9.4	906
40	WT/ACC/SPEC/CHN/1/Rev.8/Add.2/Rev.1/Corr.1	Draft Schedule of Specific Commitments on Services (Corrigendum)	2001.9.17	961
41	WT/ACC/SPEC/CHN/1/Rev.8/Corr.1	Draft Report of the Working Party on the Accession of China (Corrigendum)	2001.9.10	962
42	WT/ACC/SPEC/CHN/1/Rev.8/Corr.2	Draft Report of the Working Party on the Accession of China (Corrigendum)	2001.9.14	1030
43	WT/ACC/SPEC/CHN/1/Rev.8/Corr.3	Draft Report of the Working Party on the Accession of China (Corrigendum)	2001.9.19	1033
44	WT/ACC/SPEC/CHN/1/Rev.8/Corr.4	Draft Report of the Working Party on the Accession of China (Corrigendum)	2001.9.19	1048
45	WT/ACC/CHN/49	Report of the Working Party on the Accession of China	2001.10.1	1116
46*	WT/ACC/CHN/49/Add.1	Schedule CLII-People's Republic of China	2001.10.1	1296
47	WT/ACC/CHN/49/Add.2	Schedule CLII-People's Republic of China	2001.10.1	1297
48	WT/ACC/CHN/49/Corr.1	Report of the Working Party on the Accession of China (Corrigendum)	2001.10.5	1352

*仅封面页，全文见后附光盘。

AIRGRAM AÉROGRAMME AEROGRAMA

WTO OMC

WTO/AIR/1601 31 JULY 2001

SUBJECT: WORKING PARTY ON THE ACCESSION OF CHINA

1. THE WORKING PARTY ON THE ACCESSION OF CHINA WILL MEET ON THURSDAY, 13 SEPTEMBER 2001, BEGINNING AT 10 A.M. IN THE CENTRE WILLIAM RAPPARD, 154 RUE DE LAUSANNE, GENEVA.

2. THE PURPOSE OF THE MEETING IS TO ADOPT AND FORWARD TO THE CHAIRMAN OF THE GENERAL COUNCIL:

(i) THE DRAFT REPORT OF THE WORKING PARTY AND THE DRAFT PROTOCOL ON THE ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA, INCLUDING ITS ANNEXES (WT/ACC/SPEC/CHN/1/REV.8);

(ii) THE DRAFT SCHEDULE OF CONCESSIONS AND COMMITMENTS ON GOODS (WT/ACC/SPEC/CHN/1/REV.8/ADD.1);

(iii) THE DRAFT SCHEDULE OF SPECIFIC COMMITMENTS ON SERVICES (WT/ACC/SPEC/CHN/1/REV.8/ADD.2).

3. MEMBERS OF THE WTO, OTHER GOVERNMENTS WITH OBSERVER STATUS AND INTERNATIONAL ORGANIZATIONS GRANTED OBSERVER STATUS FOR THIS MEETING OF THE WORKING PARTY ON THE ACCESSION OF CHINA ARE REQUESTED TO INFORM THE SECRETARIAT OF THE NAMES OF THEIR REPRESENTATIVES AS SOON AS POSSIBLE.

MIKE MOORE

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AIRGRAM **AÉROGRAMME** **AEROGRAMA**

WTO OMC

WTO/AIR/1601/CORR.1 12 SEPTEMBER 2001

SUBJECT: WORKING PARTY ON THE ACCESSION OF CHINA

PLEASE NOTE THAT THE NEXT MEETING OF THE WORKING PARTY ON THE ACCESSION OF CHINA, PREVIOUSLY SCHEDULED FOR THURSDAY, 13 SEPTEMBER 2001, HAS BEEN RESCHEDULED TO MONDAY, 17 SEPTEMBER 2001, BEGINNING AT 3 P.M. IN THE CENTRE WILLIAM RAPPARD, 154 RUE DE LAUSANNE, GENEVA.

MIKE MOORE

OBJET: GROUPE DE TRAVAIL DE L'ACCESSION DE LA CHINE

VEUILLEZ NOTER QUE LA PROCHAINE RÉUNION DU GROUPE DE TRAVAIL DE L'ACCESSION DE LA CHINE, PRÉVUE INITIALEMENT POUR LE JEUDI 13 SEPTEMBRE 2001, SE TIENDRA LE LUNDI 17 SEPTEMBRE 2001 À 15 HEURES AU CENTRE WILLIAM RAPPARD, 154 RUE DE LAUSANNE, À GENÈVE

MIKE MOORE

ASUNTO: GRUPO DE TRABAJO SOBRE LA ADHESIÓN DE CHINA

SE RUEGA TOMAR NOTA DE QUE LA PRÓXIMA REUNIÓN DEL GRUPO DE TRABAJO SOBRE LA ADHESIÓN DE CHINA, INICIALMENTE PREVISTA PARA EL JUEVES 13 DE SEPTIEMBRE DE 2001, SE CELEBRARÁ EL LUNES 17 DE SEPTIEMBRE DE 2001 Y DARÁ COMIENZO A LAS 15 H EN EL CENTRO WILLIAM RAPPARD, 154 RUE DE LAUSANNE, GINEBRA.

MIKE MOORE

01-4314

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出席中国工作组第 18 次会议中国代表团名单

团　　长：	龙永图	对外贸易经济合作部首席谈判代表
副 团 长：	李适时	国务院法制办副主任
	沙祖康	常驻日内瓦代表团大使
成　　员：		
外经贸部：		
	张向晨	国际司副司长
	刘建华	办公厅处长
	孙　鹏	外资司处长
	李成钢	条法司处长
	傅星国	国际司副处长
	索必成	国际司副处长
	洪晓东	国际司副处长
	刘　钢	国际司官员
	韩长天	国际司官员
外交部：		
	白永洁（女）	国际司副处长
国家计委：		
	孙效峰	经贸流通司处长
国家经贸委：		
	霍建国	对外经济协调司副司长
财政部：		
	张宝竹	税政司巡视员
	叶　绿（女）	税政司副处长

农业部：

刘北桦（女） 计划司处长

海关总署：

周冠山 国际司副司长

王延春 关税司处长

练 兵 深圳海关副科长

邬文献（女） 拱北海关副科长

国家质量监督检验检疫总局：

李少卿 国际合作司巡视员

夏铮铮 国家认证认可监督管理委员会副主任

刘卫军 国家认证认可监督管理委员会认证部主任

李海清 国际合作司处长

国务院法制办：

冯雪薇（女） 外事司处长

国家外汇管理局：

温建东 综合司官员

中国保险监督管理委员会：

孟昭亿 国际部副主任

新闻出版总署：

寇小伟 音像司副司长

国家工商行政管理总局商标局：

吴 群 国际注册司副处长

国务院发展研究中心：

程国强 教授

常驻日内瓦代表团：

李恩恒 副代表

徐慧筠（女） 经贸处二秘

杨 静（女） 经贸处三秘

胡盈之 经贸处三秘

王晓东 经贸处三秘

出席中国工作组第 18 次会议中国代表团日程

日期	时间	内容	地点
9月5日(三)	09:00	与澳大利亚技术核对	WTO会议室1121
	10:30	与加拿大技术核对	WTO会议室1121
	15:00	与新西兰技术核对	WTO会议室A
	16:00	与泰国技术核对	WTO会议室A
	17:30	与马来西亚技术核对	WTO会议室A
9月6日(四)		内部核对	
9月7日(五)		内部核对	
9月10日(一)	09:00	张向晨副司长会见侯赛因司长	
	11:00	与日本技术核对	WTO会议室F
	12:00	新西兰大使会见张向晨副司长	WTO会议室F
	15:00	关税减让表诸边会	WTO会议室E
	16:30	与加拿大双边技术核对	WTO会议室E
	17:30	与拉美5国双边技术核对	WTO会议室F
	20:00	与美国双边磋商	经贸处
9月11日(二)	09:00	关税配额诸边会	WTO会议室A
	10:00	工作组非正式会议	WTO会议室CR
	14:30	与美国双边磋商	WTO会议室A
	15:00	工作组非正式会议	WTO会议室CR
9月12日(三)	11:00	与墨西哥双边磋商	WTO会议室3105
	12:00	与欧盟双边磋商	经贸处
	15:00	工作组非正式会议	WTO会议室W
	15:45	与日本技术核对	WTO会议室W
	16:00	与加拿大双边磋商	WTO会议室3121
	16:15	与马来西亚技术核对	WTO会议室W
	17:30	与欧盟双边磋商	WTO会议室A
9月13日(四)	10:00	与欧盟双边磋商	欧盟团
	10:00	与印度双边磋商(SPS)	
	下午	与墨西哥签字仪式	经贸处
	15:00	议定书附件诸边磋商	WTO会议室A

日期	时间	内容	地点
9月14日(五)	09:00	关税配额和货物贸易减让表诸边磋商	WTO会议室F
	09:30	音像和再保险服务诸边磋商	WTO会议室1121
	15:00	工作组非正式会议	WTO会议室W
	晚至15日凌晨	技术核对	WTO会议室F
9月17日(一)	15:00	工作组正式会议	WTO会议室CR

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACION MUNDIAL DEL COMERCIO

Direct line:
Direct fax:
Email:

FAX

To:	Members of the Working Party on the Accession of China Delegation of China	Fax No:	
From:	Mr. P.-L. Girard Chairman Working Party on the Accession of China	Date:	31 July 2001
Number of pages (including this one): 1		Ref:	

Subject: **Planning for the 18th Meeting of the Working Party on the Accession of China**

The following arrangements are foreseen for the upcoming meeting of the China Working Party:

(1) The Working Party will meet in informal session on Tuesday, 11 September 2001, beginning at 10 a.m., with a view to finalizing the Draft Report, the Draft Protocol and its Annexes, based on the revisions to these documents circulated on 31 July 2001 in WT/ACC/SPEC/CHN/1/Rev.8, together with the Draft Schedules of Concessions and Commitments on Goods and Services, circulated in documents WT/ACC/SPEC/CHN/1/Rev.8/Add.1 and Add.2, and the Draft Decision on the Accession of China;

(2) The Working Party will then convene in formal session at 10 a.m. on Thursday, 13 September 2001 to adopt and forward to the Chairman of the General Council, the Report of the Working Party, the Draft Protocol and its Annexes (including the Schedules of Concessions and Commitments on Goods and Services), and the Draft Decision on the Accession of China.

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31 07 '01 TUE 17:35 [TX RX NO 8565] 001

中国代表团团长龙永图副部长
在中国工作组第18次会议上的发言

2001年9月17日

主席先生：

今天，WTO中国工作组第18次会议就要结束了。这是一个值得纪念的重要日子，它标志着中国入世谈判的最后结束，同时，也表明历时14年6个月的工作组就要完成它的历史使命。

在各方的共同努力下，这次会议通过了中国加入WTO的所有法律文件。在完成必要的程序后，中国就将很快正式成为WTO成员。为了实现这一目标，我们作出了漫长的、艰苦的努力，在座的每一个人都有理由为我们的工作而感到自豪，因为我们共同参与了一项历史性的事件—将一个人口占人类四分之一的国家，成功地带入到以促进世界经济贸易发展为宗旨的多边贸易体制当中。

我谨代表中国政府，对所有工作组成员在谈判中所表现出的合作精神，特别是发展中成员的坚定支持，表示真诚的感谢。在此，我对工作组主席吉拉德先生致以特别的谢意。他的领导能力和坚韧不拔的毅力终于使这场马拉松式的谈判得以结束。同时，我还要对WTO总干事穆尔先生，对热情支持过中国加入谈判的关贸总协定和WTO历任总干事邓克尔先生、萨瑟兰先生、鲁杰罗先生，对秘书处的拉维耶先生、侯赛因先生、格特勒先生、米勒索普先生、阿德朗先生、普罗普斯特女士以及所有为中国加入WTO付出过辛勤

劳动的人们表示真诚的感谢。

我要在此感谢所有参加过谈判并作出了重要贡献的中国同事们，特别是我的前任沈觉人先生、佟志广先生和谷永江先生。没有他们的努力，就不可能有今天的谈判成果。

我这次还要特别感谢美国代表团，贝德先生和他的同事们，在美国遭到恐怖袭击后，克服了各种困难，继续和我们一起留在日内瓦工作，并为这次关键性会议的成功作出了重要贡献。

主席先生，

正如江泽民主席最近指出的，“加入WTO是中国政府在经济全球化的形势下所作出的战略决策，是与中国改革开放和建设社会主义市场经济体制的目标一致的”。中国改革开放所取得的成就，为中国参与多边贸易体制提供了条件和可能；中国为加入WTO所作出的努力也有力地促进了中国改革开放的进程。

过去15年谈判的历史，就是中国不断向市场经济体制迈进，向通行的国际规则靠拢的历史；是中国不断加快对外开放，逐步深入参与经济全球化进程的历史。中国多次大幅度降低了关税，削减了绝大部分非关税措施，逐步开放了服务贸易领域，废除了进出口的指令性计划，取消了出口补贴，建立了起以市场为基础的价格机制，实现了汇率并轨和经常项目下的人民币可兑换，统一了税制并对外国产品给予了国民待遇。过去我们在这里讨论的许多东西在中国已经变成了现实。我们刚刚完成的工作，将确保这一进程以一种更加稳定和可以预见的方式延续下去。我们眼前经过艰苦谈判形成的厚达一千页的文件，将成为中国未来若干年对外开放市场的时间框架和遵守国际规则的法律基础。

中国加入WTO，是中国和世界双赢，共赢的结果。对

世界而言，加入WTO后，中国巨大的市场潜力将会逐步转化为现实的购买力，从而为世界各国各地区提供一个巨大的开放的市场，这是中国将要对人类作出的重要贡献。对中国来说，我们将按照WTO的原则，进一步完善符合国际通行规则的社会主义市场经济体制。中国将按照WTO相互开放市场的原则，加强与包括广大发展中国家在内的所有WTO成员的经济技术合作，这必将大大促进中国的现代化建设和参与国际经济的能力。

主席先生，

在1987年3月，你刚刚当选工作组主席的时候，有人说你将在这个职务上干10年以上。看来，他是一个具有远见的人。这场谈判的复杂性和艰巨性超过了几乎所有人的想象。把一个由计划经济向市场经济转变过程中的巨大而复杂的发展中经济体，融入到以市场经济的规则为基础的多边贸易体制当中，对于中国和多边贸易体制来说，都是前所未有的挑战。中国领导人以自己的远见和智慧，勇敢地迎接了这个挑战，表现了中国政府坚持改革开放的信心和决心，这是我们这场谈判取得成功的关键。

主席先生，

中国将成为WTO新的一员，但由于15年的加入谈判，我们对多边贸易体制的游戏规则已经不再陌生。我们相信，WTO将会增加一支新的能够发挥积极的建设性作用的重要力量。我愿意借此机会重申，加入WTO以后，中国将根据权利义务平衡的原则，在享受自身权利的同时，严格遵守WTO的规则，认真履行自己的承诺。我们将根据自身的经济发展水平，为加强多边贸易体制作出积极的贡献。

15年的谈判是漫长的，但相对于有着5千年历史的中国人来说，它不过是短短的一个瞬间。回首15年的历史，我们

深深感到，在克服了无数的困难和挫折之后，今天终于走到了终点，然而这仅仅是个开端的终点，是一个重要历史进程开端的终点。既然我们已经成功地结束了一个重要历史进程的开端，我们更加充满信心，在这个长期的历史进程中取得更大的胜利。

谢谢主席先生。

Statement by Vice Minister Long Yongtu, Head of the Chinese Delegation, at the Eighteenth Session of the Working Party on China

17 September 2001

Mr. Chairman:

The 18th Session of the Working Party on China is soon coming to an end. Today is a memorable day of importance. It marks the final conclusion of negotiations on China's WTO accession, and the Working Party that has been established for 14 and half years will complete its historical mission.

This Session has adopted all the legal documents on China's accession thanks to the joint efforts of the Working Party members. China will soon become a WTO Member after necessary legal procedures. To achieve this goal, we have made protracted and arduous efforts. Everybody present today has good reason to be proud of our work, as we are part of a historical event, an event which will bring a country with one-fourth of the world population into the multilateral trading system which takes the promotion of the world trade and economic development as its major goal.

I would like to, on behalf of the Chinese Government, to express our sincere gratitude to the cooperative spirit of the Working Party members in the negotiations. My special gratitude first goes to you, Mr. Chairman, your strong leadership and the spirit of tenacity has made this Marathon-like negotiation a success. I would also express my thanks to Mr. Mike Moore, Director-General of the WTO, to the former Director-Generals of GATT and the WTO, Mr. Dunkel, Mr. Sutherland and Mr. Ruggiero, to the officials of the Secretariat, in particular Mr. Ravier, Mr. Hussain, Mr. Gertler, Mr. Peter Milthorp, Mr. Adlung, Mrs. Denby Probst, as well as to all the people who have contributed their hard work for China's accession. In the meantime, I would also thank all my Chinese colleagues who have participated and made important contributions to this process, especially my predecessors, Mr. Shen Jueren, Mr. Tong Zhiguang and Mr. Gu Yongjiang. Without their efforts, it would be impossible to achieve today's goal.

Here, I would like to give a special thanks to the members of the US

delegation. After the terrorist attack in the United States on 11 September, Mr. Bader and his colleagues overcame many difficulties and managed to stay in Geneva working with us. They have made important contributions for the final success of this key Session of the Working Party.

Mr. Chairman,

Just as President Jiang Zemin pointed out recently that WTO accession is a strategic decision made by the Chinese Government under economic globalization and is in line with China's reform and opening-up policy and the goal of establishing a socialist market economic system. The achievements made in China's reform and opening-up process have provided conditions and possibilities for China's participation into the multilateral trading system. And on the other hand, the efforts made by China for its WTO accession have greatly accelerated the reform and opening-up process in China.

The history of the past 15 years is the history of China's advancing toward market economic system and of China's gradually adopting international rules. It is the history of China's continuous effort to accelerate its opening to the outside world. It is the history of China's gradually deepening its participation into the process of economic globalization. China has substantially reduced its tariff levels for many times, eliminated over-whelming majority of its non-tariff measures, gradually opened its service sectors, abolished the mandatory plan for imports and exports, eliminated export subsidies, established its market-based pricing mechanism, unified the exchange system, realized the convertibility of RMB under current account in international transactions, unified taxation system and provided national treatment to imported product. Many proposals we discussed here in the past have become realities in China. The work we have accomplished today will ensure that this process will continue in a stable and predictable manner. The 1000-page document in front of us as a result of our painstaking negotiations will become the timeframe for China's opening-up in the years to come and will provide the legal basis for China's commitment to international rules.

The outcome of China's accession to the WTO will be marked with the feature of a "win-win" and "all-win" for China as well as for the world. As for the rest of world, after China's accession, the great potential of China's market will be gradually translated into actual purchasing power, so as to provide a huge open market to all countries and regions in the world. This would be an important contribution to be made by China to the mankind. As for China, it will further improve the market economic system to be in line with

the current international rules and the principles of the WTO. China will, in light of the WTO principle of market opening on reciprocal basis, strength its economic and technological cooperation with all the WTO Members including developing members. China's economic reform towards market economy and its policy of further opening-up will greatly accelerate China's modernization drive and enhance its ability to participate into international economy.

Mr. Chairman,

When you were appointed as the Chairman of the Working Party in March 1987, someone once said that you might be on that post for more than 10 years. In retrospect, he is indeed a man of prophecy. The complexity and difficulty of this process are beyond the imagination of almost everybody. It has been an unprecedented challenge to China and to the multilateral trading system to bring a developing country in transition from planned economy to market economy into the multilateral trading system. The Chinese leaders have courageously faced up this challenge with vision and wisdom and they have demonstrated China's confidence and persistence to undertake reform and opening-up. Their leadership has been the key to the success of the negotiation process.

Mr. Chairman,

As a Member, China will be new to the WTO. However, we are not unfamiliar with the rules of the game of the multilateral trading system any more thanks to the accession negotiations in the past 15 years. We believe once China is in the WTO, the WTO will have an important new player who will play a positive and constructive role. I would like to take this opportunity to reiterate that while enjoying its rights, China will strictly abide by WTO rules and conscientiously implement its commitments in accordance with the principle of balance between rights and obligations. We will make every contribution for the strengthening of the multilateral trading system in economic development.

The 15-year negotiation is indeed a long process. However, it is only a blink of eyes comparing with the 5000-year history of China. Looking back the history in the past 15 years, we are pleased to see that we have finally arrived at the end point today after overcoming numerous difficulties and frustrations. But this is only the end of a beginning--the end of the beginning for a long historical process. As we have successfully ended this important stage of beginning, we are more confident that we can achieve even greater success in the long process ahead us.

Thank you, Mr. Chairman.

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

PRESS RELEASE

PRESS/243
17 September 2001
(01-4402)

WTO SUCCESSFULLY CONCLUDES NEGOTIATIONS ON CHINA'S ENTRY

The World Trade Organization today (17 September) successfully concluded negotiations on China's terms of membership of the WTO, paving the way for the text of the agreement to be adopted formally at the WTO Ministerial Conference in Doha, Qatar, in November.

"International economic cooperation has brought about this defining moment in the history of the multilateral trading system," said Mike Moore, WTO Director-General, at the conclusion of the meeting of the Working Party on China's Accession. "With China's membership, the WTO will take a major step towards becoming a truly *world* organization. The near-universal acceptance of its rules-based system will serve a pivotal rôle in underpinning global economic cooperation."

Under the chairmanship of Ambassador Pierre-Louis Girard of Switzerland, the Working Party concluded almost 15 years of negotiations with China and agreed to forward some 900 pages of legal text for formal acceptance by the 142 Member Governments of the WTO. Thirty days after China notifies its acceptance of the agreement, China legally becomes a member of the WTO.

As a result of the negotiations, China has agreed to undertake a series of important commitments to open and liberalize its regime in order to better integrate in the world economy and offer a more predictable environment for trade and foreign investment in accordance with WTO rules.

Among some of the commitments undertaken by China are the following:

- China will provide non-discriminatory treatment to all WTO Members. All foreign individuals and enterprises, including those not invested or registered in China, will be accorded treatment no less favourable than that accorded to enterprises in China with respect to the right to trade.
- China will eliminate dual pricing practices as well as differences in treatment accorded to goods produced for sale in China in comparison to those produced for export.
- price controls will not be used for purposes of affording protection to domestic industries or services providers.
- the WTO Agreement will be implemented by China in an effective and uniform manner by revising its existing domestic laws and enacting new legislation fully in compliance with the WTO Agreement.

MORE

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- Within three years of accession all enterprises will have the right to import and export all goods and trade them throughout the customs territory with limited exceptions.
- China will not maintain or introduce any export subsidies on agricultural products.

While China will reserve the right of exclusive state trading for products such as cereals, tobacco, fuels and minerals and maintain some restrictions on transportation and distribution of goods inside the country, many of the restrictions that foreign companies have at present in China will be eliminated or considerably eased after a 3-year phase-out period. In other areas, like the protection of intellectual property rights, China will implement the TRIPS (Trade-related Aspects of Intellectual Property Rights) Agreement in full from the date of accession.

During a 12-year period starting from the date of accession there will be a special Transitional Safeguard Mechanism in cases where imports of products of Chinese origin cause or threaten to cause market disruption to the domestic producers of other WTO members.

On the other hand, prohibitions, quantitative restrictions or other measures maintained against imports from China in a manner inconsistent with the WTO Agreement would be phased out or otherwise dealt with in accordance with mutually agreed terms and timetables specified in an annex to the Protocol of Accession.

1. Goods

The conclusion of the negotiations for market access on goods represents a commitment undertaken by China to gradually eliminate trade barriers and expand market access to goods from foreign countries. China has bound all tariffs for imported goods. After implementing all the commitments made, China's average bound tariff level will decrease to 15% for agricultural products. The range is from 0 to 65%, with the higher rates applied to cereals. For industrial goods the average bound tariff level will go down to 8.9% with a range from 0 to 47%, with the highest rates applied to photographic film and automobiles and related products. Some tariffs will be eliminated and others reduced mostly by 2004 but in no case later than 2010.

Textiles

Upon accession China will become a party to the Agreement on Textiles and Clothing and will be subject to its rights and obligations. As for all WTO members, quotas on textiles will end at 31 December 2004, but there will be a safeguard mechanism in place until the end of 2008 permitting WTO Member Governments to take action to curb imports in case of market disruptions caused by Chinese exports of textile products.

Agriculture

China agreed to limit its subsidies for agricultural production to 8.5% of the value of farm output (per Article 6.4 of the Agriculture Agreement). China also agreed to apply the same limit to subsidies covered by Article 6.2 of the Agriculture Agreement.

2. Services

Telecoms

Upon China's accession, foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in several cities.Foreign investment in the joint venture shall be no more than 25%. Within one year of accession, the areas will be expanded to include services in other cities and foreign investment shall be no more than 35%. Within three years of accession, foreign investment shall be no more than 49%. Within five years of accession, there will be no geographic restrictions.

Banking

Upon accession, foreign financial institutions will be permitted to provide services in China without client restrictions for foreign currency business. For local currency business, within two years of accession, foreign financial institutions will be permitted to provide services to Chinese enterprises. Within five years of accession, foreign financial institutions will be permitted to provide services to all Chinese clients.

Insurance

Foreign non-life insurers will be permitted to establish as a branch or as a joint venture with 51% foreign ownership. Within two years of China's accession, foreign non-life insurers will be permitted to establish as a wholly-owned subsidiary. Upon accession, foreign life insurers will be permitted 50% foreign ownership in a joint venture with the partner of their choice. For large scale commercial risks, reinsurance and international marine, aviation and transport insurance and reinsurance, upon accession, joint ventures with foreign equity of no more than 50% will be permitted; within three years of China's accession, foreign equity share shall be increased to 51%; within five years of China's accession, wholly foreign-owned subsidiaries will be permitted.

Notes to Editors:

1. History of China's accession to the WTO

China was one of the 23 original signatories of the General Agreement on Tariffs and Trade (GATT) in 1948. After China's revolution in 1949, the government in Taiwan announced that China would leave the GATT system. Although the government in Beijing never recognized this withdrawal decision, nearly 40 years later, in 1986, China notified the GATT of its wish to resume its status as a GATT contracting party.

China is one of 30 governments currently seeking accession to the World Trade Organization. Like many of the countries now applying for WTO membership, China is in the process of implementing economic reforms and transforming its economy into one which is more market-based. China's accession process to the WTO has been guided by a Working Party whose membership consists of all interested WTO member governments. Initially, the Working Party on China's status was established under GATT in 1987 and concerned only China's trade regime for goods. In 1995, it was converted to a WTO Working Party and its scope was broadened to include trade in services, new rules on non-tariff measures and rules relating to intellectual property rights.

A substantial part of China's accession process involved bilateral negotiations between China and WTO members. These were usually conducted privately, either at the WTO in Geneva or in

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capitals. Other meetings concern either informal or formal sessions of the Working Party. While several areas of China's trade policies, i.e. schedules of market-access commitments in goods and specific commitments on services, have been the focus of bilateral and plurilateral negotiations, it was the responsibility of the Working Party to maintain an overview of how the negotiations were progressing and to ensure that all aspects of China's trade policies were addressed.

Ambassador Pierre-Louis Girard, a senior Swiss trade official, served as the Chairman of the Working Party. The Chairman, member governments and China were aided in their work by the WTO Secretariat which provided administrative and legal assistance as necessary.

The Working Party had two tasks: to compile a report based on its deliberations; and to complete a Protocol of Accession. It is not unusual that WTO accession working parties attach a number of annexes to the protocol. The annexes are an integral part of the protocol, are legally binding and address specific issues related to the applicant's trade regime. As with all other accessions, the annexes, which have been a focus of the negotiations, are meant to provide WTO members with guarantees that the reforms or other transitional measures promised by the applicant will actually be implemented. In other words, they serve as a kind of a negotiated timetable for bringing the applicant's trade regime into full conformity with the WTO's rules and obligations.

Accession processes vary in length and can take several years to complete, much depends on the readiness of the applicant country to meet not only the rules and obligations of the WTO's market-economy principles, and its policies of pro-competition and non-discrimination, but also the market-access conditions for goods and services which the applicant country grants to other WTO Members. Because the Working Party makes decisions by consensus, all WTO members and the country seeking membership must be in agreement that their individual concerns have been met and that all outstanding issues have been resolved in the course of their deliberations.

2. The Chinese Taipei GATT/WTO relationship

In early 1965 Taiwan requested and was granted observer status at sessions of the General Agreement on Tariffs and Trade (GATT 1947). In 1971, this status was removed, following a decision by the UN General Assembly that recognized the People's Republic as the only legitimate government of China.

At its September 1992 meeting, the GATT's Council of Representatives decided to establish a separate working party to examine the request for accession of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu ("Chinese Taipei"). The Chairman said he had carried out extensive consultations on the subject of establishing a working party. He noted that all contracting parties had acknowledged the view of the People's Republic of China (PRC) that Chinese Taipei, as a separate customs territory, should not accede to the GATT before the PRC itself.

3. Hong Kong and China and the WTO

Hong Kong, then a British Crown Colony became contracting party of GATT on 23 April 1986. On 1 July 1997 the People's Republic of China, resumed the exercise of sovereignty over Hong Kong. From that date, Hong Kong became a Special Administrative Region of China. As such it would, *inter alia*, retain the status of a separate customs territory, and would continue to decide its economic and trade policies on its own and could, also on its own, using the name "Hong Kong, China", maintain and develop relations, and conclude and implement agreements, with States, regions and relevant international organizations in the economic, trade and other fields. Subsequently, Hong Kong, as a contracting party of GATT, was a full participant in the Uruguay Round and assumed all of the corresponding rights and obligations through formally accepting the Final Act Embodying the

Results of the Uruguay Round of Multilateral Trade Negotiations, which was drawn up at Marrakesh on 15 April 1994. By virtue of Article XI of the Marrakesh Agreement Establishing the World Trade Organization, Hong Kong became an original Member of the WTO. In accordance with the arrangements described above, Hong Kong will continue to be a WTO Member using the name of "Hong Kong, China".

4. Macau and China and the WTO

The People's Republic of China resumed the exercise of sovereignty over Macau, a former Portuguese colony, on 20 December 1999. On that day, Macau became a Special Administrative Region of China and as such, *inter alia*, continues to maintain its social and economic system and retained its economic and trade policies, on its own, using the name of "Macau, China", maintain and develop relations, and conclude and implement agreements with all States, regions and relevant international organizations in the economic, trade and other fields. The People's Republic of China said at the time that the Macau Special Administrative Region would continue to participate in relevant international organizations and international trade agreements such as the General Agreement on Tariffs and Trade.

Macau became a contracting party of the General Agreement on 11 January 1991 and was a founding member of WTO, which was established on 1 January 1995. On 20 December 1999 Macau continued to be a member of the WTO using the name of "Macau, China".

5. China in World Trade

In 2000 China was the 7th leading exporter and 8th largest importer of merchandise trade - exports: 249.2 billion dollars (3.9% share), imports: 225.1 billion dollars (3.4% share). For commercial services China was the 12th leading exporter and the 10th largest importer - exports: 29.7 billion dollars (2.1% share), imports: 34.8 billion dollars (2.5% share).

END

U.S. Proposal for Technical Corrections
Draft Schedule of Specific Commitments on Services of China
(WT ACC/SPEC/CHN/Rev.8/Add.2)
August, 20001

Change throughout schedule "within X years after accession," to "within x years from accession."

1. Horizontal Commitments

Page 4, market access column, mode 4 (b): Delete: "a corporation of other." Scheduling convention used throughout Rev. 8 is only "of a WTO member."

2. Professional Services

Page 5, market access column: modes 1, 2 missing. Mode 3, (e): Add "outside of China" at end of last sentence. See US-China 1999 bilateral.

3. Telecommunications Services

Page 14-15, additional commitments column: Entries should be consistent since they both refer to same document. Suggest the following: "China undertakes the obligations contained in the Reference Paper in Annex 1, attached hereto. "

4. Audiovisual Services

Page 18, market access column, mode 3: Delete "with foreign investment less than 49 percent." Inconsistent with US-China bilateral. China committed to allow contractual joint ventures, where equity levels are determined contractually by each joint venture partner. See footnote 2 on page 2.

5. Distribution Services

Page 22, market access column, mode 3: Change "dive" to "five."
Page 23, sector/subsector column, sales away from a fixed location: Delete "For all sub-sectors listed in Annex 2." This subsector of distribution services is already included in Annex 2.

6. Financial Services: Insurance

Page 25, market access column, mode 1: Make reinsurance into separate, stand-alone entry, i.e., "(c) Reinsurance." China committed to permit cross-border provision of MAT and reinsurance. See U.S.-China bilateral..

Page 25, market access column, mode 3 (A): Delete last sentence "The joint venture partners

can freely agree the terms of their engagement, provided they remain within the limits of the commitments contained in this schedule." See U.S.- China bilateral. It is presumed throughout China's schedule that JV partners can agree on terms of engagement in accordance with China's commitments.

Page 25, national treatment column, mode 3: For master policy, statutory insurance and other technical terms defined or limited elsewhere in China's protocol, provide cross-reference in consistent manner, e.g. master policy (see Annex 3), or statutory insurance (see para XXX)

Page 25, footnote: Delete.

Page 26, market access column, mode 3 (A): Make last sentence a separate, stand-alone entry. See U.S.-China bilateral. Internal branching in is not limited to brokerage services.

Page 26, market access column, mode 3 (C):

- For master policy and large scale commercial risk and other technical terms defined or limited elsewhere in China's protocol, provide cross-reference.

- Either delete last sentence altogether or insert under national treatment or additional commitment column: "In accordance with national treatment, foreign insurance brokers will be permitted to provide master policy no later than Chinese brokers, under conditions no less favorable." (Note: This commitment is also questionable since China is presumed to undertake the obligations in Article XVII unless otherwise noted. By including it in this entry alone, questions are raised as to whether China has elected not to apply NT or non-discrimination is other scheduled services.)

Page 27, market access column, mode 3 (C): Make last sentence on reinsurance a separate, stand-alone entry. See U.S.-China bilateral.

7. Financial Services: Banking and Securities

Page 30, market access column, mode 3: Insert "Otherwise, none." See U.S.-China bilateral.

Page 32, market access column, mode 3: Change "less than 33 percent" to "up to 33 percent." See U.S.-China bilateral.

8. Tourism Services

Page 33, market access column, mode 3: Insert "None," before "four years." See U.S.-China bilateral.

Page 34, market access column, mode 3:

Move second and third sentences to top of page.

Make sentence beginning "Within six years.." separate entry.

Either delete last sentence on registered capital, since China committed to NT in U.S.-China bilateral, or move to additional commitment column.

9. Transportation services

Page 36, maritime agency services, market access column, mode 3: Delete "with foreign equity share no more than 49 percent." See U.S.-China bilateral. China committed to allow contractual joint ventures, where equity levels are determined contractually by each joint venture partner. See footnote 2 on page 2.

Page 38, storage and warehousing services, market access column, mode 3: Insert "None" before "within three years of China's accession.." See U.S.-China bilateral.

Page 38, freight forwarding services, market access column, mode 3: Either delete two sentences committing to national treatment on registered capital, since China committed to NT in U.S.-China bilateral, or move to additional commitment column.

Note: The United States reserves the right to make amendments and/or corrections to its proposal for technical verification upon review of further revisions to China's draft services schedule.

8月10日

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Proposals for technical corrections
(China, August 9, 2001)

1. Substantial commitments issues:

1) Page 5: for Legal Services (CPC 861, excluding Chinese law practice):
One whole page is missing; the attached page should be added before page 5.

2) Page 19: for construction and related engineering service, in the national treatment column "Joint venture construction enterprises are allowed only to undertake foreign-invested construction projects." "are allowed only" should be changed to "have the obligation" according to the bilateral service agreement. "are allowed only" substantially changed China's commitments.
Similarly, on page 36, for aircraft repair and maintenance services, in national treatment column, "The joint ventures are allowed only to undertake business in the international market." "are allowed only" should be changed to "have the obligation".

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2. Technical and editorial issues:

1) Page 6: Accounting, auditing and bookkeeping services (CPC 862)
In additional commitments, all paragraphs are linked together and difficult to read.

2) Page 7: wholly foreign-owned Enterprises should be "wholly foreign-owned enterprises"

3) Page 21, Retailing Services (CPC 61 and 63, excluding tobacco)
In Sector or sub-sector column, "(CPC 61 and 63, excluding tobacco)" should be deleted because the distribution services are defined in Annex 2.

China

Modes of supply: **(1) Cross-border supply** **(2) Consumption abroad** **(3) Commercial presence** **(4) Presence of natural persons**

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
II. SECTOR - SPECIFIC COMMITMENTS			
1. BUSINESS SERVICES A. Professional Services a. Legal services (CPC 861, excluding Chinese law practice)	(1) None (2) None (3) Foreign law firms can provide legal services only in the form of representative offices in Beijing, Shanghai, Guangzhou, Shenzhen, Haikou, Dalian, Qingdao, Ningbo, Yantai, Tianjin, Suzhou, Xiamen, Zhuhai, Hangzhou, Fuzhou, Wuhan, Chengdu, Shenyang and Kunming only. Representative offices can engage in profit-making activities. Representative offices in China shall be no less than the number established upon the date of accession. A foreign law firm can only establish one representative office in China. The above-mentioned geographic and quantitative limitations will be eliminated within 1 year after China's accession to the WTO.	(1) None (2) None (3) All representatives shall be resident in China no less than six months each year. The representative office shall not employ Chinese national registered lawyers.	

U.S. Comments on
Draft Report of the Working Party on the Accession of China
WT/ACC/SPEC/CHN/1/Rev. 8
10 August 2001

Draft Protocol

1. Preamble: In the fourth paragraph, the Draft Protocol refers to the "Report of the Working Party on the Accession of China to the WTO Agreement". However, the title of the draft Working Party Report, as found on the first page of Rev. 8, is draft "Report of the Working Party on the Accession of China".

2. Section 1, paragraph 3: When the huge list of paragraph numbers now appearing in paragraph 3 was compiled, one basic point seems to have been missed. That is, paragraph 3 only applies, in the first place, to obligations under the Multilateral Trade Agreements "that are to be implemented over time." It says that, for those obligations, we shall treat China as having accepted the WTO Agreement on January 1, 1995. What that means is that the only type of Protocol or Working Party Report provision that should be included in the paragraph 3 list (as an exception to paragraph 3) is one that modifies a transition period already provided for in one of the MTAs.

A Protocol or Working Party Report provision that creates a transition period, where none existed under an MTA, is not the type of provision that should be listed in paragraph 3. It does not satisfy the premise of paragraph 3, which is that we are addressing only Protocol or Working Party Report provisions that deviate from MTA obligations which themselves originally involved a transition period. Nevertheless, in many instances, Protocol and Working Party Report provisions have been (erroneously) included in the paragraph 3 list simply because they (and not the relevant MTA obligations) involved a transition period.

Thus, only a few of the numerous paragraphs now listed in Rev. 8 (such as paragraph 143) should actually be included in paragraph 3.

Our view is that a listing of paragraph numbers in paragraph 3 is not especially useful, particularly when the real standard for inclusion is understood. It does not add anything meaningful, and it may generate unnecessary discussion or conflict when trying to settle on which paragraph numbers should actually be listed. It also may create confusion where none previously existed. For these reasons, we recommend the following language for paragraph 3:

3. Except as otherwise provided for in this Draft Protocol, those obligations in the Multilateral Trade Agreements annexed to the WTO Agreement that are to be implemented over a period of time starting with entry into force of that Agreement shall

be implemented by China as if it had accepted that Agreement on the date of its entry into force.

3. Section 7, paragraph 3: In the fourth sentence, place "or" after "exist;". This is a conforming change reflecting the deletion of the last clause of this sentence.

4. Section 14: Change "accessopm" to "accession". Typographical error.

5. Section 15, subparagraph (c): Change "subparagraph (1)" to "subparagraph (a)". This change reflects Rev. 8's use of letters rather than numbers to designate subparagraphs in this section. In addition, change "sub-paragraph (b)" to "subparagraph (b)". Typographical error.

6. Section 15, subparagraph (d): In the first sentence, change "contain" to "contains". Grammatical error. In the last sentence, change "sub-paragraph (a)" to "subparagraph (a)". Typographical error.

Draft Working Party Report

1. Paragraph 130: It is extremely difficult to follow the current layout of this paragraph to determine which criteria apply in each case. We propose to reorganize the presentation as follows (and also to correct typographical errors in the subparagraphs that we have labeled (b)(iii) and (b)(iv) below):

130. The representative of China stated that China would allocate quotas in accordance with the following criteria and procedures, which would be published in advance and would be applied in conformity with WTO requirements, including the Agreement on Import Licensing Procedures. In applying these criteria, China would consider the need to allow for equitable participation by producers from WTO Members and take into account the need to maximize the potential for quota fill.

(a) If the relevant quota quantity exceeded total requests for quota allocations, all requests would be approved.

(b) In other cases, the criteria for allocation would be as follows:

(i) Historical performance of applicants where relevant (in cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, amounted to less than 75 per cent of the relevant quota, it would be necessary to take into account other criteria, inter alia, as set forth below);

-- Production or processing capacity, in the case of intermediate products and raw materials;

-- *Experience and ability in producing, importing, marketing, or servicing in international markets, in the case of finished products or products destined for wholesale or retail distribution.*

(ii) *In the first year, 25 percent of the total quota would be allocated to applicants that had not previously been allocated quota; however, an applicant that had imported under a quota on the relevant products in the year prior to China's accession would not receive a decrease in the absolute amount of its quota allocation.*

(iii) *In the second year, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership equal to or less than* ***50*** ~~*fifty*~~ *per cent.*

(iv) *In the third and fourth year, if relevant, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership greater* ***than 50*** ~~*that fifty*~~ *per cent.*

(c) *In cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, exceeded 75 per cent of the relevant quota, applicants that had not previously been allocated quota would be allocated 10 per cent of the total quota in the first year and the majority of any quota growth in any subsequent year.*

(d) *In all cases, a quota-holder receiving an initial allocation that had fully utilized or contracted for its quota allocation would, upon application, receive an allocation in the following year for a quantity no less than the quantity imported in the previous year. A quota-holder that did not import its full allocation would receive a proportional reduction in its quota allocation in the subsequent year unless the quantity was returned for reallocation by 1 September.*

The Working Party took note of these commitments.

2. Paragraph 145: At the end of this paragraph, add "The Working Party took note of this commitment." This is a commitment paragraph.

3. Paragraph 149: Change "paragraph (d)" to "subparagraph (d)" in order to agree with the terminology used in Section 15 of the Draft Protocol.

4. Paragraph 151: Change "paragraph (a)(ii)" to "subparagraph (a)(ii)" in order to agree with the terminology used in Section 15 of the Draft Protocol.

5. Paragraph 171: In the second sentence, change "Articles 27" to "Article 27". Typographical error.

6. Paragraph 173: In the first sentence and in the second sentence, change "Annex 5A" to "Annexes 5A and 5B".

7. Paragraph 188: In the first sentence, delete "the", which was added in Rev. 8. Grammatical point.

8. Paragraph 210: At the end of this paragraph, add "The Working Party took note of this commitment." This is a commitment paragraph.

9. Paragraph 218: Change "Special Economic Zones (SEZs')" to "SEZs". The term "Special Economic Zones" has already been defined in paragraph 71.

10. Paragraph 251: This paragraph involves two commitments. The last sentence should read, "The Working Party took note of these commitments."

11. Paragraph 259: In second sentence, the last word should be "rights" in order to be consistent with the rest of the paragraph.

12. Paragraph 321: In the second sentence, change "as provided for in Annex 1 to the Draft Protocol" to "consistent with Section 18.1 and Annex 1A of the Draft Protocol". It is confusing to say "as provided for," as that phrase suggests that the notification requirements themselves are in Section 18.1 and Annex 1A, when they are actually found (for the most part) in various other provisions of the Draft Protocol or Working Party Report.

13. Paragraph 341: The following additional commitment paragraphs should be referenced: 94, 145, 210 and 264. The list should include paragraph 94, 145 and paragraph 210.

Annex 1A

1. Section IV.2(d): It should refer to "Section 7, paragraph 3" rather than "Section 7, Article 3".

2. Section IV.7(k): It should refer to "Section 15, paragraph 4(a)" rather than "Section 15, Article 4(a)".

3. Section IV.8(a): It should be revised to reflect more accurately the provisions of the Draft Protocol and Working Party Report. We suggest dividing (a) into two parts, i.e., (a) and (b), and adjusting the lettering of the remainder of this section appropriately.

(a) *elimination and cessation of enforcement of trade and foreign exchange balancing, local content and export performance requirements made effective through laws, regulations or other measures or through contracts imposing such requirements*

(b) *elimination of performance requirements of any kind, such as offsets, technology transfer local content, export performance, or the conduct of research and development in China as criteria for distribution of import licenses, quotas, TRQs, or other means of approval for importation, investment or the right to import*

Annex 1B

1. The final paragraph should begin, "The Rules of Procedure of the General Council . . . ."

Annex 4

1. The title of the final table should read: "Service Sectors Subject to Government Guidance Pricing" rather than "Service Sectors Subject to Government Governance Pricing".

U.S. COMMENTS ON CHINA'S DRAFT GOODS SCHEDULE
(WT/ACC/SPEC/CHN/1/Rev.8/Add.1)
August 16, 2001

Part I, Section I-A: Agricultural Tariffs

Agricultural Tariffs, Headnote

1) For ease of reference, all paragraphs in this headnote should be numbered.

2) Notes 1-14 at the end of the tariff schedule and all references to them in the headnote should be deleted. They are confusing because they imply that these products would otherwise be classified elsewhere, which is not the case.

3) Barley (3rd tick from the end): China is binding the applied rate for barley at 3% on accession. This note seems to imply that China can raise the duty above that binding as long as the new rate is in place for one year. China cannot raise the duty above the binding without undertaking Article 28 negotiations. To rectify this, the note could be rewritten to make it clear that this applies only to cases in which China wants to raise the applied duty from a rate which is temporarily lower than its binding.

4) The first double-dash note on parity for rape oil, soy oil and rapeseed is confusing and could be misunderstood to imply that China is obligated to guarantee parity only for in-quota duties. The TRQ headnote commits China to ensure parity among all vegetable oil duties, both in-quota and over-quota. To rectify this, we suggest: 1) placing all parity commitments together; and 2) repeating note 2 of the headnote to Section I-B in the headnote to agricultural tariffs. They could be ordered as follows:

a) China undertakes in principle to apply its tariff, both bound and applied rates, as well as other duties and charges, in such a way as to not cause distortions in the terms of competition between substitute products or competing suppliers. In this regard, there was particular interest in ensuring fair competition between rape (canola) seeds and soybeans, rape (canola) oil and soybean oil; flours and meals of oilseed and forage products (including lupines); forage products (including lupines) and flours and meals of soybeans; forage products (including lupines) and oil-cake and other solid residues of soybean; raw cane sugar and raw beet sugar, refined sugar artificial sweeteners and sugar substitutes; and wool and other competing fibers.

b) After the implementation period for HS 12141000 (lucerne (alfalfa) meal and

pellets), China shall maintain its bound and applied rates for HS 12141000 at a level equal to that for HS 2304 (oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extractions of soybean oil).
c) China will ensure that the applied duty for soybean oil, rapeseed oil, palm oil, peanut oil, cottonseed oil, sunflower seed oil, and corn oil is no greater than the applied duty for any one of these oils or for any other vegetable oil. Of the vegetable oils subject to tariff quota (i.e., soybean oil, rapeseed oil, and palm oil), if the tariff-quota for any one oil is autonomously increased, the tariff-quotas for the other two will be increased commensurately. Beginning 1 January 2006, China will remove soybean oil, rapeseed oil and palm oil from Annex 2A **of China's Protocol of Accession** and will grant the right to trade such oils to all individuals and enterprises. (See note #2 below.)

d) China shall maintain its in-quota applied and bound rates (and, upon removal of the tariff-quota, its applied and bound rates) for HS 1514 (rape or colza (canola) oil and its fractions, whether or not refined, but not chemically modified) at a level equal to that for HS 1507 (soya-bean oil and its fractions, whether or not refined, but not chemically modified) and for HS 1205 (rape or colza (canola) seeds, whether or not broken).

Agricultural Tariffs

a) We found discrepancies of concern to us on 13 other tariff lines. They are listed below with correct treatment.

0410.0030	21% initial binding 19% in 2002 17% in 2003
0810.1000	28% initial binding 27% in 2002 26% in 2003
0812.9000	33% initial binding 32% in 2002 31% in 2003
1004.0090	2.6% initial binding
1005.1000	32% initial binding 28% in 2002 24% in 2003
1504.3000	14.76% initial binding 14.64% in 2002

14.52% in 2003

1511.1000 24% initial binding

2009.3000 29% initial binding

b) Parity for vegetable oils (see comment #4 under "Ag Tariffs, Headnote, above). Achieving parity for the 3 primary vegetable oils (rape, soy and palm) was a key outcome of the TRQ plurilateral group. WT/ACC/SPEC/CHN/1/Rev.8/Add.1 represents the first indication the Working Party has had that China intended to provide diffential treatment to imports of the 3 major vegetable oils. (The tariff schedule and TRQ schedules circulated by China indicated the same duty treatment and TRQ treatment, including implementation dates.) Lack of parity at this late date causes us difficulty.

The duty treatment (rates and staging) for soybean oil (1507.1000 and 1507.9000) should be at least as good as that for rapeseed oil (1514.1010, 1514.1090 and 1514.9000). If the final bound rate is reached in 2004, the initial binding should be 54.6%. If the final bound rate is reached in 2005, the initial binding should be 59.6%.

Recognizing that the parity clause contained in the TRQ headnote refers to applied tariffs, in practice the lowest duty in I-A for any one of the major oils - the bound over-quota duty on refined palm oil- will represent the ceiling for over-quota duties on all 3 vegetable oils. It would seem easier for China to bind the over-quota duties on all 3 vegetable oils at the same rate as the over-quota duty for refined palm oil.

Part I, Section I-B: Tariff Rate Quotas

Agricultural TRQ Headnote

1) The first paragraph in the headnote is problematic because it is inconsistent with the rest of the market access schedules for goods, which presume that China will not be a member until 2002. The quota quantity that will be applied on accession depends on when China accedes. In addition, the in-quota rates are fixed and are not phased down. To overcome these inconsistencies, we recommend the following fixes:

a) Modify this paragraph so that it reads: "Tariff quotas indicated in the third column are ~~applicable from the date of accession~~ volumes for calendar year 2001. Tariff quota concessions will be implemented according to the date specified in the "implementation" column. The implementation column indicates the date (referring to 1 January of the year indicated) when the final quota quantity ~~and rate~~ will be achieved. The tariff quota concessions are subject to equal annual adjustments (occurring on 1 January of each year), unless otherwise specified in the last column ("Other terms and conditions")."

b) For each TRQ product, specify in column 7 of the TRQ schedule the volume that will be made available each year, as has been done for soybean oil.

2) Note 2: It should be made clear that the reference to Annex 2A is a reference to "Annex 2A of China's Protocol of Accession." The same change should be carried through to the headnote to the tariff schedule (see comment 4 and 4C, above).

Agricultural TRQ Schedule

The words "from/to" should be deleted from the heading for column 5.

Wheat:

The initial quota quantity should be 7,884 KMT if China accedes in 2001.

Note 2 in column 7 should be dropped, because it is more restrictive than the U.S.-China bilateral agreement. Under the U.S.-China agreement, quota growth should be in equal annual installments.

Quota volumes for each year should be set out in column 7as follows:

Staging of TRQ for wheat
2001 7,884 KMT
2002 8,468 KMT
2003 9,052 KMT
2004 9,636 KMT

Corn:

The initial quota quantity should be 5,850 if China accedes in 2001, and the initial STE share should be 67.5%.

The note in column 7 should be deleted and the following schedule inserted in its place:

Staging of TRQ for corn
2001 5,175 KMT
2002 5,850 KMT
2003 6,525 KMT
2004 7,200 KMT

Staging of STE Share
2001 71.25%
2002 67.5%
2003 63.75%
2004 60%

Rice:

Rice should be reformatted into 2 completely separate, but identical TRQ's to facilitate administration. This will require using two different HS codes for the same products, which should not present a problem - China already keeps Customs data at the 9 digit level and can continue to do so on rice. The same eight-digit HS codes cannot be used for two different TRQ's because it will preclude China and WTO members from tracking quota fill.

Quota volumes for each year should be set out in column 7 (see proposed TRQ schedule entry for rice, attached).

Notes 1 and 2 in column 7 should be deleted. Tariff-quota applicants need not indicate what product or mix of products they intend to import when they apply for tariff-quota. 3.E of the TRQ headnote clearly states that "Tariff-quota allocations will be valid for any item or mixture of items subject to the same tariff-quota."

Note 2 in column 7 should also be deleted since it is not relevant - applicants should not be required to indicate which product or mix of products they intend to import. In addition, "all commercial terms of trade" will be at the sole determination of the importer and the exporter taking into full account the demands of the end user" (per 3.E).

Note 3 should be deleted as it is redundant.

Soybean oil

The note in column 7 on STE share should be deleted and the following schedule inserted in its place:

Staging of STE Share	
2001	42%
2002	34%
2003	26%
2004	18%
2005	10%

To be consistent with the entry for palm oil, a note stating clearly that tariff quotas will be eliminated on 1 January 2006 should be inserted in column 7.

Palm oil

Notes 2 and 4 should be deleted as they are redundant. These commitments are laid out more generally in the TRQ headnote. Repeating them in column 7 of the TRQ schedule with slightly different verbiage, and limiting them to palm oil is confusing and calls into question the general commitments.

Staging of STE share should be laid out as for soybean oil.

Rapeseed oil

The initial quota quantity should be 818.5 KMT if China accedes in 2001.
The note in column 7 should be deleted and the following schedule inserted in its place:

Staging of TRQ for rapeseed oil
2001 773 KMT
2002 877 KMT
2003 996 KMT
2004 1,130 KMT

To be consistent with the entry for palm oil, a note stating clearly that tariff quotas will be eliminated on 1 January 2006 should be inserted in column 7.

What happened to the commitment to phase out state trading? If one is inserted, it should be mapped out in the same manner as suggested for soybean oil.

Sugar:

As a matter of principle, the commitment in note 2 should be multilateralized.

Wool

The second HS line under the wool TRQ contains a typo. It should be 5101.1900.

Cotton

Quota volumes for each year should be set out in column 7 as follows:

Staging of TRQ for cotton
2001 780.75 KMT
2002 818.5 KMT
2003 856.25 KMT
2004 894 KMT

Part I, Section II: Industrial Tariffs

Industrial Tariffs, Headnote

1) Paragraphs should be numbered for ease of reference.

2) Footnote 4 of the Industrial TRQ Headnote should be inserted at the end of the industrial tariffs headnote as the second to the last tick.

Industrial Tariff Schedule and Staging Matrix

1) The tariff schedule contains 12 tariff lines that are designated as ITA items, but for which the final bound rate is not zero. The final bound rates for these lines should be changed to zero. These are:

1) 7020.0019
2) 8418.9090
3) 8421.1990
4) 8462.2110
5) 8462.2910
6) 8504.4090
7) 8518.1000
8) 8518.4000
9) 8518.9000
10) 8527.9090
11) 8529.1090
12) 9030.9000

2) HS 3702.3100: According to our bilateral, the bound rate on accession should be 53.3, not 54.3 as shown in China's staging matrix and schedule.

3) HS 6002.4900: According to our bilateral, the rate in 2004 should be no higher than 14.5, not 15 as shown in China's staging matrix.

4) HS 6104.6300: China's staging matrix contains two errors: it is blank in 2002; the rate should be no higher than 23.1. The rate in 2004 should be no higher than 19.4.

5) HS 8424.8910: Rate in 2003 should be no higher than 8.3.

6) HS 8471.5090: China merged two lines (8471.5030 and 8471.5090) into this line. The lower rate for 8471.5030 from our bilateral should prevail. To accomplish this, the bound rate on accession should be 7.2 rather than 7.5.

7) HS 8702.9010, HS 8702.9020, and HS 8702.9030: According to our bilateral, only autos with initial rates of 80% and 100% (i.e., those auto products in HS 8703) are subject to extended staging. We did not agree that busses in HS 8702 would be subject to extended staging.

8) HS 8706.0030: The duty in 2002 should be no higher than 34% (the staging matrix shows a rate of 35% in 2002).

9) HS 9009.2110 and HS 9009.2190: The staging matrix and tariff schedule are inconsistent. The final bound duty and implementation date in the tariff schedule are zero in 2004. The staging matrix does not contain a zero end rate, but rather contains a

final rate of 3.7 in 2004, instead.

10) Typos in Concordance?: In examining the coverage between the bilateral agreement (using HS 2000 from the concordance) and the new schedule, we found a few items that did not match. These were present in the new schedule, but not in the concorded bilateral. A closer examination of the concordance shows that this could just be typographical errors, however. The missing items, from the HS 2000 new schedule, are: 1604.2090, 2812.1030, 8427.1020, 8464.2090, and 8901.2013. It would be helpful if China could explain these discrepancies.

11) HS 8527.3100: Subsequent to our bilateral, China and the U.S. agreed to a few corrections. China agreed to lower the duty on this tariff line from 30% to 15% by 2004.

Industrial TRQ's, Headnote and Schedule

1) A paragraph similar to the first paragraph of the Agricultural TRQ Headnote in Section I-B should be added to specify the commitment to provide tariff-rate quota access.

2) The words "from/to" should be deleted from the heading for column 5 of the schedule.

3) The TRQ for NPK is missing from the schedule. One should be inserted to bring the schedule into conformity with paragraph 115 of the Working Party Report.

4) The brackets in paragraph 3A should be filled in .

Part III, Section B: NTM's

We do not see the need for China's commitments on NTMs to be included both as an annex to the Protocol (Annex 3) and as a section in the goods schedule (Section III-B). Both are legally binding, but there are discrepancies between the two. Annex 3 appears to be more accurate and up-to-date. It has the added advantage of having been reviewed and agreed in the last Working Party. We recommend that Section III-B be eliminated from the goods schedule. If it is to be maintained, it should be made consistent with Annex 3 to the Protocol.

Part IV, Section I - *Domestic Support*

WT/ACC/CHN/38/Rev.3 is currently under revision. This section must be adjusted to reflect comments made during the July 2001 Working Party meeting.

Annexes to the Protocol

Annex 2A1 Mustard oil, HS 1514.1090, should be added to the vegetable oil category in Annex 2A1, or it should be fully liberalized (i.e., removed schedule I-B).

Petroleum product quotas: It seems inappropriate for these commitments to be included in Annex 2A1. It would be more appropriate to move the table and related notes to Annex 3, Table Two, Product Quota's.
Note 1: The last sentence is unnecessary since this information is already provided in Annex 3 to the draft Protocol.

Column 1	Col 2	Col 3	Col 4	Col 5	Column 6	Column 7
Rice, short and medium grain		1,662.5 kmt	2,660 kmt	2004	AU,TH,US,UY	1) Rice product can be brought in under either rice category and will be counted against the TRQ designated on the TRQ allocation or reallocation documentation. 2) Staging of TRQ for short & medium rice 2001 1,662.5 KMT 2002 1,995 KMT 2003 2,327.5 KMT 2004 2,660 KMT 3) STE share = 50% (See Note 1)
	1006.1010x	1%	1%			
	1006.1090x	1%	1%			
	1006.2000x	1%	1%			
	1006.3000x	1%	1%			
	1006.4000x	1%	1%			
	1102.3000x	9%	9%			
	1103.1400x	9%	9%			
Rice, other		1,662.5 kmt	2,660kmt	2004	AU, TH,US,UY	1) Rice product can be brought in under either rice category and will be counted against the TRQ designated on the TRQ allocation or reallocation documentation. 2) Staging of TRQ for other rice 2001 1,662.5 KMT 2002 1,995 KMT 2003 2,327.5 KMT 2004 2,660 KMT 3) STE share = 50% (See Note 1)
	1006.1010y	1%	1%			
	1006.1090y	1%	1%			
	1006.2000y	1%	1%			
	1006.3000y	1%	1%			
	1006.4000y	1%	1%			
	1102.3000y	9%	9%			
	1103.1400y	9%	9%			

Technical Verification by China
29 August 2001

Annexes to the Draft Protocol

General:

1. Change "HS 2000" into "HSNO" since HS 2000 is misleading as pointed out by some members of the Working Party in previous occasions.
2. Replace the description of products in Annexes 2A1, 2A2, 2B, 3, 4 and 6 with the newly updated tariff schedule of 2000 in response to the request of some members of the Working Party.

Annex 2A1:

Add HS15141090 in response to the comments of the US and renumber the tariff lines.

Annex 2B:

Add tariff lines with the serial numbers of 115 to 136, 151 to 166 and 196 to 206 which are missing in the current document.

Annex 4:

-Products Subject to State Pricing:

1. Delete the column of "Notes" and add the column of "Products".
2. Tobacco: add two tariff lines which have been left out due to conversion of tariff nomenclature.
3. Pharmaceuticals: the pharmaceuticals subject to state pricing which should be classified under Chapter 30(Pharmaceutical products) have been classified erroneously under Chapter 29 (Organic chemicals). Adjustment has been made to address this situation.
4. Explosives for civil use: add three tariff lines of explosives for civil use which have been left out in the previous versions of the Annex.
5. Add the following note to the table: Teaching materials for students and military equipment are also subject to state pricing.

-Products Subject to State Guidance Pricing:

1. Delete the column of "Notes" and add the column of "Products".
2. Regroup some of the tariff lines.
3. Sugar: add two tariff lines of sugar which have been left out in the previous versions of the Annex.
4. Processed oil: add one tariff line of processed oil which has been left out in the previous versions of the Annex.
5. Fertilizer: add 12 tariff lines of fertilizer which have been left out in the previous

versions of the Annex.
6. Cotton: add one tariff line which has been left out in the previous versions of the Annex.

-Service Sectors Subject to Government Pricing:
No.1: adjust the CPC numbers and the title.

-Service Sectors Subject o Government Guidance Pricing:
No.1: adjust the CPC numbers and the title.
No.2: adjust the Notes.
No.3: adjust the Notes.
No.4: adjust the Notes.

Technical Verification by China
29 August 2001

Draft Goods Schedule

I. Discrepancies identified by China in the Draft Goods Schedule are contained in Attachment 1 and Attachment 2 which could be divided into three groups.

1. Mix-up of different tariff reduction formulas.

1)In the bilateral agreements signed with Czech, Hungary, Indonesia, Japan, Korea, New Zealand, Pakistan, Singapore and Turkey, the following tariff reduction formula was used:

- 1992 applied rates used as the base rate(average 42%);
- 6-year implementation period for agricultural products and 3-year for other products;
- 50% "front loading", i.e. to reduce 50% of the difference between the base rate and the final bound rate;
- the other 50% of the difference to be reduced in equal annual installment during the rest of the implementation period; and
- no calendar years indicated in the bilateral agreements.

2)In the other bilateral agreements, the following tariff reduction formula was used:

- 1998 applied rates used as the base rate (average 17%);
- difference formulas applied to different products, see below; and
- specific implementation periods indicated in the bilateral agreements.

GENERAL FORMULA

If difference between base rate and offer rate is	then end date is Jan. 1,
<=2	2000
>2 and <=4	2001
>4 and <=6	2002
>6 and <=8	2003
>8 and <=17	2004
>17	2005
chemicals only	2006
special	2008

CHEMICAL FORMULA

If difference between base rate and offer rate is	then end date is Jan. 1,
<=2	
>2 and <=4	2001
>4 and <=6	2002
>6 and <=8	2003
>8 and <=10	2004
>10 and <=13	2005

>13	2006
special	2008

ITA FORMULA:

If difference between base rate and offer rate is	then end date is Jan. 1,
<=2	2000
>2 and <=5	2001
>5 and <=10	2002
>10 and <=15	2003
>15 and <=20	2004
>20	2005

SPECIAL FORMULA FOR AUTO AND AUTO PARTS:

A special tariff reduction formula has been established for auto(HS8703) and auto parts which shall apply to all the products concerned. Please see Attachment 4.

Unfortunately, due to lack of communications between China and the Secretariat, the first group of bilateral agreements have been mixed up with the second group of bilateral agreements. We invite the Secretariat to resolve this issue.

2. Technical errors in some bilateral agreements.

Due to discrepancies in China's tariff database, technical errors appeared in some bilateral agreements. China understands that those products are not priorities of the Members concerned and would like to consult with those Members to resolve this issue. Correction and rectification of the original agreements may be necessary.

3. Other discrepancies.

II. Discrepancies have also been found in the Draft TRQ schedule, mainly on vegetable oils. China submitted its TRQ list last June after prior consultation with some Members concerned. Unfortunately, this list has been totally neglected when the draft TRQ schedule was created. We invite the Secretariat and the Members concerned to make reference of our list when recreating the draft TRQ schedule. Please see Attachment 3.

III. Comments on the technical verifications of other members of the Working Party.

China strongly opposes the request by Canada as using the interim tariff rates of 1998 as the base rate. The Chinese delegation will be available for bilateral consultations regarding these verifications starting from 5 September.

Attachment 1 AGR_China_WTO

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
392	04100030	23	15	2004	04100030	23	20	2004		x		3
419	05051000	10			05051000	16	10	2004		x		1
432	05079020	12	11	2006	05079020	12	12			x	x	3
451	05119920	0			05119920	12	12		x	x		3
452	05119930	0			05119930	12	12		x	x		3
458	06011091	0			06011091	11	5	2004	x	x	x	3
467	06023010	0			06023010	15	15		x	x		3
470	06024010	0			06024010	15	15		x	x		3
478	06031000	19	10	2004	06031000	19	10	2005			x	3
576	07131010	0			07131010	5	5		x	x		3
579	07132010	0			07132010	8	7	2004	x	x	x	3
583	07133110	0			07133110	3	3		x	x		3
586	07133210	0			07133210	5	3	2004	x	x	x	3
589	07133310	0			07133310	8	8	2004	x	x	x	3
593	07134010	0			07134010	7	7		x	x		3
596	07135010	0			07135010	8	7	2004	x	x	x	3
599	07139010	0			07139010	8	7	2004	x	x	x	3
613	07149021	0			07149021	13	13		x	x		3
647	08029041	0			08029041	28	24	2004	x	x	x	3
653	08041000	15			08041000	18	15	2004	x	x	x	1
701	08109090	26	20	2004	08109090	24	12	2005	x	x	x	3
702	08109090	24	12	2005	08109090	26	20	2004	x	x	x	3
800	10040090	3	2	2004	10040090	3	3			x	x	1
802	10051000	36	20	2004	10051000	74	65	2004	x	x		2
806	10061010	65			10061010	74	65	2004	x		x	2
807	10061090	65			10061090	74	65	2004	x		x	2
808	10062000	65			10062000	74	65	2004	x		x	2
809	10063000	65			10063000	74	65	2004	x		x	2
810	10064000	10			10064000	28	10	2004	x		x	2
812	10070010	0			10070010	3	2	2004	x	x	x	3

Attachment 1 AGR_China_WTO

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
819	10089010	0			10089010	3	3		x	x		3
825	11022000	64	40	2004	11022000	74	65	2004	x	x		2
870	12010010	0			12010010	3	3		x	x		3
878	12021010	0			12021010	15	15		x	x		3
889	12060010	0			12060010	15	15		x	x		3
893	12071010	0			12071010	10	10		x	x		3
896	12072010	0			12072010	15	15		x	x		3
899	12073010	0			12073010	15	15		x	x		3
902	12074010	0			12074010	12	10	2002	x	x	x	3
905	12075010	0			12075010	15	15		x	x		3
908	12076010	0			12076010	20	20		x	x		3
914	12079910	0			12079910	10	10		x	x		3
946	12112091	20			12112091	26	20	2004	x		x	1
947	12112099	20			12112099	26	20	2004	x		x	1
980	12122010	20			12122010	23	20	2004	x		x	1
981	12122020	20			12122020	23	20	2004	x		x	1
982	12122030	20	15	2005	12122030	22	15	2005	x			1
983	12122040	20	15	2005	12122040	22	15	2005	x			1
984	12122050	20	15	2005	12122050	22	15	2005	x			1
985	12122090	20	15	2005	12122090	22	15	2005	x			1
993	12129110	0			12129110	20	20		x	x		3
996	12129210	0			12129210	20	20		x	x		3
1000	12129951	0			12129951	30	30		x	x		3
1001	12129952	0			12129952	30	30		x	x		3
1002	12129959	0			12129959	30	30		x	x		3
1004	12129991	28	20	2004	12129991	30	30		x	x	x	3
1005	12129992	28	20	2004	12129992	30	30		x	x	x	3
1006	12129993	28	20	2004	12129993	30	30		x	x		3
1007	12129994	28	20	2004	12129994	30	30		x	x		3
1073	15043000	15	14	2004	15043000	21	14	2004	x			1

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
1080	15071000	74	9	2005	15071000	78	9	2006	x		x	2
1081	15079000	74	9	2005	15079000	78	9	2006	x		x	2
1091	15111000	28	9	2006	15111000	78	9	2006	x			2
1092	15119000	20	9	2006	15119000	78	9	2006	x			2
1092	15119000	20	9	2006	15119000	10	9	2006	x			2
1093	15119000	8			15119000	78	9	2006	x	x	x	2
1093	15119000	8			15119000	10	9	2006	x	x	x	1
1110	15141010	78	9	2004	15141010	78	9	2006			x	2
1111	15141090	78	9	2004	15141090	78	9	2006			x	2
1112	15149000	72	9	2005	15149000	78	9	2006	x		x	2
1124	15159000	20			15159000	32	20	2004	x		x	1
1127	15162000	25			15162000	34	25	2004	x		x	1
1130	15179000	25			15179000	34	25	2004	x		x	1
1196	17011100	72	50	2004	17011100	72	65	2004		x		2
1197	17011200	72	50	2004	17011200	72	65	2004		x		2
1199	17019100	72	50	2004	17019100	72	65	2004		x		2
1201	17019910	72	50	2004	17019910	72	65	2004		x		2
1202	17019920	72	50	2004	17019920	72	65	2004		x		2
1203	17019990	55	50	2004	17019990	72	65	2004	x	x		2
1248	19023010	25	15	2005	19023010	25	25			x	x	1
1340	20083010	20			20083010	26	20		x			3
1341	20083090	20			20083090	26	20		x			3
1343	20084010	20			20084010	26	20		x			3
1344	20084090	20			20084090	26	20		x			3
1345	20085000	20			20085000	26	20		x			3
1363	20093000	38	18	2004	20093000	28	18	2004	x			3
1378	21012000	35	32	2004	21012000	43	32	2004	x			1
1381	21021000	25			21021000	28	25	2004	x		x	1
1385	21031000	28			21031000	29	28	2004	x		x	1
1402	21069090	30	20	2005	21069090	25	10	2004	x	x	x	3

Attachment 1 AGR_China_WTO

WTO Schedule					China Schedule				Discrepancies			
ID	**HS**	**Bound rate at date of accession**	**Final bound rate**	**Implementation**	**HSNO**	**Bound rate at date of accession**	**Final bound rate**	**Implementation**	**Bound rate at date of accession**	**Final bound rate**	**Implementation**	**Notes**
1403	21069090	25	10	2004	21069090	30	20	2005	x	x	x	3
1413	22029000	40	35	2004	22029000	44	35	2004	x			1
1415	22030000	0			22030000	42	0	2004	x	x	x	2
1494	24022000	49	25	2003	24022000	45	25	2003	x			3
3032	33012990	20	15	2005	33012990	22	15	2005	x			1
3122	35030010	12			35030010	16	12	2004	x		x	1
3123	35030090	12			35030090	16	12	2004	x		x	1

Notes:

1. Mix-up of different tariff reduction formulas.
2. Technical errors in some bilateral agreements.
3. Other discrepancies.

Attachment 2

NON_AGR_WTO_CHINA

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
212	03033100	15	10	2004	03033100	16	10	2004	x			1
213	03033200	15	12	2003	03033200	16	12	2003	x			1
222	03036000	15	10	2004	03036000	16	10	2004	x			1
229	03037600	12			03037600	16	12	2003	x		x	1
233	03037910	15	10	2004	03037910	16	10	2004	x			1
234	03037920	15	10	2004	03037920	16	10	2004	x			1
235	03037930	15	10	2004	03037930	16	10	2004	x			1
236	03037990	15	10	2004	03037990	16	10	2004	x			1
245	03053000	20	10	2005	03053000	23	10	2005	x			1
251	03055100	20	16	2003	03055100	24	16	2003	x			1
296	03062399	20	12	2005	03062399	24	12	2005	x			1
301	03062492	24	14	2003	03062492	24	14	2004			x	3
319	03073900	20	14	2004	03073900	24	14	2004	x			1
330	03076090	20	14	2004	03076090	24	14	2004				1
340	03079990	20	10	2005	03079990	23	10	2005	x			1
1166	16030000	25	23	2006	16030000	24	23	2006	x			3
1894	28182000	9	8	2004	28182000	14	8	2004	x			1
2213	29034920	7	6	2002	29034920	9	6	2002	x			3
2262	29053100	10	6	2004	29053100	11	6	2004	x			3
2893	31021000	5			31021000	50	50		x	x		2
2915	31052000	4			31052000	50	50		x	x		2
2916	31053000	4			31053000	50	50		x	x		2
2939	32041100	9	6	2008	32041100	11	6	2008	x			3
2940	32041200	9	6	2008	32041200	11	6	2008	x			3
2946	32041600	9	6	2008	32041600	11	6	2008	x			3
3184	37023100	54	40	2005	37023100	53	40	2005	x			3
3184	37023100	54	40	2005	37023100	5	5		x	x	x	3
3185	37023100	5			37023100	53	40	2005	x	x	x	3
3195	37024100	21	16	2004	37024100	5	5		x	x	x	3
3195	37024100	21	16	2004	37024100	22	16	2006	x	x	x	3

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Attachment 2 NON_AGR_WTO_CHINA

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
3196	37024100	5			37024100	22	16	2006	x	x	x	3
3232	37025620	26	24	2002	37025620	36	24	2002	x			3
3284	37079010	21	16	2004	37079010	22	16	2006	x		x	3
3621	40012100	20			40012100	22	20	2002	x		x	3
3715	40111000	22	10	2005	40111000	22	10	2006			x	1
3716	40112000	22	10	2005	40112000	22	10	2006			x	1
3722	40119900	25			40119900	27	25	2002	x		x	1
3725	40121010	25	20	2004	40121010	26	20	2004	x			3
3728	40122010	30	25	2004	40122010	34	25	2004	x			3
3729	40122090	30	25	2004	40122090	34	25	2004	x			3
3853	42029200	20	10	2005	42029200	27	10	2005	x			1
3980	44111100	10	4	2004	44111100	11	4	2004	x			1
4107	48010000	12	5	2006	48010000	12	5	1072006			?	3
4372	51051000	10	3	2004	51051000	38	38		x	x		2
4374	51052100	10	3	2004	51052100	38	38		x	x		2
4375	51052900	10	3	2004	51052900	38	38		x	x		2
4875	55121100	30	15	2010	55121100	30	15	0	x		x	3
5008	56039110	17	10	2005	56039110	21	10	2005	x			3
5231	59111010	10	8	2004	59111010	17	8	2004	x			1
6165	70171000	3	0	2002	70171000	9	8	2005	x	x	x	3
6166	70171000	3	0	2002	70171000	9	8	2005	x	x	x	3
6193	70200019	12	0	2003	70200019	12	10	2002			x	3
6463	72172000	10	8	2003	72172000	12	8	2003	x			1
6464	72173000	9	8	2003	72173000	12	8	2003	x			3
6465	72179000	10	8	2003	72179000	12	8	2003	x			3
6550	72291000	7	3	2004	72291000	8	3	2004	x			1
6552	72299000	7			72299000	9	7	2002	x		x	1
6613	73069000	7	6	2002	73069000	8	6	2002	x			1
6633	73089000	10	4	2004	73089000	11	4	2004	x			1
6635	73090000	11	10	2002	73090000	12	10	2002	x			1

Attachment 2 NON_AGR_WTO_CHINA

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
6962	76071100	10	6	2004	76071100	13	6	2004	x			1
6963	76071900	10	6	2004	76071900	13	6	2004	x			1
6964	76072000	12	6	2004	76072000	13	6	2004	x			1
6998	76169910	12	10	2004	76169910	16	10	2004	x			3
7041	79070090	9	6	2004	79070090	11	6	2004	x			3
7253	83040000	13	10	2003	83040000	14	10	2003	x			1
7334	84073410	31	10	2005	84073410	32	10	1072006	x		x	3
7356	84099191	12	5	2004	84099191	14	5	2004	x			1
7449	84143019	10			84143019	16	10	2004	x		x	1
7450	84143090	10	9	2004	84143090	16	9	2004	x			1
7466	84145990	10	8	2003	84145990	14	8	2004	x		x	1
7496	84171000	13	10	2003	84171000	14	10	2003	x			1
7499	84178010	10			84178010	14	10	2003	x		x	1
7501	84178030	10			84178030	12	10	2002	x		x	3
7502	84178040	10			84178040	12	10	2002	x		x	3
7503	84178090	10			84178090	12	10	2002	x		x	1
7570	84198910	10	0	2004	84198910	15	12	2005	x	x	x	3
7572	84198990	10	0	2004	84198990	15	12	2005	x	x	x	3
7574	84199010	8	0	2003	84199010	14	12	2005	x	x	x	3
7576	84199090	0			84199090	7	5	2005	x	x	x	3
7575	84199090	4			84199090	7	5	2005	x	x	x	3
7592	84211990	8	0	2004	84211990	12	10	2002	x	x	x	3
7591	84211990	12	10	2002	84211990	8	0	2004	x	x	x	3
7614	84219110	8	0	2003	84219110	14	12	2005	x	x	x	3
7616	84219190	0			84219190	8	5	2005	x	x	x	3
7615	84219190	3	0	2002	84219190	8	5	2005	x	x	x	3
7668	84248910	17	0	2005	84248910	20	8	2005	x	x		3
7670	84248991	6	0	2003	84248991	11	8	2005	x	x	x	3
7672	84248999	4	0	2003	84248999	11	8	2005	x	x	x	3
7671	84248999	6	0	2003	84248999	11	8	2005	x	x	x	3

Attachment 2 NON_AGR_WTO_CHINA

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
7671	84248999	6	0	2003	84248999	4	0	2003	x			3
7674	84249010	3	0	2002	84249010	8	8		x	x	x	3
7675	84249020	8	0	2003	84249020	13	8	2005	x	x	x	3
7677	84249090	0			84249090	8	5	2005	x	x	x	3
7676	84249090	3	0	2002	84249090	8	5	2005	x	x	x	3
7676	84249090	3	0	2002	84249090	0	0	2002	x			3
7745	84283300	10	5	2004	84283300	11	5	2004	x			1
7768	84292010	8	5	2003	84292010	9	5	2004	x		x	3
7889	84385000	9	7	2002	84385000	10	7	2002	x			3
7933	84431200	12	12	2003	84431200	16	12	2003	x			1
8120	84561000	8	0	2003	84561000	13	10	2005	x	x	x	3
8120	84561000	8	0	2003	84561000	5	0	2003	x			3
8121	84561000	5	0	2003	84561000	13	10	2005	x	x	x	3
8129	84569910	11	0	2004	84569910	15	10	2005	x	x	x	3
8129	84569910	11	0	2004	84569910	9	0	2004	x			3
8130	84569910	9	0	2004	84569910	15	10	2005	x	x	x	3
8131	84569990	11	0	2004	84569990	15	10	2005	x	x	x	3
8213	84622110	10	0	2002	84622110	10	10			x	x	3
8217	84622910	14	0	2003	84622910	14	10	2003		x		3
8250	84641010	8	0	2003	84641010	13	10	2005	x	x	x	3
8251	84641010	8	0	2003	84641010	13	10	2005	x	x	x	3
8252	84641020	8	0	2003	84641020	13	10	2005	x	x	x	3
8253	84641020	8	0	2003	84641020	13	10	2005	x	x	x	3
8254	84641090	8	0	2003	84641090	13	10	2005	x	x	x	3
8255	84641090	8	0	2003	84641090	13	10	2005	x	x	x	3
8257	84642010	8	0	2003	84642010	13	10	2005	x	x	x	3
8258	84642090	8	0	2003	84642090	13	10	2005	x	x	x	3
8259	84642090	8	0	2003	84642090	13	10	2005	x	x	x	3
8262	84649011	8	0	2003	84649011	13	10	2005	x	x	x	3
8263	84649012	8	0	2003	84649012	13	10	2005	x	x	x	3

Attachment 2 NON_AGR_WTO_CHINA

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
8264	84649019	8	0	2003	84649019	13	10	2005	x	x	x	3
8266	84649090	8	0	2003	84649090	13	10	2005	x	x	x	3
8265	84649090	8	0	2003	84649090	13	10	2005	x	x	x	3
8282	84669100	3	0	2002	84669100	7	6	2005	x	x	x	3
8283	84669100	3	0	2002	84669100	7	6	2005	x	x	x	3
8285	84669300	2	0	2002	84669300	6	6	2002	x	x	x	3
8286	84669300	2	0	2002	84669300	6	6	2002	x	x	x	3
8326	84714110	5	0	2002	84714110	5	0	2004			x	3
8328	84714140	9	0	2003	84714140	9	0	2004			x	3
8331	84714910	5	0	2002	84714910	5	0	2004			x	3
8370	84729021	11	0	2004	84729021	17	14	2005	x	x	x	3
8371	84729022	11	0	2004	84729022	17	14	2005	x	x	x	3
8372	84729029	11	0	2004	84729029	17	14	2005	x	x	x	3
8373	84729030	11	0	2004	84729030	17	14	2005	x	x	x	3
8374	84729090	11	0	2004	84729090	17	14	2005	x	x	x	3
8423	84771010	8	0	2003	84771010	12	10	2003	x	x		3
8424	84771090	8	0	2003	84771090	12	10	2002	x	x		3
8435	84775900	10	5	2004	84775900	11	5	2004	x			1
8436	84778000	10	5	2004	84778000	11	5	2004	x			1
8437	84779000	3	0	2002	84779000	7	4	2005	x	x	x	3
8438	84779000	3	0	2002	84779000	7	4	2005	x	x	x	3
8451	84794000	10	7	2002	84794000	11	7	2002	x			1
8453	84795010	7	0	2003	84795010	12	9	2003	x	x		3
8454	84795010	7	0	2003	84795010	12	9	2003	x	x		3
8455	84795090	7	0	2003	84795090	12	9	2005	x	x		3
8456	84795090	7	0	2003	84795090	12	9	2005	x	x	x	3
8469	84798961	10	0	2004	84798961	14	10	2003	x	x	x	1
8470	84798962	10	0	2004	84798962	14	10	2003	x	x	x	1
8471	84798969	10	0	2004	84798969	14	10	2003	x	x	x	1
8472	84798990	10	0	2004	84798990	11	0	2004	x			1

Attachment 2 NON_AGR_WTO_CHINA

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
8472	84798990	10	0	2004	84798990	14	10	2003	x	x	x	1
8477	84799090	3	0	2002	84799090	8	7	2005	x	x	x	3
8478	84799090	3	0	2002	84799090	8	7	2005	x	x	x	3
8490	84807100	6	0	2003	84807100	11	8	2005	x	x	x	3
8489	84807100	6	0	2003	84807100	11	8	2005	x	x	x	3
8602	85044015	8	0	2003	85044015	15	15		x	x	x	3
8603	85044019	8	0	2003	85044019	14	14		x	x	x	3
8605	85044090	12	10	2002	85044090	8	0	2003	x	x	x	3
8606	85044090	8	0	2002	85044090	12	10	2002	x	x		3
8606	85044090	8	0	2002	85044090	8	0	2003			x	3
8607	85045000	8	0	2003	85045000	15	15		x	x	x	3
8607	85045000	8	0	2003	85045000	5	0	2003	x			3
8608	85045000	5	0	2003	85045000	15	15		x	x	x	3
8682	85118000	10	8	2003	85118000	12	8	2003	x			1
8697	85131090	20	18	2003	85131090	21	18	2003	x			1
8703	85141010	11	0	2004	85141010	14	10	2003	x	x	x	3
8704	85141010	11	0	2004	85141010	14	10	2003	x	x	x	3
8705	85141090	11	0	2004	85141090	14	10	2003	x	x	x	3
8706	85141090	11	0	2004	85141090	14	10	2003	x	x	x	3
8707	85142000	11	0	2004	85142000	15	10	2005	x	x	x	3
8708	85142000	11	0	2004	85142000	15	10	2005	x	x	x	3
8709	85143000	11	0	2004	85143000	15	10	2005	x	x	x	3
8709	85143000	11	0	2004	85143000	9	0	2004	x			3
8710	85143000	9	0	2004	85143000	15	10	2005	x	x	x	3
8714	85149090	3	0	2002	85149090	10	10		x	x	x	3
8715	85149090	3	0	2002	85149090	10	10		x	x	x	3
8724	85152900	10			85152900	12	10	2002	x		x	1
8737	85162910	15	10	2004	85162910	16	10	2004	x			1
8770	85173013	0			85173013	6	0	2003	x		x	3
8771	85173019	0			85173019	6	0	2003	x		x	3

Attachment 2 NON_AGR_WTO_CHINA

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
8773	85173091	0			85173091	6	0	2003	x		x	3
8774	85173099	0			85173099	8	0	2003	x		x	3
8788	85175090	6	0	2002	85175090	8	0	2003	x		x	3
8800	85181000	5	0	2003	85181000	10	10		x	x	x	3
8799	85181000	10			85181000	5	0	2003	x	x	x	3
8804	85182900	8	0	2003	85182900	13	10	2005	x	x	x	3
8805	85182900	8	0	2003	85182900	13	10	2005	x	x	x	3
8806	85183000	8	0	2003	85183000	13	10	2005	x	x	x	3
8807	85183000	8	0	2003	85183000	13	10	2005	x	x	x	3
8808	85184000	12			85184000	8	0	2003	x	x	x	3
8809	85184000	8	0	2003	85184000	12	12		x	x	x	3
8811	85189000	12	10	2002	85189000	8	0	2003	x	x	x	3
8812	85189000	8	0	2003	85189000	12	10	2002	x	x	x	3
8843	85211011	39	30	2004	85211011	50	30	2005	x	x	x	3
8844	85211019	39	30	2004	85211019	50	30	2005	x	x	x	3
8845	85211020	39	30	2004	85211020	50	30	2005	x	x	x	3
8887	85243990	8	0	2003	85243990	15	15		x	x	x	3
8913	85249990	23	0	2005	85249990	32	25	2005	x	x		3
8916	85251010	3	0	2002	85251010	10	10		x	x	x	3
8937	85254010	6	0	2003	85254010	11	10	2005	x	x	x	3
8938	85254020	30	0	2005	85254020	40	30	2005	x	x		3
8939	85254030	30	0	2005	85254030	40	0	2005	x			3
8940	85254090	30	0	2005	85254090	48	25	2005	x	x		3
8952	85271200	20			85271200	30	30		x	x		3
8953	85271300	20	15	2004	85271300	24	15	2004	x			3
8954	85271900	20	15	2004	85271900	24	15	2004	x			3
8964	85279090	9			85279090	3	0	2002	x	x	x	3
8965	85279090	3	0	2002	85279090	9	9		x	x	x	3
8988	85291020	8	0	2003	85291020	15	15		x	x	x	3
8989	85291090	10	2	2004	85291090	8	0	2003	x	x	x	3

Attachment 2 NON_AGR_WTO_CHINA

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
8990	85291090	8	0	2003	85291090	10	2	2004	x	x	x	3
8992	85299010	8	0	2003	85299010	13	8	2005	x	x	x	3
9005	85299091	12	0	2004	85299091	20	20		x	x	x	3
9007	85299099	3	0	2002	85299099	5	0	2004	x		x	3
9006	85299099	5	0	2004	85299099	3	0	2002	x		x	3
9021	85319010	8	0	2003	85319010	15	14	2005	x	x	x	3
9022	85319090	8	0	2003	85319090	14	12	2005	x	x	x	3
9023	85319090	8	0	2003	85319090	14	12	2005	x	x	x	3
9047	85332110	4	0	2002	85332110	4	0	2003			x	3
9048	85332190	5	0	2002	85332190	5	0	2003			x	3
9074	85365000	6	0	2003	85365000	11	10	2005	x	x	x	3
9073	85365000	6	0	2003	85365000	11	10	2005	x	x	x	3
9077	85366900	6	0	2003	85366900	11	10	2003	x	x	x	3
9080	85369000	5	0	2003	85369000	6	0	2003	x			1
9080	85369000	5	0	2003	85369000	11	10	2005	x	x	x	1
9188	85433000	8	0	2003	85433000	13	10	2005	x	x	x	3
9193	85438910	6	0	2003	85438910	10	6	2005	x	x	x	3
9194	85438920	6	0	2003	85438920	10	6	2005	x	x	x	3
9196	85438990	11	0	2004	85438990	15	10	2005	x	x	x	3
9198	85439010	0			85439010	5	5		x	x		3
9200	85439021	11	0	2004	85439021	16	12	2005	x	x	x	3
9201	85439029	3	0	2002	85439029	8	8		x	x	x	3
9202	85439030	3	0	2002	85439030	8	8		x	x	x	3
9203	85439040	3	0	2002	85439040	8	8		x	x	x	3
9204	85439090	3	0	2002	85439090	8	8		x	x	x	3
9217	85444110	8	0	2003	85444110	12	10	2003	x	x		3
9219	85444190	12	0	2004	85444190	17	10	2005	x	x	x	3
9221	85444910	8	0	2003	85444910	13	10	2005	x	x	x	3
9223	85444990	14	0	2005	85444990	17	10	2005	x	x		3
9228	85445110	8	0	2003	85445110	13	10	2005	x	x	x	3

Attachment 2 NON_AGR_WTO_CHINA

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
9229	85445190	14	0	2005	85445190	17	10	2005	x	x		3
9326	87021091	42	25	2005	87021091	44	25	1072006	x		x	2
9327	87021092	55	25	2005	87021092	59	25	1072006	x		x	2
9328	87021093	55	25	2005	87021093	59	25	1072006	x		x	2
9330	87029010	42	25	1 July 2006	87029010	44	25	1072006	x			2
9331	87029020	55	25	1 July 2006	87029020	59	25	1072006	x			2
9332	87029030	55	25	1 July 2006	87029030	59	25	1072006	x			2
9334	87031000	27	25	2002	87031000	29	25	1072006	x		x	2
9347	87032314	52	25	2005	87032314	52	25	1072006			x	2
9348	87032315	52	25	2005	87032315	52	25	1072006			x	2
9349	87032316	52	25	2005	87032316	52	25	1072006			x	2
9350	87032319	52	25	2005	87032319	52	25	1072006			x	2
9352	87032334	52	25	2005	87032334	52	25	1072006			x	2
9353	87032335	52	25	2005	87032335	52	25	1072006			x	2
9354	87032336	52	25	2005	87032336	52	25	1072006			x	2
9355	87032339	52	25	2005	87032339	52	25	1072006			x	2
9357	87032430	62	25	2005	87032430	62	25	1072006			x	2
9358	87032440	62	25	2005	87032440	62	25	1072006			x	2
9359	87032450	62	25	2005	87032450	62	25	1072006			x	2
9360	87032490	62	25	2005	87032490	62	25	1072006			x	2
9385	87042230	30	20	2005	87042230	33	20	2005	x			3
9386	87042240	25	20	2004	87042240	26	20	2004	x			3
9387	87042300	20	15	2004	87042300	24	15	2004	x			3
9389	87043100	40	25	2005	87043100	42	25	2005	x			3
9391	87043230	30	20	2005	87043230	33	20	2005	x			3
9412	87059040	12			87059040	16	12	2003	x		x	3
9419	87059090	20	12	2004	87059090	19	9	2004	x	x		3
9420	87059090	19	9	2004	87059090	20	12	2004	x	x		3
9426	87060030	35	20	2005	87060030	40	20	2005	x			3
9428	87060090	40	10	1 July 2006	87060090	42	10	1072006	x			3

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Attachment 2 NON_AGR_WTO_CHINA

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
9430	87071000	46	10	1 July 2006	87071000	49	10	1072006	x			3
9432	87079010	25	10	2005	87079010	36	10	1072006	x		x	3
9433	87079090	25	10	1 July 2006	87079090	36	10	1072006	x			3
9435	87081000	25	10	2005	87081000	25	10	2006			x	3
9439	87082910	30	10	2005	87082910	36	10	1072006	x		x	3
9440	87082920	30	10	2005	87082920	36	10	1072006	x		x	3
9441	87082930	25	10	2005	87082930	28	10	2006	x		x	3
9442	87082990	25	10	2005	87082990	25	10	2006			x	3
9444	87083100	25	10	2005	87083100	25	10	2006			x	3
9450	87083950	15	10	2004	87083950	16	10	2004	x			3
9452	87083990	30	10	1 July 2006	87083990	36	10	1072006	x			3
9458	87084050	15	10	2004	87084050	16	10	2004	x			3
9461	87084091	34	10	2005	87084091	36	10	1072006	x		x	2
9462	87084099	34	10	2005	87084099	36	10	1072006	x		x	2
9468	87085050	15	10	2004	87085050	16	10	2004	x			3
9470	87085090	28	10	2005	87085090	28	10	2006			x	3
9476	87086050	15	10	2004	87086050	16	10	2004	x			3
9478	87086090	28	10	2005	87086090	28	10	2006			x	3
9481	87087020	25	10	2005	87087020	25	10	2006			x	3
9486	87087090	28	10	2005	87087090	28	10	2006			x	3
9488	87088010	28	10	2005	87088010	28	10	2006			x	3
9489	87088090	28	10	2005	87088090	28	10	2006			x	3
9491	87089100	25	10	2005	87089100	25	10	2006			x	3
9498	87089350	15	10	2004	87089350	16	10	2004	x			3
9500	87089390	28	10	2005	87089390	28	10	2006			x	3
9506	87089450	15	10	2004	87089450	16	10	2004	x			3
9508	87089490	30	10	2005	87089490	36	10	1072006	x		x	2
9511	87089920	28	25	2003	87089920	30	25	2003	x			3
9513	87089940	28	25	2003	87089940	30	25	2003	x			3
9516	87089990	28	10	2005	87089990	28	10	2006			x	3

Attachment 2 NON_AGR_WTO_CHINA

WTO Schedule					China Schedule				Discrepancies			
ID	HS	Bound rate at date of accession	Final bound rate	Implementation	HSNO	Bound rate at date of accession	Final bound rate	Implementation	Bound rate at date of accession	Final bound rate	Implementation	Notes
9535	87114000	52	40	2005	87114000	53	40	2005	x			3
9536	87115000	42	30	2005	87115000	43	30	2005	x			3
9577	87168000	28	10	2005	87168000	30	10	2005	x			3
9761	90091110	13	0	2005	90091110	15	0	2005	x			3
9762	90091190	13	0	2005	90091190	15	0	2005	x			3
9768	90092110	13	0	2004	90092110	15	0	2005	x		x	3
9769	90092190	13	0	2004	90092190	15	0	2005	x		x	3
9787	90104100	13	0	2005	90104100	15	0	2005	x			3
9788	90104200	13	0	2005	90104200	15	0	2005	x			3
9789	90104900	13	0	2005	90104900	15	0	2005	x			3
9798	90109010	8	0	2003	90109010	13	10	2005	x	x	x	3
9799	90109020	6	0	2003	90109020	11	8	2005	x	x	x	3
9801	90109090	6	0	2003	90109090	11	10	2005	x	x	x	3
9804	90111000	3	0	2002	90111000	9	8	2005	x	x	x	3
9805	90112000	3	0	2002	90112000	9	8	2005	x	x	x	3
9806	90112000	3	0	2002	90112000	9	8	2005	x	x	x	3
9808	90119000	3	0	2002	90119000	9	8	2005	x	x	x	3
9809	90119000	3	0	2002	90119000	9	8	2005	x	x	x	3
9811	90121000	3	0	2002	90121000	9	9		x	x	x	3
9812	90121000	3	0	2002	90121000	9	9		x		x	3
9813	90129000	3	0	2002	90129000	8	6	2003	x	x	x	3
9814	90129000	3	0	2002	90129000	8	6	2003	x	x	x	3
9842	90172000	10	0	2004	90172000	17	15	2005	x	x	x	1
9843	90172000	10	0	2004	90172000	11	0	2004	x			1
9847	90179000	0			90179000	8	8		x	x		1
9846	90179000	0			90179000	3	0	2002	x		x	1
9854	90181291	7	5	2002	90181291	9	5	2002	x			3
9855	90181299	7	5	2002	90181299	9	5	2002	x			3
9944	90279000	3	0	2002	90279000	8	6	2005	x	x	x	3
9992	90309000	7			90309000	3	0	2002	x	x	x	3

Attachment 2 NON_AGR_WTO_CHINA

WTO Schedule					China Schedule				Discrepancies			
ID	**HS**	**Bound rate at date of accession**	**Final bound rate**	**Implementation**	**HSNO**	**Bound rate at date of accession**	**Final bound rate**	**Implementation**	**Bound rate at date of accession**	**Final bound rate**	**Implementation**	**Notes**
9993	90309000	3	0	2002	90309000	7	7		x	x	x	3
10003	90314900	6	0	2003	90314900	10	7	2003	x	x		3
10007	90319000	3	0	2002	90319000	8	7	2003	x	x	x	3
10164	94011000	13	0	2005	94011000	15	0	2005	x			3
10166	94013000	13	0	2005	94013000	15	0	2005	x			3
10167	94014000	13	0	2005	94014000	15	0	2005	x			3
10168	94015000	13	0	2005	94015000	15	0	2005	x			3
10170	94016100	13	0	2005	94016100	15	0	2005	x			3
10171	94016900	13	0	2005	94016900	15	0	2005	x			3
10173	94017100	13	0	2005	94017100	15	0	2005	x			3
10174	94017900	13	0	2005	94017900	15	0	2005	x			3
10175	94018000	13	0	2005	94018000	15	0	2005	x			3
10176	94019000	13	0	2005	94019000	13	0	2006	x			3

Notes:

1. Mix-up of different tariff reduction formulas.
2. Technical errors in some bilateral agreements.
3. Other discrepancies.

Attachment 3

For Reference only

Schedule VIII People's Republic of China

This Schedule is authentic only in the English language

PART I MOST-FAVORED-NATION TARIFF

SECTION I Agricultural Products

SECTION 1-B Tariff Quotas

unit:1000 tons

Description of products	Tariff item numbers	Initial quota quantity	Final quota quantity	In-quota tariff rate	Out-quota tariff rate	Implementation period from/to	Initial negotiating right	Other terms and conditions
1	2	3	4	5	6	7	8	9
Wheat	10011000	7300	9636	1	80/65	Year 1 to Year 5	CA, US	STE share=90% 1/ 1.07287
	10019010			1	80/65		AU, CA, US	
	10019090			1	80/65		AU, CA, US	
	11010000			6	80/65		AU, US	
	11031100			9	80/65		US	
	11032100			10	80/65		US	
Corn	10051000	4500	7200	1	80/65	Year 1 to Year 5	AR, US	STE share=75%-60% 1/
	10059000			1	80/65		AR, US	
	11022000			9	80/65		AR, US	
	11031300			9	80/65		AR, US	
	11042300			10	80/65		AR, LVA, US	
Rice	10061010	2660*	5320*	1	80/65	Year 1 to Year 5 34/28/22/16 74/64/56/48	AU, TH, US, UY	Short and medium grain: STE share=50% 1/ Long grain: STE share=50%1/
	10061090			1	80/65		AU, TH, US, UY	
	10062000			1	80/65		AU, TH, US, UY	
	10063000			1	80/65		AU, TH, US, UY	
	10064000			1	40/10		TH,US, UY	
	11023000			9	80/40		TH,US, UY	
	11031400			9	40/10		TH,US, UY	
Soybean oil	15071000	1718**	3261**	9	85/65	Year 1 to Year 6 81.7/78.3/75/71.7/68.3	AR, BR, US	STE share=50%-10% 1/ 2/
	15079000			9	85/65			
Palm oil	15111000	1500***	2880***	9	85/65	Year 1 to Year 6	MY	STE share=50%-10% 1/ 2/
	15119000			9	85/65			
Rape seed oil	15141010	600	1130	9	85/65	Year 1 to Year 6	AU, CA	STE share=50%-10% 1/ 2/
	15141090			9	85/65			
	15149000			9	85/65			

Attachment 3 For Reference only

Description of products	Tariff item numbers	Initial quota quantity	Final quota quantity	In-quota tariff rate	Out-quota tariff rate	Implementation period from/to	Initial negotiating right	Other terms and conditions
Sugar	17011100	1600	1945	20	76/65	~~68~~/71.6/69.9 67.2/65 Year 1 to Year 5	AU, CO, CU, GT, TH	1/
	17011200			20	76/65		CO, CU, GT, TH	
	17019100			20	76/65		CO, CU, GT, TH	
	17019910			20	76/65		AU, CO, CU, GT, TH	
	17019920			20	76/65		CO, CU, GT, TH	
	17019990			20	76/65		AU, CO, CU, GT, TH	
Wool	51011100	242	287	1	38	Year 1 to Year 5	AU, CL, CO, UY	
	51011900			1	38			
	51012100			1	38			
	51012900			1	38			
	51013000			1	38			
	51031010			1	38			
Wool top	51051000	65	80	3	38	Year 1 to Year 5	AU, CL, CO, UY	The People's Republic of China will allocate access to the WTO Members taking into account their bilateral historical trade flows.
	51052100			3	38			
	51052900			3	38			
Cotton	52010000	743	894	1	76/40	Year 1 to Year 5	AU, CO, US	STE share=33% 1/
	52030000			1	76/40			

68.8/61.6/54.4/67.2

Notes:

* 50% of quota for short & medium grain and 50% of quota for long grain.

** Staging of TRQ for soybean oil:

Upon accession	1,718,000 tons
Year One	2,118,000 tons
Year Two	2,518,000 tons
Year Three	2,818,000 tons
Year Four	3,118,000 tons
Year Five	3,261,000 tons

*** Staging of TRQ for palm oil:

Upon accession	1,500,000 tons
Year One	2,100,000 tons
Year Two	2,400,000 tons
Year Three	2,600,000 tons
Year Four	2,700,000 tons
Year Five	2,880,000 tons

Technical Verification by China
29 August 2001

Draft Services Schedule

1. Substantial commitments issues:

1) Page 5: for Legal Services (CPC 861, excluding Chinese law practice):
One whole page is missing; the attached page should be added before page 5.

2) Page 19: for construction and related engineering service, in the national treatment column "Joint venture construction enterprises are allowed only to undertake foreign-invested construction projects." "are allowed only" should be changed to "have the obligation" according to the bilateral service agreement. "are allowed only" substantially changed China's commitments.
Similarly, on page 36, for aircraft repair and maintenance services, in national treatment column, "The joint ventures are allowed only to undertake business in the international market." "are allowed only" should be changed to "have the obligation".

3) Page 23: educational services
In national treatment column, qualifications should be:
"- possession of Bachelor's degree or above
- and an appropriate professional title or certificate, with two years' professional experiences."

2. Technical and editorial issues:

1) Page 6: Accounting, auditing and bookkeeping services (CPC 862)
In additional commitments, all paragraphs are linked together and difficult to read.

2) Page 7: wholly foreign-owned Enterprises should be "wholly foreign-owned enterprises"

3) Page 21, Retailing Services (CPC 61 and 63, excluding tobacco)
In Sector or sub-sector column, "(CPC 61 and 63, excluding tobacco)" should be deleted because the distribution services are defined in Annex 2.

中方意见
手中处手的为"√"

Technical Verification by China
29 August 2001

Working Party Report

1. Paragraph 21, second line, add "1994" after "GATT".

2. Paragraph 23, second line, change "subnational" to "sub-national"

3. Paragraph 23, Indent 5 "Chemicals", second line, change "Environmental Control Regulations for Initial Imports of chemical Products and Imports and Exports of Toxic Chemical Products" to "Provisions on the Environmental Administration of Initial Imports of Chemical Products and Imports and Exports of Toxic Chemical Products".

4. Paragraph 38, third line, delete "and ".

5. Paragraph 53, second line, add "or operators" before "should"; add "or propose" before "the competent"; forth line, change the order of "operators" and "competent agencies"; fifth line, change "their purview of pricing" to "relevant provisions of the Price Law"; add "or proposals" before "to the competent".

6. Paragraph 58, last sentence, delete "or government guidance pricing unless the provider was a non-profit educational service provider". Since all the educational institutions in China are subject to state price control and should not make profits.

7. Paragraph 65, third and fourth line, change "1992" to "1993"(two places).

8. Paragraph 68, eighth line, add "Agreement" after "WTO".

9. Paragraph 79, third line, add "the implementation of" before "national treatment".

10. Paragraph 93, second line, add "the representative of " before "China".

11. Paragraph 94, first line, add "the representative of " before "China".

12. Paragraph 96, last line, change "that" to "this".

13. Paragraph 101, third line, and change "all purposes" to "the purposes as provided for in Article I of the WTO Agreement on Rules of Origin."

14. Paragraph 109 (k), change "China" to "the government".

15. Paragraph 111, second line, change "so as to ensure" to "on the basis of".

16. Paragraph 113, fifth line, change "subnational" to "sub-national".

17. Paragraph 117, fifth line, add "the representative of " before "China".

18. Paragraph 120, delete the parentheses around "of the Draft Protocol"(two places).

19. Paragraph 127, fourth line, change "Members" to "Those members", and "concern" to "concerns".

20. Paragraph 130(d)(iii), the last line, change "that" to "than".

21. Paragraph 133, fourth line, and change "Customs" to "General Administration of Customs".

22. Paragraph 139, first line, add "of the Working Party" after "members".

23. Paragraph 143, delete the second last sentence but one. Since this sentence is a repetition of the provisions in the latter Decision.

24. Paragraph 144, second and fourth line, change "System" to "Procedures"(two places).

25. Paragraph 151, subparagraph (d), last line, add "a" before "particular".

26. Paragraph 153, second line, change "Anti-subsidy" to "Countervailing Measures"; Subparagraph (b), merge the two separate paragraphs; Subparagraph (d), add "the" before "state".

27. Paragraph 156, third line, change "duty-paying value" to "customs value".

28. **Paragraph 159, sixth line, and delete "not produced by them".**

29. Paragraph 167, first line, change "Section 11.3" to "Section 10.3".

30. **Paragraph 188, add "The Working Party took note of this commitment." at the end of this paragraph.**

31. Paragraph 203, last sentence, change "China would respect enterprises' freedom of contract into "the freedom of contract of enterprises would be respected.

32. Paragraph 225, third line, add "The representative of " before "China".

33. Paragraph 231, insert a comma between "response" and "China".

34. Paragraph 241, subparagraph (f), change the period at the end of the sentence into a semicolon and add "and " at the end.

35. Paragraph 245, subparagraph (g), add "and" at the end of the sentence.

36. Paragraph 250, eighth line, add "regulations and" before "rules".

37. Table A and Table B: please see attachment 1 for detailed revisions.

38. Paragraph 274, fifth line, add "This requirement may be waived in the case of a national emergency or other circumstances of extreme urgency or in cases of public or non-commercial use" after "conditions" before "(Article 31(b))".

39. Paragraph 279, forth line, add "Part II" before "of the TRIPS Agreement".

40. Paragraph 307 (h), third line, delete " 's name" after "company". According to the relevant regulations of SAIC concerning registration for a new company, all the registration requirements and procedures are for fiscal and other similar administrative purposes, but not only limited to the registration of company's name.

41. Paragraph 333, fourth line, add "available" before "before".

42. Sub-title "2. Government Procurement" should be "4. Government Procurement".

Draft Protocol

1. Section 5, line 4 and 9, change "Annex 2a" to " Annex 2A" and "Annex 2b" to "Annex 2B ".

2. **Section 15, add the sentence" WTO Members recognize the many fundamental market-based reforms that China has made to its economy" at the beginning of this sentence;** subparagraph (c), second line, change subparagraph (1) to subparagraph (a).

3. Section 16, paragraph 9, change "will" to "shall".

4. Section 17, line 3, delete "at the HS 8-digit level".

5. Section 18, paragraph 1, line 3, change "paragraph 18.4" to "paragraph 4"; paragraph 2, line 3, change "paragraph 18.4" to "paragraph 4"; paragraph 2, line 5, change "paragraph 18.1" to "paragraph 1"; paragraph 4, line 1, change "paragraph 18.1" to "paragraph 1" and "paragraph 18.2" to "paragraph 2".

Attachment

Revision on Table A and Table B

Table A: The Administrative Rules of China Concerning Intellectual Property Rights

The following three parts were the administrative rules regarding protection of intellectual property right, which were still in force in China. As an important part of China's IPR legal system, these rules have a great effect on IPR protection, enforcing the IPR law, etc.
Part I Lists of Administrative Rules Regarding Protection of Patent Right Part II Lists of Administrative Rules Regarding Protection of Trademark Part III Lists of Administrative Rules Regarding Protection of Copyright
Part I Lists of Administrative Rules Regarding Protection of Patent Right ~~(i) Regulations Relating to Implementation Patent Cooperation Treaty in China (23 November 1993)~~ (ii) Methods on the Showing the Identification of Right of Priority to Applicant made by Patent Office of China (1 March 1988) ~~(iii) Regulations on Patent Commissioning (4 March 1991)~~ (iv) Opinions of the Patent Office of China concerning the Implementation of the Regulations on Patent Commissioning (19 April 1991) (v) Explanation of the Patent Office of China on Certain Matters Relating to the Commissioning Involving Foreign Interests (16 November 1987) (vi) Decree of Patent Office of China (No.26) (20 November 1989) (vii) Decree of Patent Office of China (No.27) (21 December 1989) (viii)Decree of Patent Office of China (No.31) (14 March 1991) (ix) Procedures for Administrative Reconsideration of Patent Office of the People's Republic of China (for Trial Implementation) (21 December 1992)
(x) Methods of Handling the Patent Disputes by the Administrative Authorities for Patent Affairs (4 December 1989)
Part II Lists of Administrative Rules Regarding Protection of Trademark ~~(i) Rules for the Implementation of the Trademark Law of the People's Republic of China (15 July 1993)~~

~~(ii) Supplementary Provisions Concerning the Punishment of Crimes of Counterfeiting Registered Trademarks made by the Standing Committee National People's Congress (22燗ebruary 1993)~~

(iii) Circular on the Commodities Demanded to Use Registered Trademark made by the State Administration for Industry and Commerce (14 January 1988)

(iv) Circular on the Prohibition from Registering the Other Person's Trademark Abroad without Being Authorized made by State Administration for Industry and Commerce and the Ministry of Foreign Economy and Trade (19 November 1990)

(v) Interim Provisions on Claims for Priority in Applying for Registration of Trademarks made by State Administration for Industry and Commerce (15 March 1983)

(vi) Methods of the Application International Registration of Trademark of Madrid made by the State Administration for Industry and Commerce (2 March 1989)

(vii) Circular on the Stopping Using the Literal of "Xiang Bin" or "Champagne" in Varieties of Commodities of Alcohol made by the State Administration for Industry and Commerce (26燼ctober 1989)

(viii) Circular on Printing and distributing " the Rules regarding the Question of Using Trademark in Can Food for Export" (15 October 1991)

(ix) Provisions ~~Regulations~~ on the Control over the Surrogate of Trademark

(x) Provisions ~~Regulations~~ on the Registration of and the Control over the Collective Trademark and Certified Trademark (issued on 30 December 1994, revised on 3 December 1998)

~~(xi) Interim Provisions on the Cognizance of and the Control over the Renowned Trademark (issued on 24 August 199, revised on 3 December 1998)~~

(xii) Provisions ~~Regulations~~ on the Control over the Printing of Trademark (issued on 5 September 1996, revised on 3 December 1998)

Part III Lists of Administrative Rules Regarding Protection of Copyright

~~(i) Copyright Law of the People's Republic of China (7 September 1990)~~

~~(ii) Regulations for Implementation of Copyright Law of the People's Republic of China (30燤ay 1991)~~

~~(iii) Provisions on the Implementation of the International Copyright Treaty (25 September 1992)~~

~~(iv) Circular of the Supreme People's Court on Matters regarding Further Implementing the Copyright Law of the People's Republic of China (24 December 1993)~~

~~(v) Circular of the State Press Administration regarding Establishment the Agency of Copyright Management in Every Provinces Autonomous Regions and Municipalities Directly under the Central Government (5 February 1986)~~

~~(vi) Regulations for Management of the Audio/visual Producers (25 August 1994)~~

(vii) Opinions of the National Copyright Administration on Questions Relating to Reprinting the Programs in Advance in Broadcast and Television (12 December 1987)

(viii)Circular of the National Copyright Administration of Printing and Distribution "Report Relating to Appropriate Handling the Copyright Question in the Process of Culture Communication with Taiwan" and "Interim Provisions Relating to the Copyright Question of Pressing the Works Written by Taiwan Compatriots" (8 February 1988)

(ix) Circular of National Copyright Administration regarding the Points for Attention of Transferring Copyright to Taiwan's Press Person (26 December 1987)

~~(x) Circular of Newspaper Management Department of the Press and Publication Administration of the People's Republic of China on Questions Relating to Reprinting the Programs in Advance in Broadcast and Television (30 March 1988)~~

(xi) Opinions of National Copyright Administration on Matters Relating to Local Work on Copyright Management (May~~5.~~ 1988)

(xii) Circular of the National Copyright Administration concerning Procedures of Examining and Verifying the Copyright Trading Contract Between the Mainland and Hong Kong, Macao and Taiwan (2 November 1988)

(xiii)Opinions on Certain Matters of the National Copyright Administration concerning Handling Copyright Cases (27 December 1988)

~~(xiv)Opinion of the Press and Publication Administration, the National Copyright Administration concerning Cooperating in Handling the Reproducing without Consent by the Administration of Publishing and Copyright (18 July 1989)~~

(xv) Circular of the National Copyright Administration concerning the Standard of Paying Author's Remuneration When the Press Reprint and Extract the Published Works at Present (27 August 1991)

(xvi)Interim Provisions of the Standard of Paying Author's Remuneration When the Press Reprint and Extract the Published Works with the Consent by Law (1 August 1993)

(xvii)Interim Provisions of the Standard of Paying Author's Remuneration When Perform the Published Works with the Consent by Law (1 August 1993)

(xviii)Interim Provisions of the Standard of Paying Author's Remuneration When Record the Published Works with the Consent by Law (1 August 1993)

(xix)Direction of the Chinese Center of Receiving and Transmitting Author's Remuneration concerning Receiving and Transmitting Remuneration About the Press Extract the Published Works

(xx) Circular of the National Copyright Administration concerning Enforcing "the Memorandum of Understanding between the Government of the People's Republic of China and the Government of the United States of America on the Protection of Intellectual Property" (29燗bruary 1992)

(xxi)Urgent Circular concerning Strengthening Administration of Reproducing Compact Discs and Laser Discs (12 April 1994)

(xxii)Circular of Enforcing "Urgent Circular concerning Strengthening Administration of Reproducing Compact Discs and Laser Discs" (12 May 1994)

~~(xxiii)Circular concerning Registration of the Organization Reproducing Compact Discs and Laser Discs (29 June 1994)~~

(xxiv)Cooperate Circular of the Ministry of Judicial and National Copyright Administration concerning Bringing Notary Office into Play in Dealing with the Infringing Copyright Cases (29 August 1994)

~~(xxv)Regulations for the Protection of Copyright of Computer Software (4 June 1991)~~

(xxvi)Measures of the Registration of Copyright of Computer Software (4 June 1992)

(xxvii)Guide to Classified Coding of Software in Computer Software's Registration

(xxviii)The Item and Standard of Registration Expenses of Computer Software (18 April 1992)

REASONS:

-Part I

Items (i) and (iii): administrative regulations should not be included.

-Part II:

Item (i): administrative regulation should not be included.

Item (ii): legislation made by the National People's Congress should not be included.

Item (xi): interim Provisions abolished.

Part III:

Item (i): the Copyright Law should not be included in the list of regulations and rules.

Items (ii), (iii), (vi) and (xxv): administrative regulation should not be included.

Item (iv): this circular is judicial ruling which should not be included in the List.

Items (v), (x), (xiv) and (xxiii): these regulations or rules have been abolished.

Table B: Revision of China's IPR Laws in Conformity with the TRIPS Agreement

The People's Republic of China had conducted an intensive work programme to examine and revise the IPR laws, administrative regulations and department rules relating to the implementation of the WTO Agreement and China's accession commitments. A list of China's IPR laws, administrative regulations and department rules to be revised and abolished was hereby notified to the Working Party. Part I of the list containeds ~~8~~eight laws and regulations. Part II of the list containsincluded ~~4~~ four department rules to be revised or abolished for the same reason. This list ~~gave~~includes the names of laws, regulations and department rules, reasons for revision or abolishment, and dates of implementation.

Part I Laws and Administrative Regulations

Laws and Regulations	Date of Implementation
1. Copyright Law of the People's Republic of China	Upon accession
2. Regulations for the Implementation of the Copyright Law of the People's Republic of China	Upon accession
3. Regulations for the Protection of Computer Software	Upon accession
4. Trademark Law of the People's Republic of China	Upon accession
5. Detailed Rules for the Implementation of the Trademark Law of the People's Republic of China	Upon accession
6. Regulations of the People's Republic of China on the Protection of New Varieties of Plants	Effective as of 1 October 1997
7. Law of the people's Republic of China Against Unfair Competition	Effective as of 1 December 1993
8. Regulations on the Implementation of the Integrated Circuit Layout Design	To be effective as of 10 October 2001

Part II Department Rules

Department Rules	Date of Implementation
1. Interim Rules on the Administration of Patents in Agriculture, Animal Husbandry and Fisheries	To be abolished upon accession
2. Notice on the Interim Regulation on the Protection of Copyright of Books and Magazines	To be abolished upon accession

3. Notice on the Issuance of the "Detailed Rules of Interim Regulations on the Protection of Copyright of Books and Magazines", "Publication Intention Contracts" and "Publication Contracts"	To be abolished upon accession
4. Interpretation of Article 15(4) of the "Interim Regulation on the Protection Copyright of Books and Magazines"	To be abolished upon accession

Additional Technical Corrections:

1. Paragraph 250, remain unchanged. The original proposal of China (29.08.01) is to add "regulations and" before "rules" in the eighth line.
2. Paragraph 268, line four, change "the final text" to "the draft", since the TRIPS Agreement was not finalized at that time.
3. Paragraph 270, line five, change the first "or" to a comma.
4. Paragraph 271, last line, change "Article 51" to "Article 52".

China's Comments on the Technical Verification Results of the Working Members
29 August 2001

AUSTRALIA

1. Legal Services (page 5)
The missing page will be supplemented in the next version of revision.

2. Construction and Related Engineering Services (page 19)
Agree with Australia's suggestion.

3. Retailing Services (under Distribution Services) (page 22)
Agree with Australia's technical correction (change "dive" into "five").

4. Wholesale or retail trade services away from a fixed location (page 23)
Agree with Australia's technical correction.

5. Tourism and Related Services (page 33)
Agree with Australia's technical correction.

6. Rail and Road Freight Transport (page 37)
Disagree with Australia's comment, China never offer to any WTO Member a Commitment to "None" for Mode 3.

CANADA

11. Legal services:
The missing page will be supplemented in the next version of revision.

12, 13, 14. Distribution services:
As the definition of distribution services is clearly stipulated in Annex 2, to avoid confusions and an unnecessary repetition, CPC code will not be used in this sector.

Agree with changing Mode 3 commitment paragraph in MA column into "··· foreign service suppliers may establish joint ventures to engage in the commission agents' business and wholesale business ···"

The typing error in retailing services commitment will be corrected (change "dive" into "five").

16. All insurance and insurance-related services:
A period will be inserted at the end of the following sentence in the column 2, mode 3 (A) paragraph: " For other brokerage services: Unbound".

Agree with deleting "only" from the mode 3(C) paragraph in the following sentence: "Foreign non-life insurers are permitted only to provide insurance of enterprises abroad ···"

17. Travel agency and tour operator:
The typing error will be corrected.

18. Financial services:
Disagree with deletion of the sentence about "Master policy" brokerage business, this sentence was added upon EU's request and we believe that it's an improvement to Sino-Canada bilateral and Sino-US bilateral as well.

EUROPEAN UNION

1. Legal Services
-- The missing page will be supplemented in the next version of revision.
-- The sector definition should be Legal Services (CPC 861, excluding Chinese law practice).
-- Mode 3: Agree with EU's suggestion.

2. Computer Services
-- Agree with EU's suggestion that the two boxes be merged into one.

3. Construction
-- Mode 3, Under NT, indent (b): Agree with EU's suggestion.

4. Distribution
-- Agree with changing "may" in both paragraphs into "are permitted".
-- Retail, MA column, pg. 22, the spelling error will be corrected (change "dive" into "five".)

5. Insurance
(To be clarified in Geneva.)

6. Banking
-- Additional commitment should be inserted at the start of the Sector in pg. 28.

7. Travel agency and tour operator
-- Mode 3: Agree with EU's suggestion.

8. Transport
-- Sectors "Storage and warehousing (CPC 742)" and "Freight forwarding" will be placed under "H. Auxiliary Services".

JAPAN

1. P.5 (Legal Services)
The missing page will be supplemented in the next version of revision.

2. P.7 (Engineering services and integrated engineering services)
Agree with Japan's technical correction.

3. P.16 (telecommunication Services, Mobile voice and data Services)
Agree with Japan's technical correction.

4. P.19 (Construction Services)
Agree with Japan's technical correction.

5. P.21 (Distribution Services)
Agree with Japan's technical correction.

6. P.22 (Distribution Services)
Agree with Japan's technical correction.

7. P.22 (Distribution Services), Line 10
Agree with Japan's technical correction.

8. P.23 (Distribution Services), Footnote
Agree with Japan's technical correction.

9. P.34 (Tourism and Travel related Services)
Agree with Japan's technical correction.

10. P.37 (Rail Transport Services and Road Transport Services)
Mode 3 of NT column, "Unbound" will be changed into "None".

UNITED STATES

1. Horizontal Commitments
Page 4, market access column, mode 4 (b): Change "a corporation of other WTO Members" into "a corporation of WTO Members". This change is to ensure the consistency between paragraph (a) and paragraph (b).

2. Professional Services
Page 5, market access column: the missing page will be supplemented in the next version of revision. Mode 3, (e): Agree with add "outside of China" at end of last sentence.

3. Telecommunication Services
Page 14-15, additional commitments column: the sentence will be changed as follows, "China undertakes the obligations contained in the Reference Paper in Annex 1, attached hereto."

4. Audiovisual Services
Page 18, market access column, mode 3: Change "with foreign investment less than 49 percent" into "and foreign majority ownership is not allowed, for Equity Joint Venture, foreign investment should be less than 49 percent."

5. Distribution Services
Page 22, market access column, mode 3: "dive" will be changed to "five".

Page 23, sector/sub-sector column, sales away from a fixed location: Agree with deleting "For all sub-sectors listed in Annex 2."

6. Financial Services: Insurance
(To be clarified in Geneva.)

7. Financial Services: Banking and Securities
Page 30, market access column, mode 3: Agree with adding "Otherwise, none."

Page 32, market access column, mode 3: Agree with changing "less than 33 percent" to "up to 33 percent".

8. Tourism Services
Page 33, market access column, mode 3: Agree with inserting "None" before "four years".

Page 34, market access column, mode 3: Agree with moving the second and third sentence to the top of page.

Agree with making the sentence begins with "Within six years" a separate entry.

Add "None" before the sentence which begins with "And the requirement", the new sentence should read as follows, "None, within six years after accession, there will be no restriction on the establishment of branches of the joint venture travel agency/tour operator."

9. Transportation Services
Page 36, maritime agency services, mode 3: Change "with foreign equity share no more than 49 percent" into "foreign majority ownership is not allowed, for Equity Joint Venture, foreign investment should be less than 49 percent."

Page 38, storage and warehousing services, market access column, mode 3: Agree with inserting "None" before "within three years of China's accession".

Page 38, freight forwarding services, market access column, mode 3: Disagree with deletion of the two sentences committing to national treatment on registered capital, since they're actually improvements to Sino-US bilateral.

China's technical verification to the Services Schedule

1. Legal Services

Page 5, MA column, mode 3: Insert one sentence "Business scope of foreign representative offices:" before "(a) to provide its clients ···".

Page 6, mode 3: Add "outside of China" at the end of the paragraph begins with "The representative of a foreign law firm shall ···".

2. Technical testing and analysis Services

Page 12, Sector column, e. Delete the bracket which enclosing "CPC 749".

3. Audiovisual Services

Page 20, MA column, mode 3, Delete "**and foreign majority ownership is not allowed, for Equity Joint Venture, foreign investment should be**" and restore the original language, as follows, "foreign services suppliers will be permitted to establish joint ventures with Chinese partners with foreign investment less than 49 per cent to engage in the distribution of ···".

4. Distribution Services

Page 23, wholesale, MA column, mode 3: First sentence, restore "may" before "establish joint ventures to engage in···", as follows, "foreign service suppliers **may** establish joint ventures to engage in the commission agents' business and wholesale business···".

Page 24, retailing, MA column, mode 3: restore "may" before "supply services only in forms of joint ventures···", as follows, "Foreign service suppliers **may** supply services only in forms of joint ventures···".

Page 23 and page 24, Additional Commitment for wholesale and retailing: Replace the 2 "may" with "are permitted to". On retailing, replace "will be permitted" with "are permitted", as before.

5. Maritime agency Services

Page 42, MA column, mode 3: Delete "**foreign majority ownership is not allowed, for Equity Joint Venture, foreign investment should be less than 49 per cent**" and restore the original language, as follows, "Only in forms of joint ventures, with foreign equity share no more than 49 per cent."

6. Rail Transport Services and Road Transport Services

Page 45, MA column, mode 3: Delete "None" before "within three years after…" and combine this sentence with the previous sentence, as follows, "For road transport, within one year after China's accession, foreign majority ownership will be permitted and within three years after China's accession, wholly foreign-owned subsidiaries will be permitted."

7. Services Auxiliary to all modes of transport

Page 45, storage and warehousing services, MA column, mode 3: Insert "None" before "within three years of China's accession".

4/9/01

Comments on the Comments on the Goods Schedule

Argentina

1st. 1. Is in schedule, exactly as bilateral
2. If anything, to the Protocol, does not belong in schedule, China or WP to decide
3. China to respond

2nd 1. Protocol issue, China to answer

Australia

Section I-A

a. 1. ok, corrected
2. ok, corrected
3. ok, corrected
4. ok, corrected
5. ok, corrected
6. ok, corrected
7. ok, corrected
8. do not agree, these were specifically put in the bilaterals to be included in the schedule by other countries.

b. according to Australia's tariff reductions in the bilaterals, both would be 59.7% upon accession, as Australia has 2005 implementation date for both. Thus both have been changed to 59.7%.

Section I-B

a. 1. ok, corrected
2. ok, corrected
3. can incorporate if China agrees
4. ok, corrected
5. ok, corrected

b. 1. ok, corrected
2. China to respond, but perhaps change to "75% to 60%"
3. can incorporate if China agrees
4. will need some work on re-formatting due to a number of comments
5. this is in a bilateral and was agreed with China. China to answer
6. reformatting will probably take care of this
7. ok, corrected
8. ok, corrected

Section II

a. 1. ok, corrected
2. ok, corrected
3. ok, corrected
4. ok, corrected

b. 1. ok, corrected
2. ok, corrected
3. ok, corrected
4. ok, corrected
5. ok, corrected
6. ok, corrected

Part III

a. 1. ok, corrected

2. ok, corrected
3. ok, corrected
4. ok, corrected
5. ok, corrected
6. can incorporate if China agrees

b. 1. to be decided by W.P.
2. to be corrected
3. ok, corrected
4. ok, corrected

Part IV

1. for China to answer

Brazil

ok, corrected

Canada

1. Headnote specifically refers to "applied" rate and not "bound" rate. Comment not correct.
2. not found in bilateral; to be clarified
3. ok, corrected
4. not found in bilateral
5. not found in bilateral
6. ok, corrected
7. ok, corrected
8. China to clarify
9. China to reply
10. China to reply

Costa Rica

ok, corrected

India

i. China to confirm
ii. a., b. and c. Staging Matrix confirms this
iii. China to answer

Israel

1. corrected
2. China to confirm

Malaysia

2.-3. all are in the consolidated schedule either with the same HS number indicated or with the new HS numbers using the correlation tables. China should confirm new numbers in the correlation to Malaysia.
4. ok, corrected

New Zealand

2. China to confirm
3. China to confirm
4. ok, corrected
5. China to answer

6. can incorporate if China agrees
7. China to confirm
8. China to confirm
9. China to confirm
10. China to confirm
11. China to confirm
12. China to confirm
13. China to confirm
14. China to confirm
15. China to confirm
16. China to confirm
17. China to answer

Norway

All items are changes in nomenclature which are reflected in the correlation tables by China.
China to confirm correlations to Norway. All are correctly reflected in schedule based on correlations.

Thailand

1. Believe covered in 07149021 and 07149029, China to confirm
2. ok, corrected
3. do not agree, this is a TRQ (Section I-B) INR, not a Tariff (Section I-A) INR. Not incorporated unless China decides to add
4. rice will need to be re-structured, change "other" to "long"
5. China to respond or clarify
6. ok, corrected
7. ok, corrected
8. no, there is no staging for these items

US

Part I, Ag. Tariffs Headnote

1. ok
2. do not agree, these were specifically put in the bilaterals to be included in the schedule by other countries
3. language is same as bilateral, and correctly only refers to applied rates. The schedule contains the WTO binding and not the applied rate. Nothing prevents China from going lower, just cannot go higher.
4. will re-group parity clauses. Other comments go beyond bilateral texts and would have to be further discussed

Ag. Tariffs

a. ok, corrected; but 1504.30 items need to be rounded to first decimal, so 14.8, 14.6, and 14.5, respectively
b. China to answer

Part IB Headnote

1.a. ok, corrected
b. can do, assuming China agrees
2. ok, corrected

Part IB TRQ

1. ok, corrected
2. Wheat—ok if China agrees
3. Corn—ok if China agrees

4. Rice—will be reformatted; cannot delete/amend other notes in column 7 as these are specific bilateral texts China agreed to; China to consider
5. Soybean-- ok if China agrees
6. Palm—do not agree, they are part of a bilateral; China to consider
7. Rapeseed—China to consider
8. Sugar—ok, corected
9. Wool—ok, corrected
10. Cotton-- ok if China agrees

Industrial Headnote

1. ok, corrected
2. ok, corrected

Industrial Tariff

1. all are included as "ex" outs in the ITA schedule, all have zero duty. The non-ex-out portion (non-ITA) have higher duties.
2. ok, corrected
3. ok, corrected
4. ok, corrected
5. ok, corrected
6. ok, corrected
7. ok, corrected
8. no, bilat. says 35%
9. corrected
10. China to answer
11. China to answer

Ind. TRQ

1. ok, corrected
2. ok, corrected
3. ok, corrected
4. ok, corrected

Part III

will update to include latest changes to Annex III, WP to decide which one to use

Part IV

China to answer

各方核对结果中未决问题

(服务贸易除外)

秘书处已对各方提出的建议做出了反馈，接受部分已反映在修改后的报告书、议定书、议定书附件、货物贸易减让表和服务贸易减让表中，尚遗留以下问题：

一、阿根廷

1、豆油 TRQ 减让表不准确

解决办法：向秘书处统一提出交涉

2、SPS 检疫问题(双边协议附件 3)

解决办法：请质监总局研究

3、国内支持：

解决办法：进行双边磋商

二、澳大利亚

1、议定书：1.3 款

解决办法：可接受修改建议

2、菜籽油 TRQ 减让表：实施期问题

解决办法：向秘书处统一提出交涉

3、糖 TRQ 减让表：删除中泰协议中的注解

解决办法：我方可同意，但要征求泰方意见

4、要求将 NTM 清单从货物贸易减让表中删除

解决办法：可同意，由工作组决定

5、汽车关税：部分税号双边协议有误

解决办法：已多次向澳方交涉，需通过换函解决

6、国内支持：要求修改国内支持表，并已提出书面问题单。

解决办法：答复问题单，并进行双边磋商

三、加拿大

1、麦芽：中加协议中，我方承诺麦芽的实施税率与大麦的实施税率相差不超过 7%，但现在大麦已承诺 3%，而麦芽的约束税率为 13%，加方要求将麦芽的约束减为 10%。

解决办法：如加方放弃使用暂定税率为基础税率的要求(详见以下第 5 点)，可考虑解决。

2、豆油 TRQ 减让表：

解决办法：向秘书处统一提出交涉

3、INR：部分税率要求给予 INR

解决办法：双边换函

4、road graders 84292090 与 842910 的税率平衡问题

解决办法：可以接受，双边换函

5、暂定税率：加方要求 20 个税号的基础税率改为 1998 年的暂定税率。

解决办法：不同意。

(需对来函做出答复)

四、印度

1、6 位税号

2、税率减让

3、税则描述

解决办法：双边磋商澄清

五、以色列

1、8443 5900 的归类问题

解决办法：双边磋商澄清

六、日本

42 段和 68 段的实施时间问题

解决办法：不同意

七、马来西亚

棕榈油 TRQ 减让表问题

解决办法：向秘书处统一提出交涉

八、新西兰

1、关于羊毛关税配额分配方式的换函

2、wool 的注解是哪里来的

3、国内支持表：零还是 NIL

解决办法：双边磋商

九、挪威

税率转换问题

解决办法：双边磋商，提供对照表

十、泰国

1、17011200 和 17019100 的 INR 问题

解决办法：换函确认

2、1006 的 staging 问题

解决办法：属 TRQ 配额外税率问题，向秘书处统一提

出交涉。

十一、美国

1、议定书 1.3 款：

解决办法：可接受修改

2、报告书 130 段(非关税措施分配方法)

解决办法：重新调整段落

3、报告书 145 段(装运前检验)：改为承诺段落

解决办法：质监总局研究

4、报告书 210 段(国营贸易)：改为承诺段落

解决办法：国际司研究

5、报告书 321 段

6、附件 1A Section IV.8(a)

7、农产品关税配额：植物油的平衡问题、大米的注解问题。

8、ITA 产品：

9、税率转换：个别税号缺失

10、85273100：要求降税，我已同意，需换函解决

11、要求将 NTM 清单从货物贸易减让表中删除

解决办法：可同意，由工作组决定

12、国内支持：要求更新

13、附件 2A1：原油和成品油非国营贸易允许量承诺的位置问题。

10 September 2001

To whom it may concern,

Reference is made to our bilateral market access agreements concluded in 1997 within the framework on China's accession to the WTO. Since The tariff reduction formula for these agreements differs from the tariff reduction formula for the bilateral agreements concluded after 1997(see Attachment 1). After reviewing China's draft goods schedule contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1, we found it is necessary to clarify the tariff reduction formula to the Secretariat. We therefore attach to this letter a draft Joint Letter to the Secretariat (Attachment 2). In review of the urgency of this matter, we would like to have your reply as soon as possible.

Thank you very much for your understanding.

Sincerely yours,

Zhang Xiangchen
Deputy Director-General
DITEA/MOFTEC

Permanent Mission of Czech
Permanent Mission of Hungary
Permanent Mission of Indonesia
Permanent Mission of Japan
Permanent Mission of Korea
Permanent Mission of New Zealand
Permanent Mission of Pakistan
Permanent Mission of Singapore
Permanent Mission of Slovak
Permanent Mission of Turkey

Cc: Mr. Pierre-Louis Girard
Chairman
Working Party on China's Accession to the WTO

Mr. Arif Hussain
Director
Division of Accessions
The WTO

Attachment 1

Tariff Reduction Formulas for Bilateral Agreements within the Framework of China's Accession to the WTO

I. Tariff reduction formula for bilateral agreements concluded in 1997

- 1992 applied rates used as the base rate(average 42%);
- 6-year implementation period for agricultural products and 3-year for non-agricultural products;
- 50% "front loading", i.e. to reduce 50% of the difference between the base rate and the final bound rate;
- the other 50% of the difference to be reduced in equal annual installment during the rest of the implementation period; and
- no specific implementation periods indicated in the bilateral agreements.

This formula applies to the agreement signed with the following WTO Members:

- Czech (the agreement dated 13 October 1997)
- Hungary (the agreement dated 23 May 1997)
- Indonesia (the agreement dated December 1997)
- Japan (the bilateral market access negotiations on goods was concluded on 4 September 1997 and the agreement signed on 30 June 2000)
- Korea (the agreement dated 26 August 1997)
- New Zealand (the bilateral market access negotiations was concluded on 6 August 1997 and the tariff schedule was initialed in July 2000)
- Pakistan (the agreement dated 24 October 1997)
- Singapore (the agreement dated 9 December 1997)
- Slovak (the agreement dated 12 October 1997)
- Turkey (the agreement dated 8 December 1997)

II. Tariff reduction formula for bilateral agreement concluded after 1997

- 1998 applied rates used as the base rate (average 17%);
- difference formulas applied to different products, see below; and
- specific implementation periods indicated in the bilateral agreements.

GENERAL FORMULA

If difference between base rate and offer rate is	Then end date is Jan. 1,
<=2	2000
>2 and <=4	2001
>4 and <=6	2002
>6 and <=8	2003
>8 and <=17	2004
>17	2005
chemicals only	2006
special	2008

CHEMICAL FORMULA

If difference between base rate and offer rate is	then end date is Jan. 1,
<=2	
>2 and <=4	2001
>4 and <=6	2002
>6 and <=8	2003
>8 and <=10	2004
>10 and <=13	2005
>13	2006
special	2008

ITA FORMULA:

If difference between base rate and offer rate is	then end date is Jan. 1,
<=2	2000
>2 and <=5	2001
>5 and <=10	2002
>10 and <=15	2003
>15 and <=20	2004
>20	2005

SPECIAL FORMULA FOR AUTO AND AUTO PARTS:

A special tariff reduction formula has been established in individual bilateral agreements for auto and auto parts.

Attachment 2

Joint Letter to the Secretariat
(Draft)

China and Czech, Hungary, Indonesia, Japan, Korea, New Zealand, Pakistan, Singapore, Slovak and Turkey have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1 and have the following common understanding on the tariff reduction formula in our bilateral agreements. This common understanding shall constitute an integral part of our bilateral agreements.

Tariff reduction formula for bilateral agreements between China and Czech, Hungary, Indonesia, Japan, Korea, New Zealand, Pakistan, Singapore, Slovak and Turkey:

- 1992 applied rates used as the base rate(average 42%);
- 6-year implementation period for agricultural products and 3-year for non-agricultural;
- 50% "front loading", i.e. to reduce 50% of the difference between the base rate and the final bound rate;
- the other 50% of the difference to be reduced in equal annual installment during the rest of the implementation period; and
- no specific implementation periods indicated in the bilateral agreements.

For the People's Republic of China	For the Czech Republic
For the Republic of Hungary	For the Republic of Indonesia
For Japan	For the Republic of Korea
For New Zealand	For the Islamic Republic of Pakistan
For the Republic of Singapore	For the Slovak Republic
For the Republic of Turkey	

MISSION PERMANENTE DE LA RÉPUBLIQUE POPULAIRE DE CHINE
A GENÈVE
11, CHEMIN DE SURVILLE - 1213 PETIT-LANCY, GENÈVE
TÉL. (022) 792 25 48

10 September 2001

Dear Ambassadors,

Reference is made to our bilateral agreement dated 13 July 2001. After reviewing China's Draft Goods Schedule contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1, we found some technical errors in our bilateral agreement. These errors are caused by the discrepancies in our tariff database. We understand that the INRs are the only concern to your countries and the Chinese side has committed to give you the best offers to other Members. We therefore would like to propose the attached technical corrections for your consideration.

Your understanding is highly appreciated. And looking forward to your earliest reply.

Regards.

Sincerely yours,

Zhang Xiangchen
Deputy Director-General
DITEA/MOFTEC

Permanent Mission of Bolivia
Permanent Mission of Dominican Republic
Permanent Mission of Honduras
Permanent Mission of Nicaragua
Permanent Mission of the Republic of Panama

Cc: Mr. Pierre-Louis Girard
Chairman
Working Party on China's Accession to the WTO

Mr. Arif Hussain
Director
Division of Accessions
The WTO

Technical Corrections:

NO	HS96	DESCRIPTION OF GOODS	BASE RATE	BOUND RATE	YEAR		INR
50	17011100	Raw cane sugar, in solid form[5]	76.0	~~50~~ **65**	2004		BO, DOM, HN, NI, PANAMA
51	17011200	Raw beet sugar, in solid form	76.0	~~50~~ **65**	2004		BO, DOM, HN, NI, PANAMA
52	17019100	Cane or beet sugar containing added flavouring or colouring	76.0	~~50~~ **65**	2004		BO, DOM, HN, NI, PANAMA
53	17019900	Others	76.0	~~50~~ **65**	2004		BO, DOM, HN, NI, PANAMA
54	17019910	Granulated sugar	76.0	~~50~~ **65**	2004		BO, DOM, HN, NI, PANAMA
55	17019920	Superfine sugar	76.0	~~50~~ **65**	2004		BO, DOM, HN, NI, PANAMA
56	17019990	Other cane or beet-sugar, in solid form, nes	76.0	~~50~~ **65**	2004		BO, DOM, HN, NI, PANAMA
65	22030000	Beer made from malt	70.0	0	~~2000~~	**2004**	BO, DOM, HN, NI, PANAMA

[5] **This tariff line include raw sugar for refining and others**

MISSION PERMANENTE DE LA RÉPUBLIQUE POPULAIRE DE CHINE
A GENÈVE
11, CHEMIN DE SURVILLE - 1213 PETIT-LANCY, GENÈVE
TÉL. (022) 792 25 48

11 September 2001

Dear Mr. Arif Hussain,

Subject: Corrigendum on the Revised Draft Goods Schedule of China

Reference is made to the revised Draft Goods Schedule of China contained in the document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1. I hereby attach to this letter a corrigendum to the above-mentioned document for the adoption of the Working Party members.

Thank you very much for your cooperation.

With my best regards.

Sincerely yours,

Long Yongtu
Vice Minister
Ministry of Foreign Trade
& Economic Cooperation
The People's Republic of China

Mr. Arif Hussain
Director
Division of Accessions
The WTO

Cc: Mr. Pierre-Louis Girard
Chairman
Working Party on China's Accession to the WTO

List of Attachments

Part I-Most-Favoured-Nation Tariff, Section I-Agricultural Products Section I-A Tariffs
(See Attachment 1)

Part I-Most-Favoured-Nation Tariff, Section I-Agricultural Products Section I-B Tariff Quotas
(See Attachment 2)

Part I-Most-Favoured-Nation Tariff, Section II-Other Products
(See Attachment 3)

Part III-Non-Tariff Concessions, Section A-Tariff-rate Quotas on Fertilizer and Wool Tops
(See Attachment 4)

Part I-Most-Favoured-Nation Tariff, Section I-Agricultural Products
Section I-A Tariffs

Copy

No	HS	Description	Bound rate at date of accession	Final bound rate	Implementation	Notes
1	04100030	--- Pure royal jelley, in powder	21	15	2004 ✓	
2	05051000	- Feathers of a kind used for stuffing; down	16	10	2004 KR	
3	05079020	--- Pilose antlers and powder thereof	12	11	2006 ✓	
4	08041000	- Dates	18	15	2004 PK	
5	10051000	- Seed	36	20	2004 US	
6	10061010	---Seed	74	65	2004 UR	TRQ
7	10061090	---Other	74	65	2004 UR	TRQ
8	10062000	- Husked (brown) rice	74	65	2004 UR	TRQ
9	10063000	- Semi-milled or wholly milled rice, whether or not polished or glazed	74	65	2004 UR	TRQ
10	10064000	- Broken rice	28	US: 10	2004 UR	TRQ
11	EU 11022000	- Maize (corn) flour	74	74→40 65	2004 US.EC TRQ LTV.	
12	12112091	---- Fresh	26	20	2004 KR	
13	12112099	----Other	26	20	2004 KR	
14	12122010	--- Sea tangle	23	20	2004 KR	
15	12122020	--- Black moss	23	20	2004 KR	
16	12122030	---Pinnatifida	21.7	15	2005 KR	
17	12122040	---Laver	21.7	15	2005 KR	
18	12122050	---Sagarsso weed	21.7	15	2005 KR	
19	12122090	--- Other	21.7	15	2005 KR	
20	15071000	- Crude oil whether or not degummed	78.3	65/2005, 9/2006	2005/2006 US.AR TRQ R2. AU. JM	
21	15079000	- Other	78.3	65/2005, 9/2006	2005/2006 .. - TRQ - - -	
22	15111000	- Crude oil	78.3	65/2005, 9/2006	2005/2006 EC.U TRQ RR JPK	
23	15119000	- Other (See Note 4)	78.3	65/2005, 9/2006	2005/2006 SA TRQ R.	
24	EU 15141010	---Rape oil	78.3	65/2005, 9/2006	2005/2006 AU S TRQ EU RR2	
25	15141090	---Mustard oil	78.3	65/2005, 9/2006	2005/2006 " TRQ "	
26	15149000	- Other	78.3	65/2005, 9/2006	2005/2006 [illegible] TRQ CA R2	
27	15159000	- Other	32	20	2004 SG	
28	15162000	- Vegetable fats and oils and fractions thereof	34	25	2004 SG	
29	15179000	- Other	34	25	2004 SG	
30	17011100	-- Cane sugar (See Note 7)	71.6	65	2004 LTV	TRQ
31	17011200	-- Beet sugar	71.6	65	2004 LTV	TRQ
32	17019100	-- Containing added flavouring or colouring matter	71.6	65	2004 LTV	TRQ
33	17019910	--- Granulated sugar	71.6	65	2004 LTV.	TRQ

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Attachment 1

Part I-Most-Favoured-Nation Tariff, Section I-Agricultural Products
Section I-A Tariffs

No	HS	Description	Bound rate at date of accession	Final bound rate	Implementation	Notes
34	17019920	--- Superfine sugar	71.6	65	2004 LTV	TRQ
35	17019990	--- Other	71.6	65	2004 LTV	TRQ
36	19023010	---Rice vermicelli, cooked	25	15	2005 V	
37	20083010	--- In airtight containers	26	20	2004	
38	20083090	--- Other	26	20	2004	
39	20084010	--- In airtight containers	26	20	2004	
40	20084090	--- Other	26	20	2004	
41	20085000	- Apricots	26	20	2004	
42	20093000	- Juice of any other single citrus fruit	28.2	18	2004 VA	
43	21012000	Extracts, essences and concentrates, of tea or mate, and preparations with a basis of these Extracts, essences or concentrates or with a basis of tea or mate	42.8	32	2004 SG	
44	21021000	- Active yeasts	28	25	2004 KR	
45	21031000	- Soya sauce	29.2	28	2004 EC	
46	22029000	- Other	44	35	2004 KR SG	
(47) WS	22030000	Beer made from malt	42	0	2004 D. PERU BL LVS	
48	35030010	---Gelatin and gelatin derivatives	15.6	12	2004 KR	
49	35030090	---Other	15.6	12	2004 KR	

Attachment 2

		2000				2001				2002				2003				2004			
Description of products	Tariff item numbers	Quota Quantity	In-quota tariff rate	Out-quota rate	STE Share	Quota Quantity	In-quota tariff rate	Out-quota rate	STE Share	Quota Quantity	In-quota tariff rate	Out-quota rate	STE Share	Quota Quantity	In-quota tariff rate	Out-quota rate	STE Share	Quota Quantity	In-quota tariff rate	Out-quota rate	STE Share
Wheat	10011000	7,300,000 growth rate=7%	1	77	90%	7,811,000	1	74	90%	8,357,770	1	71	90%	8,942,810	1	68	90%	9,636,000	1	65	90%
	10019010		1				1				1				1				1		
	10019090		1				1				1				1				1		
	11010000		6				6				6				6				6		
	11031100		9				9				9				9				9		
	11032100		10				10				10				10				10		
Corn	10051000	4,500,000 growth rate=12%	1	77	75%	5,040,000	1	74	71%	5,644,800	1	71	68%	6,322,180	1	68	64%	7,200,000	1	65	60%
	10059000		1				1				1				1				1		
	11022000		9				9				9				9				9		
	11031300		9				9				9				9				9		
	11042300		10				10				10				10				10		
Rice	10061010	2,66,0000 growth rate=19%	1	77	50%	3,165,400	1	74	50%	3,766,830	1	71	50%	4,482,520	1	68	50%	5,320,000	1	65	50%
	10061090		1	77			1	74			1	71			1	68			1	65	
	10062000		1	77			1	74			1	71			1	68			1	65	
	10063000		1	77			1	74			1	71			1	68			1	65	
	10064000		1	34			1	28			1	22			1	16			1	10	
	11023000		9	72			9	64			9	56			9	48			9	40	
	11031400		9	34			9	28			9	22			9	16			9	10	
Soybean oil	15071000	1,718,000	9	81.7	50%	2,118,000	9	78.3	42%	2,518,000	9	75	34%	2,818,000	9	71.7	26%	3,118,000	9	68.3	18%
	15079000																				
Palm oil	15111000	1,500,000	9	81.7	50%	2,100,000	9	78.3	42%	2,400,000	9	75	34%	2,600,000	9	71.7	26%	2,700,000	9	68.3	18%
	15119000																				
Rape seed oil	15141010	600,000 growth rate=13.5%	9	81.7	50%	681,000	9	78.3	42%	772,940	9	75	34%	877,280	9	71.7	26%	996,000	9	68.3	18%
	15141090																				
	15149000																				
Sugar	17011100	1,600,000 growth rate=5%	20	73.8	*	1,680,000	20	71.6	*	1,764,000	20	69.4	*	1,852,200	20	67.2	*	1,945,000	20	65	*
	17011200																				
	17019100																				
	17019910																				
	17019920																				
	17019990																				
Wool	51011100	242,000 growth rate=4%	1	38	*	251,680	1	38	*	261,750	1	38	*	272,220	1	38	*	287,000	1	38	*
	51011900																				
	51012100																				
	51012900																				
	51013000																				
	51031010																				
Cotton	52010000	743,000 growth rate=5%	1	68.8	33%	780,150	1	61.6	33%	819,160	1	54.4	33%	860,120	1	47.2	33%	894,000	1	40	33%
	52030000																				

2005				
Quota Quantity	In-quota tariff rate	Out-quota rate	STE Share	Description of products
				Wheat
				Corn
				Rice
3,261,000	9	65	10%	Soybean oil
2,880,000	9	65	10%	Palm oil
1,130,000	9	65	10%	Rape seed oil
				Sugar
				Wool
				Cotton

Attachment 3

Part I-Most-Favoured-Nation Tariff
Section II-Other Products

No.	EX	HS	Description	Bound rate at date of accession	Final bound rate	Implementation	Notes
1		03033100	--Halibut (Reinhardtius hippoglossoides, Hippoglossus Hippoglossus, Hippoglossus stenolepis)	16	10	2004 KR	
2		03033200	-- Plaice (Pleuronectes platessa)	16	12	2003 KR	
3		03036000	- Cod (Gadus morhua, Gadus ogac, Gadus macrocephalus), excluding Livers and roes	16	10	2004 KR	
4		03037600	-- Eels (Anguilla spp.)	16	12	2003	
5		03037910	--- Scabber fish (Trichurius) (See Note 1)	16	10	2004	
6		03037920	---Yellow croaker (Pseudosicaena) (See Note 1)	16	10	2004	
7		03037930	---Butterfish (Pamus) (See Note 1)	16	10	2004	
8		03037990	---Other (See Note 1)	16	10	2004	
9		03053000	- Fish fillets, dried, salted or in brine, but Not smoked	23.3	10	2005	
10		03055100	-- Cod (Gadus morhua, Gadus ogac, Gadus macrocephalus)	24.4	16	2003	
11		03056910		24.4	16	2004	
12		03056920		24.4	16	2004	
13		03056930		24.4	16	2004	
14		03056990		24.4	16	2004	
15		03062399	---- Other	24	12	2005	
16		03062492	---- Swimming crabs	23.6	14	2004	
17		03073900	-- Other	23.6	14	2004	
18		03076090	--- Other	23.6	14	2004	
19		03079990	--- Other	23.3	10	2005	
20		16030000	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates	24.4	23	2006	
21		28182000	- Aluminum oxide, other than artificial corundum	14	8	2004	
22	US	29034920	--- Other methane, ethane and propane halogenated derivatioes only with fluorine and bromine	9	5.5	2002	
23	US	29053100	-- Ethylene glycol (ethanediol)	10.6	5.5	2004	
24		31021000	- Urea, whether or Not in aqueous solution	50			TRQ
25		31052000	-Mineral or chemical fertilizers containing the three fertilizing elements nitrogen, phosphorus and potassium	50			TRQ
26		31053000	-Diammonium hydrogenorthophosphate (Diammonium phosphate)	50			TRQ
27		32041100	--Disperse dyes and preparations based thereon	10.8	6.5	2008	

Attachment 3

Part I-Most-Favoured-Nation Tariff
Section II-Other Products

No.	EX	HS	Description	Bound rate at date of accession	Final bound rate	Implementation	Notes
28		32041200	--Acid dyes, whether or not premetallized , and preparations based thereon; mordant dyes and preparations based thereon	10.8	6.5	2008	
29		32041600	--Reactive dyes and preparations based thereon	10.8	6.5	2008	
30		37025620	--- Cinematographic film	36	24	2002	
31		40119900	--Other	26.7	25	2002	
32		40121010	---Of a kind used on motor cars, buses or lorries	25	20	2004	
33		40122010	---Of a kind used on motor cars, buses or lorries	34	25	2004	
34		40122090	---Other	34	25	2004	
35		42029200	--With outer surface of plastic sheeting or of textile materials	26.7	10	2005	
36		44111100	--Not mechanically worked or surface covered	10.6	4	2004	
37		48010000	Newsprint, in rolls or sheets	12.3	5	1,July,2006	
38		51051000	-Carded wool	38			TRQ
39		51052100	--Combed wool in fragments	38			TRQ
40		51052900	--Other	38			TRQ
41		56039110	---Impregnated, coated, covered or lanimated	21	10	2005	
42		59111010	---Narrow fabrics made of velvet impregnated with rubber, for covering weaving spindles (weaving beams)	17	8	2004	
43		70171000	Quartz reactor tubes and holders designed for insertion into diffusion and oxidation furnaces for production of semiconductor wafers	8.7	8	2005	
44		72172000	-Plated or coated with zinc	11.5	8	2003	
45		72173000	-Plated or coated with other base metals	11.5	8	2003	
46		72179000	-Other	11.5	8	2003	
47		72291000	-Of high speed steel	8.4	3	2004	
48		72299000	- Other	8.7	7	2002	
49		73069000	-Other	7.7	6	2002	
50		73089000	-Other	10.4	4	2004	
51		73090000	Reservoirs, tanks, vats and similar containers for any material (other than compressed or liquefied gas), of iron or steel, of a capacity exceeding 300 l, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment	12	10.5	2002	
52		76071100	--Rolled but not further worked	13.2	6	2004	
53		76071900	--Other	13.2	6	2004	
54		76072000	-Backed	13.2	6	2004	

No.	EX	HS	Description	Bound rate at date of accession	Final bound rate	Implementation	Notes
55		76169910	---For technical use	16	10	2004	
56		79070090	---Other	11.4	6	2004	
57		83040000	Filing cabinets, card-index cabinets, paper trays, paper rests, pen trays, office-stamp stands and similar office or desk equipment, of base metal, other than office furniture of heading No.94.03	14.3	10.5	2003	
58		84073410	---Of a cylinder capacity exceeding 1,000 cc but not exceeding 3,000cc	32.5	10	1 July 2006	
59		84099191	----Electric fuel injection devices	14	5	2004	
60		84143019	-----Other	16	10	2004	
61		84143090	---Driven by a non-motor	15.6	9	2004	
62		84145990	---Other	13	8	2003	
63		84171000	-Furnaces and ovens for the roasting, melting or other heat-treatment of ores, pyrites or of metals	14	10	2003	
64		84178010	---Coke ovens	14	10	2003	
65		84178030	--- Cement rotary kilns	12	10	2002	
66		84178040	--- Limestone decomposing furnace	12	10	2002	
67		84178090	---Other	12	10	2002	
(68)		84198990	Chemical vapor deposition apparatus for semiconductor production	14.2	12	2005	
(69)		84219190	---Other	8.3	5	2005	
(70)		84248999	Deflash machines for cleaning and removing contaminants from the metal leads of semiconductor packages prior to the electroplating process; Spraying appliances for etching, stripping or cleaning semiconductor wafers; Apparatus for wet etching, developing,	10.8	8.4	2005	
71	EX	84248999	----Other	4	0	2003	
72		84283300	--Other, belt type	11	5	2004	
73		84431200	--Sheet fed, office type (sheet size not exceeding 22X36 cm)	16	12	2003	
74		84622110	Machines for bending, folding and straightening semiconductor leads	9.7			
75		84622910	Machines for bending, folding and straightening semiconductor leads	14	10	2003	
76		84669100	--For machines of heading No.84.64	7.3	6	2005	
77		84714110	---Mainframes	5.4	0	2004	
78		84714140	---Microprocessings	9	0	2004	
79		84714910	---Mainframes	5.4	0	2004	
80		84715090		9	0	2004	
81		84775900	--Other	11	5	2004	

Attachment 3

Part I-Most-Favoured-Nation Tariff
Section II-Other Products

No.	EX	HS	Description	Bound rate at date of accession	Final bound rate	Implementation	Notes
82		84778000	-Other machinery	11	5	2004	
83		84794000	-Rope or cable-making machines	11	7	2002	
84		84798990	---Other	14	10	2003	
85		85044090	---Other	11.7	10	2002	
86		85118000	-Other equipment	11.7	8.4	2003	
87		85131090	---Other	21.3	17.5	2003	
88		85152900	--Other	12	10	2002	
89		85162910	---Electric soil heating apparatus	16	10	2004	
90		85173013	---- Mobile communication switching systems	6	0	2003	
91		85173019	----Other telephonic switching systems	6	0	2003	
92		85173091	---- Anological mobile communication switching systems	6	0	2003	
93		85173099	---- Other	7.5	0	2003	
94		85175090	---Other	7.5	0	2003	
95		85183000	Line telephone handsets	13.3	10	2005	
96		85211011	---- Broadcast quality	50	30	2005	
97		85211019	---- Other	50	30	2005	
98		85211020	---Video tape reproducers	50	30	2005	
99		85243990	Other : for reproducing representations of instructions, data, sound, and image, recorded in a machine readable binary form, and capable of being manipulated or providing interactivity to a user, by means of an automatic data processing machine; Proprieta	15			
100		85254030	--- With digital image storage	40	0	2005	
101		85254090	---Other	40	0	2005	
102		85271300	--Other apparatus combined with sound recording or reproducing apparatus	24	15	2004	
103		85271900	--Other	24	15	2004	
104		85332110	---Laminate	4	0	2003	
105		85332190	---Other	5	0	2003	
106		85369000	Connection and contact elements for wires and cables	11.3	10	2005	
107	EX	85369000	Connection and contact elements for wires and cables	6	0	2003	
108		85444110	Other electric conductors, for a voltage not exceeding 80 V, fitted with connectors, of a kind used for telecommunications	12.5	10	2003	

Part I-Most-Favoured-Nation Tariff
Section II-Other Products

No.	EX	HS	Description	Bound rate at date of accession	Final bound rate	Implementation	Notes
109		85444190	Other electric conductors, for a voltage not exceeding 80 V, fitted with connectors, of a kind used for telecommunications	16.7	10	2005	
110		85444910	---Electric cable	13.3	10	2005	
111		87021091	----With 30 seats or more	43.8	25	1 July 2006	
112		87021092	----With 20 seats or more but not exceeding 29seats	58.8	25	1 July 2006	
113		87021093	----With 10 seats or more but not exceeding 19seats	58.8	25	1 July 2006	
114		87029010	---With 30 seats or more	43.8	25	1 July 2006	
115		87029020	---With 20 seats or more but not exceeding 29 seats	58.8	25	1 July 2006	
116		87029030	---With 10 seats or more but not exceeding 19 seats	58.8	25	1 July 2006	
117		87031000	-Vehicles specially designed for traveling on snow; golf cars and similar vehicles	28.8	25	1 July 2006	
118		87032314	----Saloon cars	51.9	25	1 July 2006	
119		87032315	----Cross-country cars (4WD)	51.9	25	1 July 2006	
120		87032316	----Station wagons (with 9 seats or less)	51.9	25	1 July 2006	
121		87032319	----Other	51.9	25	1 July 2006	
122		87032334	----Saloon cars	51.9	25	1 July 2006	
123		87032335	----Cross-country cars (4WD)	51.9	25	1 July 2006	
124		87032336	----Station wagons (with 9 seats or less)	51.9	25	1 July 2006	
125		87032339	----Other	51.9	25	1 July 2006	
126		87032430	---Saloon cars	61.7	25	1 July 2006	
127		87032440	---Cross-country cars (4WD)	61.7	25	1 July 2006	
128		87032450	---Station wagons (with 9 seats or less)	61.7	25	1 July 2006	
129		87032490	---Other	61.7	25	1 July 2006	
130		87042300	--Gvw exceeding 20 tones	24	15	2004	
131		87043100	--Gvw not exceeding 5 tones	41.7	25	2005	
132		87043230	---Gvw exceeding 5 tones but exceeding 8 tones	33.3	20	2005	
133		87059040	---Mobile clinics	16	12	2003	
134		87060030	---For passenger motor vehicles with 30 seats or more	40	20	2005	
135		87060090	---Other	42.1	10	1 July 2006	
136		87071000	-For the vehicles of heading No 8703	48.6	10	1 July 2006	
137		87079010	---For the vehicles of subheading No 87021092, 87021093, 87029020, 87029030	35.7	10	1 July 2006	
138		87079090	---Other	35.7	10	1 July 2006	

Attachment 3

Part I-Most-Favoured-Nation Tariff
Section II-Other Products

No.	EX	HS	Description	Bound rate at date of accession	Final bound rate	Implementation	Notes
139		87081000	-Bumpers and parts thereof	24.6	10	2006	
140		87082910	---Seat angle adjuster	35.7	10	1 July 2006	
141		87082920	---Safety airbags	35.7	10	2 July 2006	
142		87082930	--- Windowpane raiser	27.9 (24.6)	10	2006	
143		87082990	---Other	24.6	10	2006	
144		87083100	--Mounted brake linings	24.6	10	2006	
145		87083950	---Of the vehicles of subheading No 87042240 , 87042300 or87043240	16	10	2004	
146		87083990	---Other	35.7	10	1 July 2006	
147		87084050	---Of the vehicles of subheading No 87042240, 87042300 or87043240	16	10	2004	
148		87084091	---- Automatic shifting gearbox for limousine	35.7	10	1 July 2006	
149		87084099	---- Other	35.7	10	1 July 2006	
150		87085050	---Of the vehicles of subheading No 87042240 , 87042300 or 87043240	16	10	2004	
151		87085090	---Other	27.5	10	2006	
152		87086050	---Of the vehicles of subheading No 87042240, 87042300 or 87043240	16	10	2004	
153		87086090	---Other	27.5	10	2006	
154		87087020	---Of the vehicles of subheading No 87021091 or 87029010	24.6	10	2006	
155		87087090	---Other	27.5	10	2006	
156		87088010	---Of the vehicles of heading No 8703	27.5	10	2006	
157		87088090	---Other	27.5	10	2006	
158		87089100	--Radiators	24.6	10	2006	
159		87089350	---Of the vehicles of subheading No 87042240 , 87042300 or 87043240	16	10	2004	
160		87089390	---Other	27.5	10	2006	
161		87089450	---Of the vehicles of subheading No 87042240 , 87042300 or 87043240	16	10	2004	
162		87089490	---Other	35.7	10	1 July 2006	
163		87089920	---Of the vehicles of subheading No 87021091 or 87029010	30	25	2003	
164		87089940	---Of the vehicles of subheading No 87042100,87042230,87043100 or 87043230	30	25	2003	
165		87089990	---Other	27.5	10	2006	
166		87114000	-With reciprocating internal combustion piston engine of a cylinder capacity exceeding 500 cc but not exceeding 800 cc	53.3	40	2005	
167		87115000	-With reciprocating internal combustion piston engine of a cylinder capacity exceeding 800 cc	43.3	30	2005	
168		87168000	-Other vehicles	30	10	2005	

Attachment 3

Part I-Most-Favoured-Nation Tariff
Section II-Other Products

No.	EX	HS	Description	Bound rate at date of accession	Final bound rate	Implementation	Notes
169		90091110	---Of colourful photo-copy	14.7	0	2005	
170		90091190	---Other	14.7	0	2005	
171		90092110	---Of colourful photo-copy	14.7	0	2005	
172		90092190	---Other	14.7	0	2005	
173		90104100	--Direct write-on-wafer apparatus	14.7	0	2005	
174		90104200	--Step and repeat aligners	14.7	0	2005	
175		90104900	--Other	14.7	0	2005	
176		90109090	Parts and accessories of the apparatus of Heading No 9010 41to 9010 49	11.3 6 →	~~10~~	2005	
177		90172000	-Other drawing, marking-out or mathematical calculating instruments	17 6 →	~~15~~	2005	
178	EX	90172000	Pattern generating apparatus of a kind used for producing masks or reticles from photoresist coated substrates; Plotters whether input or output units of HS heading No. 8471 or drawing or drafting machines of HS heading No. 9017.	10.8	0	2004	
179		90179000	Parts and accessories for pattern generating apparatus of a kind used for producing masks or reticles from photoresist coated substrates; Parts of such pattern generating apparatus; Printed Circuit Assemblies for products falling within the ITA, including	8 2.7/2002			
180	EX	90179000	-Parts and accessories	2.7	0	2002	
181		94011000	-Seats of a kind used for aircraft	14.7	0	2005	
182		94013000	-Swivel seats with variable height adjustment	14.7	0	2005	
183		94014000	-Seats other than garden seats or camping equipment, convertible into beds	14.7	0	2005	
184		94015000	-Seats of cane, osier, bamboo or similar materials	14.7	0	2005	
185		94016100	--Upholstered	14.7	0	2005	
186		94016900	--Other	14.7	0	2005	
187		94017100	--Upholstered	14.7	0	2005	
188		94017900	--Other	14.7	0	2005	
189		94018000	-Other seats	14.7	0	2005	

Attachment 4

Description of products	Tariff item numbers	Quota Quantity	In-quota tariff rate	Out-quota rate	STE Share	Quota Quantity	In-quota tariff rate	Out-quota rate	STE Share	Quota Quantity	In-quota tariff rate	Out-quota rate	STE Share	Quota Quantity	In-quota tariff rate	Out-quota rate	STE Share	Quota Quantity	In-quota tariff rate	Out-quota rate	STE Share
		Year 1				Year 2				Year 3				Year 4				Year 5			
Urea	31021000	1,300,000	4	50	90%	1,300,000	4	50	90%	1,800,000	4	50	90%	2,300,000	4	50	90%	2,800,000	4	50	90%
NPK	31052000	2700000 growth rate=5%	4	50	90%	2,835,000	4	50	85%	2,976,750	4	50	80%	3,125,590	4	50	75%	3,281,870	4	50	70%
Diammonium phosphate	31053000	5,400,000 growh rate=5%	4	50	90%	5,670,000	4	50	85%	5,953,500	4	50	80%	6,251,180	4	50	75%	6,563,730	4	50	70%
		2000				2001				2002				2003				2004			
Wool top	51051000 51052100 51052900	65,000 growth rate=5%	3	38	*	68,250	3	38	*	71660	3	38	*	75,250	3	38	*	80,000	3	38	*

Quota Quantity	In-quota tariff rate	Out-quota rate	STE Share	Description of products
Year 6				
3,300,000	4	50	90%	Urea
3,445,960	4	50	65%	NPK
6,891,920	4	50	65%	Diammonium phosphate
				Wool top

（注：原文如此）

MISSION PERMANENTE DE LA RÉPUBLIQUE POPULAIRE DE CHINE
A GENÈVE
11, CHEMIN DE SURVILLE - 1213 PETIT-LANCY, GENÈVE
TÉL. (022) 792 25 48

11 September 2001

Dear Ms. Vandana Aggarwal,

Reference is made to the letter of Mr. V.P Haran to Mr. Li Enheng dated 29 August 2001. We would like to confirm that our bilateral agreement has been faithfully incorporated into the Draft Goods Schedule contained in the document WT/ACC/SPEC/CHN/1/Rev.8/Add.1 and the understandings of your side in the above-mentioned letter are correct.

With my best regards.

Sincerely yours,

Zhang Xiangchen
Depuyt Director-General
DITEA/WTO

Ms. Vandana Aggarwal,
First Secretary
Permanent Mission of India to the WTO.

cc: MR. ARIF HUSSAIN
DIRECTOR
ACCESSIONS DIVISION
WTO, GENEVA.

MISSION PERMANENTE DE LA RÉPUBLIQUE POPULAIRE DE CHINE
A GENÈVE
11, CHEMIN DE SURVILLE - 1213 PETIT-LANCY, GENÈVE
TÉL. (022) 792 25 48

13 September 2001

Dear Mr. Umit Sezer,

Reference is made to the plurilateral meeting on tariff reduction formulas on 10 September 2001. Attached please find the letter a Joint Letter to the Secretariat. Taking into account the time constraint we are facing, I would appreciate it if you could sign this Letter on Friday.

I also attach a copy of the letter sent by my colleague to your mission dated October 14, 1997 before our bilateral agreement was singed. The letter gave a detained explanation of the implementation periods for the tariff reductions in the agreement.

Thank you very much for your understanding and looking forward to your earliest reply.

Regards.

Sincerely yours,

Zhang Xiangchen
Deputy Director-General
DITEA/MOFTEC

Mr. Umit Sezer
Deputy Counselor
Permanent Mission of Turkey

Joint Letter to the Secretariat

China and the Republic of Turkey have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

Tariff reduction formula for the bilateral agreement

- 1992 applied rates used as the base rate;
- 6-year implementation period for agricultural products and 3-year for non-agricultural products;
- 50% "front loading", i.e. to reduce 50% of the difference between the base rate and the final bound rate;
- the other 50% of the difference to be reduced in equal annual installment during the rest of the implementation period; and
- no specific implementation periods indicated in the bilateral agreements.

For the People's Republic of China

For the Republic of Turkey

14 September 2001

MISSION PERMANENTE DE LA RÉPUBLIQUE POPULAIRE DE CHINE
A GENÈVE
11, CHEMIN DE SURVILLE - 1213 PETIT-LANCY, GENÈVE
TÉL. (022) 792 25 48

October 14, 1997

Dear Mr. Ali Urkan,

Please find the attached list of Tariff Concession to the Republic of Turkey by the P.R. China as requested by you. We confirm that the Bound Rates of Duty we have offered on the list will be implemented through three years for industrial products and six years for agricultural products upon China's accession to the WTO. The front loading, i.e. the rate reduced from the Base Rate of Duty for the first year, will be 50% of the margin between the Base Rate of Duty and the Bound Rate of Duty, and the other 50% of the margin will be reduced by equal portions annually for the remaining years of the implementation periods. And we also confirm that the implementation periods and the reduction formula are applied to all the WTO members without prejudice.

Thank you very much for your great assistance.

With my best regards.

Yours sincerely,

He Ning
Counselor
Trade and Economic Office
Permanent Mission of P.R.China

Mr. Muhtar Ali URKAN
Commercial Counselor
Permanent Mission of Turkey to the WTO
Geneva

Tariff Concession to the Republic of Turkey by the P.R. of China

October 1997

Tariff Item Number (1992 version)	Description of Goods	Base Rate of Duty (U/B)	First Year Rate	Bound Rate of Duty	Initial Negotiating Right	Other Duties and Charges
08021100	Almonds in shell fresh or dried	50.0		24.0		
08021200	Almonds,fresh or dried,shelled or peeled	50.0		24.0		
08022100	Hazelnuts or filberts in shell fresh or dried	50.0		25.0		
08022200	Hazelnuts or filberts, fresh or dried, shelled or peeled	50.0	25.0	20.0		
08023100	Walnuts in shell, fresh or dried	50.0		25.0		
08023200	Walnuts, fresh or dried, shelled or peeled	50.0		25.0		
08024000	Chestnuts, fresh or dried, whether or not shelled or peeled	50.0		25.0		
08025000	Pistachios, fresh or dried, whether or not shelled or peeled	50.0		25.0		
08029010	Betel nuts, fresh or dried	20.0		10.0		
08029020	Ginkgoes, fresh or dried	50.0		25.0		
08029030	Pinenuts, fresh or dried, nes	50.0		25.0		
08029090	Other nuts, fresh or dried, nes	50.0		24.0		
08062000	Grapes, dried	60.0	36.0	28.8		
08131000	Apricots, dried	50.0		25.0		
19051000	Crispbread	60.0		30.0		
19052000	Gingerbread and the like	60.0		30.0		
19053000	Sweet biscuits, waffles and wafers	60.0		30.0		
19054000	Rusks, toasted bread and similar toasted products	60.0		30.0		
19059000	Communion wafers,empty cachets f pharm use&sim prod&bakers' war	60.0		30.0		
24011010	Flue-cured tobacco, not stemmed/stripped	50.0		10.0		
24011090	Tobacco, not stemmed/stripped (excl. flue-cured tobacco)	50.0		10.0		
24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	50.0		10.0		
24012090	Tobacco, partly or wholly stemmed/stripped (excl.flue-cured tob	50.0		10.0		

Tariff Item Number (1992 version)	Description of Goods	Base Rate of Duty (U/B)	First Year Rate	Bound Rate of Duty	Initial Negotiating Right	Other Duties and Charges
24013000	Tobacco refuse	50.0		10.0		
31022100	Ammonium sulphate, in packages weighing more than 10 kg	6.0		4.0		
31024000	Ammonium nitrate mixd w cal carb o non-frt subts in pack weighg	6.0		4.0		
31031000	Superphosphates, in packages weighing more than 10 kg	5.0		4.0		
31052000	Fertilizers cntg nitrogen,phosphorus&potassium in packs weighg	5.0		4.0		
31053000	Diammonium phosphate, in packages weighing more than 10 kg	5.0		4.0		
39011000	Polyethylene having a specific gravity of less than 0.94	30.0		18.0		
39012000	Polyethylene having a specific gravity of 0.94 or more	30.0		18.0		
39021000	Polypropylene	30.0		18.0		
39041000	Polyvinyl chloride, not mixed with any other substances	30.0		18.0		
39051100	Polyvinyl acetate, in aqueous dispersion	30.0		14.0		
39075000	Alkyd resins	30.0		14.0		
39076010	Slices of polyethylene terephthalate, in primary forms	30.0		18.0		
39076090	Polyethylene terephthalate, in primary forms, nes	30.0		18.0		
39091000	Urea resins; thiourea resins	30.0		14.0		
39202000	Film and sheet etc, non-cellular etc, of polymers of propylene	35.0		14.0		
40111000	Pneumatic tire new of rubber f motor car incl station wagons&ra	40.0		25.0		
40112000	Pneumatic tires new of rubber for buses or lorries	40.0		25.0		
55013000	Filament tow of acrylic or modacrylic	25.0		10.0		
55033000	Staple fibres of acrylic or modacrylic, not carded or combed	25.0		10.0		
55063000	Staple fibres of acrylic or modacrylic, carded or combed	25.0		10.0		
59021000	Tire cord fabric made of nylon or other polyamides high tenacit	30.0		18.0		
72082200	Flat rolled prod,i/nas,in coil,hr,w>/=600mm,4.75mm</=thk </=10m	9.0	7.0	6.0		

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Tariff Concession to the Republic of Turkey by the P.R. of China

October 1997

Tariff Item Number (1992 version)	Description of Goods	Base Rate of Duty (U/B)	First Year Rate	Bound Rate of Duty	Initial Negotiating Right	Other Duties and Charges
72131000	Bars&rods,i/nas,hr,in irreg wound coils,cntg indent,ribs,etc pr	15.0		8.0		
72132000	Bars & rods, i/nas, hr, in irreg wound coils, of free cutting s	15.0		8.0		
72133100	Bars/rod,i/nas,hr,in irreg wnd coil of circ c sect,dia<14mm,ctg	15.0	11.0	8.0		
72133900	Bars & rods,i/nas,hr,containing by weight less than 0.25% carbo	15.0		8.0		
72134100	Bars&rods,i/nas,hr,of circ cross sect <14mm dia,ctg by wt .25%<	15.0	11.0	8.0		
72134900	Bars & rods,i/nas,hr,containing by wght 0.25% </=carbon <0.6%	15.0	11.0	8.0		
72141000	Bars & rods, iron or non-alloy steel forged	15.0		8.0		
72142000	Bars & rods,i/nas,hr,hd or he,cntg indent,ribs,etc,prod dur rp/	15.0	11.0	8.0		
72143000	Bars & rods,i/nas,hot rolled drawn or extruded of free cuttg st	15.0	10.0	8.0		
72144000	Bars&rods,i/nas,hot rolled,drawn or extruded,cntg by wght <0.25	15.0		8.0		
72145000	Bars & rods,i/nas,hr,hd or he,cntg by wght 0.25% </=carbon<0.6%	15.0	11.0	8.0		
72169000	Angles, shapes and sections, iron or non-alloy steel, nes	12.0		7.0		
74020000	Copper unrefined, copper anodes for electrolytic refining	6.0	5.0	3.0		
84131100	Pumps w o w/o a meas device for disp fuel o lub in fillg stat o	20.0		10.0		
84136000	Rotary positive displacement pumps nes	20.0		10.0		
84137000	Centrifugal pumps nes	20.0		10.0		
84139100	Parts of pumps for liquid whether or not fitted with a measurg	20.0		6.0		
84182100	Refrigerators, household type, compression-type	100.0		35.0		
84182200	Refrigerators, household type, absorption-type, electrical	100.0		35.0		
84182900	Refrigerators, household type, nes	100.0		35.0		
84821000	Bearings, ball	15.0		8.0		
85042100	Liquid dielectric transformers havg a power handlg capa </= 650	40.0		10.5		
85042200	Liq dielect transf havg a power handlg cap >650 KVA but </= 10,	40.0		12.6		

Tariff Item Number (1992 version)	Description of Goods	Base Rate of Duty (U/B)	First Year Rate	Bound Rate of Duty	Initial Negotiating Right	Other Duties and Charges
85042310	Liquid dielectric transformers, handling capacity > 10 MVA but<	40.0		25.0		
85042320	Liquid dielectric transformers, handling capacity => 400 MVA	6.0		6.0		
85043100	Transformers electric power handling capacity not exceeding 1 K	40.0		14.0		
85043300	Transformers electric power handling capa > 16 KVA but </= 500	40.0		14.0		
85043400	Transformers electric havg a power handlg capacity exceedg 500	40.0		14.0		
85044011	DC stabilizers, power handling capacity < 1000W, accuracy <1/10	60.0		21.0		
85044012	AC stabilizers, power handling capacity < 1000W, accuracy <1/1,	60.0		21.0		
85044019	Stabilizers electric, nes	40.0		14.0		
85044020	Uninterruptible power supply (UPS)	40.0		18.0		
85044090	Static converters, nes	20.0		15.0		
85049011	Parts of electrical transformers of 8404.2320	6.0		5.0		
85049019	Parts of electrical transformers, nes	40.0		8.0		
85049020	Parts of Uninterruptible power supply and stabilizers	40.0		8.0		
85049090	Parts of static converters nes and inductors	20.0		8.0		
85072000	Lead-acid electric accumulators nes	70.0		25.0		
85122000	Lighting or visual signalling equipment nes	35.0		21.0		
85231100	Unrecorded magnetic tapes, of a width not exceeding 4 mm	100.0		35.0		
85231310	Unrecorded magnetic tapes, of a width > 6.5 mm, used for machin	15.0		8.4		
85231320	Unrecorded magnetic tapes, of a width > 6.5 mm, for sound recor	100.0		35.0		
85231330	Unrecorded magnetic tapes, of a width > 6.5 mm, for video recor	100.0		35.0		
85231390	Unrecorded magnetic tapes, of a width > 6.5 mm, nes	50.0		25.0		
85281081	Television receivers, colour, screen size => 42 cm, nes	100.0		35.0		
85281082	Television receivers, colour, screen size > 42 cm but =< 52cm,	100.0		35.0		

Tariff Concession to the Republic of Turkey by the P.R. of China

October 1997

Tariff Item Number (1992 version)	Description of Goods	Base Rate of Duty (U/B)	First Year Rate	Bound Rate of Duty	Initial Negotiating Right	Other Duties and Charges
85281083	Television receivers, colour, screen size > 52 cm, nes	100.0		45.0		
85442000	Co-axial cable and other co-axial electric conductors	15.0		10.0		
85444110	Electric cables, for a voltage =< 80 V, fitted with connectors	15.0		10.0		
85444190	Electric conductors, for a voltage not exceeding 80 V,	50.0		21.0		
85444190	fitted with connectors, nes	50.0		21.0		
85444910	Electric cables, for a voltage not exceeding 80 V	15.0		10.0		
85444990	Electric conductors, for a voltage not exceeding 80 V, nes	50.0		21.0		
85445110	Electric cables, for a voltage >80V but =<1,000 V fitted with c	15.0		10.0		
85445190	Electric conductors, for a voltage >80V but =<1,000 V fitted wi	50.0		21.0		
85445910	Electric cables, for a voltage > 80 V but =< 1,000 V	15.0		10.0		
85445990	Electric conductors, for a voltage >80V but =< 1,000 V, nes	50.0		21.0		
85446011	Electric cables, for a voltage exceeding 35 KV	15.0		8.4		
85446019	Electric cables, for a voltage > 1,000 V but =< 35 KV	30.0		14.0		
85446090	Electric conductors, for a voltage exceeding 1,000 V, nes	50.0		21.0		
87083100	Mounted brake linings for motor vehicles	80.0		25.0		

Note 1:"Description of products" is just a brief introduction about the products included in the corresponding tariff number. Specific information should be consulted in Chinese Tariff Schedule.

Note 2:Every base rate of duty is unbound.

MISSION PERMANENTE DE LA RÉPUBLIQUE POPULAIRE DE CHINE
A GENÈVE
11, CHEMIN DE SURVILLE - 1213 PETIT-LANCY, GENÈVE
TÉL. (022) 792 25 48

13 September 2001

Dear Mr. Nayyar,

Reference is made to the plurilateral meeting on tariff reduction formulas on 10 September 2001. Attached please find the letter a Joint Letter to the Secretariat. Taking into account the time constraint we are facing, I would appreciate it if you could sign this Letter on Friday.

Thank you very much for your understanding and looking forward to your earliest reply.

Regards.

Sincerely yours,

Zhang Xiangchen
Deputy Director-General
DITEA/MOFTEC

Mr. S.I.M. Nayyar
Counselor
Permanent Mission of the Islamic Republic of Pakistan

Joint Letter to the Secretariat

China and the Islamic Republic of Pakistan have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

Tariff reduction formula for the bilateral agreement

- 1992 applied rates used as the base rate;
- 6-year implementation period for agricultural products and 3-year for non-agricultural products;
- 50% "front loading", i.e. to reduce 50% of the difference between the base rate and the final bound rate;
- the other 50% of the difference to be reduced in equal annual installment during the rest of the implementation period; and
- no specific implementation periods indicated in the bilateral agreements.

For the People's Republic of China	For the Islamic Republic of Pakistan

14 September 2001

MISSION PERMANENTE DE LA RÉPUBLIQUE POPULAIRE DE CHINE
A GENÈVE
11, CHEMIN DE SURVILLE - 1213 PETIT-LANCY, GENÈVE
TÉL. (022) 792 25 48

13 September 2001

Dear Ms. Elizabeth Chelliah,

Reference is made to the plurilateral meeting on tariff reduction formulas on 10 September 2001. Attached please find the letter a Joint Letter to the Secretariat. Taking into account the time constraint we are facing, I would appreciate it if you could sign this Letter on Friday.

Thank you very much for your understanding and looking forward to your earliest reply.

Regards.

Sincerely yours,

Zhang Xiangchen
Deputy Director-General
DITEA/MOFTEC

Ms Elizabeth Chelliah
First Secretary
Permanent Mission of the Republic of Singapore

MISSION PERMANENTE DE LA RÉPUBLIQUE POPULAIRE DE CHINE
A GENÈVE
11, CHEMIN DE SURVILLE - 1213 PETIT-LANCY, GENÈVE
TÉL. (022) 792 25 48

13 September 2001

Dear Mr. Sandor Simon,

Reference is made to the plurilateral meeting on tariff reduction formulas on 10 September 2001. Attached please find the letter a Joint Letter to the Secretariat. Taking into account the time constraint we are facing, I would appreciate it if you could sign this Letter on Friday.

Thank you very much for your understanding and looking forward to your earliest reply.

Regards.

Sincerely yours,

Zhang Xiangchen
Deputy Director-General
DITEA/MOFTEC

Mr. Sandor Simon
Counselor
Deputy Permanent Representative
Permanent Mission of the Republic of Hungary

MISSION PERMANENTE DE LA RÉPUBLIQUE POPULAIRE DE CHINE
A GENÈVE
11, CHEMIN DE SURVILLE - 1213 PETIT-LANCY, GENÈVE
TEL. (022) 792 25 48

FAXED

13 September 2001

Dear Ambassador Cuello Camilo,

Reference is made to our bilateral consultation this afternoon. Attached please find the revised Joint Letter to the Secretariat.

Thank you very much for your understanding and looking forward to your earliest reply.

With my best regard.

Sincerely yours,

Zhang Xiangchen
Deputy Director-General
DITEA/MOFTEC

Dr. Federico Alberto CUELLO CAMILO
Ambassador
Permanent Representative
Permanent Mission of the Dominican Republic

FAXED

Joint Letter to the Secretariat

China and Bolivia, Dominican Republic, Honduras, Nicaragua and the Republic of Panama have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

NO	HS96	BASE RATE	BOUND RATE	YEAR
65	22030000	70.0	0	2004

For the People's Republic of China

For Bolivia

For Dominican Republic

For Honduras

For Nicaragua

For Panama

14 September 2001

Joint Letter to the Secretariat

China and Australia have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

HS	Base Rate of Duty	Final bound rate	Implementation
87032315	80	25	1 July 2006
87032316	80	25	1 July 2006
87032319	80	25	1 July 2006
87032334	80	25	1 July 2006
87032335	80	25	1 July 2006
87032336	80	25	1 July 2006
87032339	100	25	1 July 2006
87032430	100	25	1 July 2006
87032440	100	25	1 July 2006
87032450	100	25	1 July 2006
87032490	100	25	1 July 2006
84073410	45	10	1 July 2006
87082910	50	10	1 July 2006
87082920	50	10	1 July 2006
87083100	35	10	2006
87084090	50	10	1 July 2006
87087020	35	10	2006
87087090	40	10	2006
87088010	40	10	2006
87088090	40	10	2006
87089100	35	10	2006
17011100	20	15	2004
17011200	20	15	2004
17019100	20	15	2004
17019910	20	15	2004
17019920	20	15	2004
17019990	20	15	2004

For the People's Republic of China

14 September 2001

For Australia

Joint Letter to the Secretariat

China and the European Community have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

HSNO	Base Rate	Bound Rate	End Date
1511 1000	85%	9%	2006
1511 1900	85%	9%	2006
1514 1000	85%	9%	2006
1514 9000	85%	9%	2006
3102 1000	50%	50%	2000
3105 2000	50%	50%	2000
3105 3000	50%	50%	2000
5105 1000	38%	38%	2000
5105 2100	38%	38%	2000
5105 2900	38%	38%	2000

For the People's Republic of China

For the European Community

14 September 2001

COPIE

Joint Letter to the Secretariat

China and Bolivia, Dominican Republic, Honduras, Nicaragua and the Republic of Panama have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

NO	HS96	BASE RATE	BOUND RATE	YEAR
65	22030000	70.0	0	2004

For the People's Republic of China

For Bolivia

For Dominican Republic

For Honduras

For Nicaragua

For Panama

14 September 2001

Joint Letter to the Secretariat

China and Australia have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

HS	Base Rate of Duty	Final bound rate	Implementation
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87032336	80	25	1 July 2006
87032339	100	25	1 July 2006
87032430	100	25	1 July 2006
87032440	100	25	1 July 2006
87032450	100	25	1 July 2006
87032490	100	25	1 July 2006
84073410	45	10	1 July 2006
87082910	50	10	1 July 2006
87082920	50	10	1 July 2006
87083100	35	10	2006
87084090	50	10	1 July 2006
87087020	35	10	2006
87087090	40	10	2006
87088010	40	10	2006
87088090	40	10	2006
87089100	35	10	2006

For the People's Republic of China

14 September 2001

Joint Letter to the Secretariat

China and the Islamic Republic of Pakistan have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

Tariff reduction formula for the bilateral agreement

- 1992 applied rates used as the base rate;
- 6-year implementation period for agricultural products and 3-year for non-agricultural products;
- 50% "front loading", i.e. to reduce 50% of the difference between the base rate and the final bound rate;
- the other 50% of the difference to be reduced in equal annual installment during the rest of the implementation period; and
- no specific implementation periods indicated in the bilateral agreements.

For the People's Republic of China

For the Islamic Republic of Pakistan

14 September 2001

Joint Letter to the Secretariat

China and New Zealand have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

Tariff reduction formula for the bilateral agreement

- 1992 applied rates used as the base rate;
- 6-year implementation period for agricultural products and 3-year for non-agricultural products;
- 50% "front loading", i.e. to reduce 50% of the difference between the base rate and the final bound rate;
- the other 50% of the difference to be reduced in equal annual installment during the rest of the implementation period; and
- no specific implementation periods indicated in the bilateral agreements.

For the People's Republic of China

For New Zealand

14 September 2001

Joint Letter to the Secretariat

China and the Republic of Turkey have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

Tariff reduction formula for the bilateral agreement

- 1992 applied rates used as the base rate;
- 6-year implementation period for agricultural products and 3-year for non-agricultural products;
- 50% "front loading", i.e. to reduce 50% of the difference between the base rate and the final bound rate;
- the other 50% of the difference to be reduced in equal annual installment during the rest of the implementation period; and
- no specific implementation periods indicated in the bilateral agreements.

For the People's Republic of China

For the Republic of Turkey

14 September 2001

Joint Letter to the Secretariat

China and the Republic of Hungary have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

Tariff reduction formula for the bilateral agreement

- 1992 applied rates used as the base rate;
- 6-year implementation period for agricultural products and 3-year for non-agricultural products;
- 50% "front loading", i.e. to reduce 50% of the difference between the base rate and the final bound rate;
- the other 50% of the difference to be reduced in equal annual installment during the rest of the implementation period; and
- no specific implementation periods indicated in the bilateral agreements.

For the People's Republic of China

For the Republic of Hungary

14 September 2001

Joint Letter to the Secretariat

China and the Republic of Singapore have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

Tariff reduction formula for the bilateral agreement

- 1992 applied rates used as the base rate;
- 6-year implementation period for agricultural products and 3-year for non-agricultural products;
- 50% "front loading", i.e. to reduce 50% of the difference between the base rate and the final bound rate;
- the other 50% of the difference to be reduced in equal annual installment during the rest of the implementation period; and
- no specific implementation periods indicated in the bilateral agreements.

For the People's Republic of China

For the Republic of Singapore

14 September 2001

Joint Letter to the Secretariat

China and the Republic of Korea have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

Tariff reduction formula for the bilateral agreement

- 1992 applied rates used as the base rate;
- 6-year implementation period for agricultural products and 3-year for non-agricultural products;
- 50% "front loading", i.e. to reduce 50% of the difference between the base rate and the final bound rate;
- the other 50% of the difference to be reduced in equal annual installment during the rest of the implementation period; and
- no specific implementation periods indicated in the bilateral agreements.

For the People's Republic of China

For the Republic of Korea

13 September 2001

To check r
ngan Chua.

Joint Letter to the Secretariat

China and Malaysia have reviewed the Draft Goods Schedule of China contained in document WT/ACC/SPEC/CHN/1/Rev.8/ Add.1/Rev.1 and have the following common understanding which shall constitute an integral part of our bilateral agreements.

HSNO	Base rate of Duty	Final bound rate	Implement ation
87031000	30	25	1072006
87032130	80	25	1072006
87032190	80	25	1072006
87033330	100	25	1072006
87033340	100	25	1072006
87042100	50	25	2005
87079010	50	10	1072006
87079090	50	10	1072006
87081000	35	10	2006
87083100	35	10	2006
87087010	9	6	2000
87087020	35	10	2006
87087040	35	10	2006
87087090	40	10	2006
87088010	40	10	2006
87088090	40	10	2006
87089910	9	6	2000
87089920	35	25	2003
87089940	35	25	2003
87089950	15	10	2002
87089990	40	10	2006

INR for Malaysia:

3102.1000

3105.2000

5105.2900

2304.0010

2306.6000

For the People's Republic of China

14 September 2001

September 14, 2001

Accessions Division
WTO Secretariat

Canada and China have reviewed the draft goods schedule contained in WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and have the following comments. These comments clarify undertakings in our bilateral agreement of November 26, 1999, and as such constitute an integral part of that agreement.

Re: Part I -- MFN Tariff, Section I -- Agricultural Products

1. Malt, 1107, bound rate should be 10 percent upon accession (as a practical consequence of the applied rate relationship with barley stated in the head note).

2. The over quota rate on soy oil should be equal to the over quota rate on rape oil and palm oil. In addition, the over quota rate on crude should be the same as the over quota rate on refined rape oil.

3. On page 3 of the Canada/China bilateral agreement, it states that feed peas (HS07131090) will be granted "parity with HS2304 (oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soybean oil.)" This language should be included in the head note of the consolidated tariff schedule.

4. On page 12 of the Canada/China bilateral agreement, China agreed that "The growth rate for the TRQ volume for canola oil will be no less than the growth rate for the TRQ volume for soybean oil." This language should be included in the head note of the TRQ schedule.

Re: Part I -- MFN Tariff, Section II -- Other Products

5. For the following ITA products, the bound rate at date of accession should be as follows (as per Canada-China bilateral agreement page 11):
ex 84622110 6.5%
ex 84622910 6.7%

Re: Part I -- MFN Tariff, Section I-B -- Tariff Quotas

6. Canada is granted INRs for the wheat and rapeseed oil TRQs.

Re: Annex II, Staging Matrix for Section II (Other Products)

7. China agrees to ensure parity in the rates for 8429.20.90 and 8429.20.10. Therefore, the tariff rates for 8429.20.90 are as follows: 8.5% (2001), 6.8% (2002), 5.0% (2003).

People's Republic of China

Canada

United States-EC Proposal
14 September 2001

Draft Report of the Working Party

Paragraph 312, sixth sentence: delete this bracketed sentence and replace it with the following unbracketed sentence.

"He also confirmed that a branch and a sub-branch were an extension of the parent enterprise and not a separate legal entity and that China would permit internal branching accordingly on that basis, and in compliance with China's Schedule of Specific Commitments, including provisions on MFN treatment."

China's Additional Comment on REV.8 Corr. 1+2

14 September, 2001

Draft Report of the Working Party

Paragraph 58, last sentence: change "For education service, primary, secondary and higher education services were subject to Government pricing or government guidance pricing unless the provider was a non-profit educational service provider" to " Education service, primary, secondary and higher education services were subject to government pricing."

Protocol Annexes

Annex 1A, Section IV. 7(k), first line: change "Conformity of all assessment bodies" to "All conformity assessment bodies"; and last line: change "Section 15, subparagraph 4(a)" to "Section 13, subparagraph 4(a)"。

Annex 1A, Section IV. 8 (a): Delete entire provision and replace with:

> "elimination and cessation of enforcement of trade and foreign exchange balancing, local content and export performance requirements made effective through laws, regulations or other measures, as well as the non-enforcement of provisions of contracts imposing such requirements; without prejudice to the relevant provisions of the Draft Protocol, the non-conditioning of distribution of import licenses, quotas, tariff-rate quotas, or other means of approval for importation or investment by national or sub-national authorities, on whether competing domestic suppliers of such product exist, or on performance requirements of any kind, such as local content, offsets, technology transfer, export performance, or the conduct of research and development in China".

Corrigendum on the Out-quota rates for TRQ products

14 September 2001

The base rate of duty, final bound rate and the implementation contained in this list shall serve as the out-quota rates of all the products subject to TRQ and shall supersede the base rate of duty, final bound rate and the implementation of the products concerned in all the bilateral market access agreements singed between China and the WTO Members on China's accession to the WTO.

Products	HS	Base rate of duty	Bound rate at date of accession	Final bound rate	Implementation
wheat	10011000	80	74	65	2004
wheat	10019010	80	74	65	2004
wheat	10019090	80	74	65	2004
wheat	11010000	80	74	65	2004
wheat	11031100	80	74	65	2004
wheat	11032100	80	74	65	2004
corn	10051000	80	74	65	2004
corn	10059000	80	74	65	2004
corn	11022000	80	74	40	2004
corn	11031300	80	74	65	2004
corn	11042300	80	74	65	2004
rice	10061010	80	74	65	2004
rice	10061090	80	74	65	2004
rice	10062000	80	74	65	2004
rice	10063000	80	74	65	2004
rice	10064000	40	28	10	2004
rice	11023000	80	64	40	2004
rice	11031400	40	28	10	2004
soybean oil	15071000	85	63.3	9	2006
soybean oil	15079000	85	63.3	9	2006
palm oil	15111000	85	63.3	9	2006
palm oil	15119000	85	63.3	9	2006
rape seed oil	15141010	85	63.3	9	2006
rape seed oil	15141090	85	63.3	9	2006
rape seed oil	15149000	85	63.3	9	2006
sugar	17011100	76	71.6	65	2004
sugar	17011200	76	71.6	65	2004
sugar	17019100	76	71.6	65	2004
sugar	17019910	76	71.6	65	2004
sugar	17019920	76	71.6	65	2004
sugar	17019990	76	71.6	65	2004
wool	51011100	38	38		
wool	51011900	38	38		
wool	51012100	38	38		
wool	51012900	38	38		
wool	51013000	38	38		
wool	51031010	38	38		
cotton	52010000	76	61.6	40	2004
cotton	52030000	76	61.6	40	2004
fertlier	31021000	50	50		
fertlier	31052000	50	50		
fertlier	31053000	50	50		
wool tops	51051000	38	38		
wool tops	51052100	38	38		
wool tops	51052900	38	38		

Schedule ____ - People's Republic of China

PART I - MOST-FAVOURED-NATION TARIFF

SECTION I - B Tariff Quotas

1. Tariff quotas indicated in the third column are volumes for calendar year 2001. Tariff quota concessions will be implemented according to the date specified in the "implementation" column. The implementation column indicates the date (referring to 1 January of the year indicated) when the final quota quantity will be achieved. The tariff quota concessions are subject to equal annual adjustments (occurring on 1 January of each year), unless otherwise specified in the last column ("Other terms and conditions").

2. The People's Republic of China (hereinafter refferred to as "China") shall maintain its in-quota applied and bound rates (and, upon removal of the tariff-quota, its applied and bound rates) for HS 1514 (rape or colza (canola) oil and its fractions, whether or not refined, but not chemically modified) at a level equal to that for HS 1507 (soya-bean oil and its fractions, whether or not refined, but not chemically modified) and for HS 1205 (rape or colza (canola) seeds, whether or not broken).

3. An entity granted a tariff quota allocation (quota-holder) may engage in importation through state-trading enterprises and/or through entities possessing the right to trade other than state-trading enterprises, including direct importation by the quota holder, as indicated on documentation issued with the allocation or reallocation of the tariff quota quantities.

4 . Application: All applications for an allocation of the tariff-quota will be submitted to the State Development and Planning Commission (SDPC). Specific conditions for applying for a tariff-quota allocation will be published in the official journal one month in advance of the application period, which will be from 15 October to 30 October.

5. Allocation:

A. Tariff-quotas shall be allocated to end users of the entire tariff-quota quantity established in Section I-B by 1 January each year. Inquiries regarding tariff-quota allocations can be made to the SDPC, with responses provided within 10 working days. Any additional requirement for importation will be automatic under the terms of the Agreement on Import Licensing Procedures. China shall equitably distribute allocations within each portion of the tariff-quota to ensure complete tariff-quota utilization and to establish a tariff-quota system that is open, transparent, fair, responsive to market conditions, timely, minimally burdensome to trade and reflects end user preferences.

B.In the first year, allocations to end users by the SDPC of the tariff-quota reserved for importation through state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria, subject to specific conditions to be published one month in advance of the opening of the application period so as to ensure an equitable distribution and complete tariff-quota utilization. In the first year, no less than 10 % of the tariff-quota reserved for importation through state-trading enterprises will be allocated to new quota-holders.

C. In the first year, allocations to end users by the SDPC of the tariff-quota reserved for importation through entities other than state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria. No less than 10 % of the tariff-quota reserved for importation through entities other than state-trading enterprises will be allocated to new quota-holders. This tariff-quota will be limited to entities that do not receive any special or exclusive rights or privileges, and will include allocations to joint ventures, wholly foreign-funded enterprises, and private enterprises.

D. Except in cases where tariff-quota is allocated on a first-come '-served basis, and in accordance with China's Sche' of Concessions and Commitments on Goods, a quota-holder that has imported under a tariff-quota shall, upon application, rece ,n allocation of the tariff-quota in the following year fc ,uantity no less than the quantity imported the previous year. For all methods of allocation, a quota-holder that does not import its full allocation under a tariff-quota will receive a proportional reduction in the tariff-quota allocation in the subsequent year unless the quantity is returned to the SDPC prior to 15 September. A quota holder that has failed to import its full allocation in two consecutive years and has returned that unused portion by 15 September shall have its quota allocated in the following year on the basis of its fill rate in the most recent year, and will not benefit from any additional reallocations until and unless there are no other applications. The means of calculating the penalty will be included in the TRQ regulation in force and publicly available, and will be applied in a consistent and equitable manner.

E. Allocations will be established for commercially viable shipping quantities and provisions will be made for partial shipments against a single tariff-quota allocation. All commercial terms of trade, including product specification, pricing, packaging, etc., will be at the sole determination of the importer and the exporter taking into full account the demands of the end user. Tariff-quota allocations will be valid for any item or mixture of items subject to the same tariff-quota.

F. Inquiries on the entities which received the allocation can be made to the SDPC which shall provide the information within 10 days.

6. Term: The tariff-quota for each product will be opened on 1 January each year, unless otherwise specified in the Schedule. Tariff-quota allocations will be valid for the calendar year.

7. Reallocation:

A. In any year, if a quota-holder has not contracted for the total quantity by 15 September, it shall return the unused portion of the tariff-quota quantity to the SDPC for reallocation.

B. Applications for reallocation of the tariff-quota will be accepted by the SDPC from 1 September to 15 September and new allocations shall be assigned by 1 October. Specific conditions for applying for reallocation of tariff quotas will be published in the official journal one month in advance of the application period. Such allocations, which shall be to new applicants and to entities other than those returning quotas under sub-paragraph 7.A. above, will be assigned on a first-come, first-served basis. Quota-holders allocated a share of the tariff-quota reserved for importation through entities other than state-trading enterprises may import through any entity that has a right to trade in any product as specified in Section 5 of China's Protocol of Accession.

C. Inquiries on the entities which received the reallocations can be made to the SDPC which will provide the information within 10 days.

D. In situations where goods have been shipped from their port of origin before 31 December of any year, but are entered after 31 December of that year, China shall extend the validity of the tariff quota documents and shall count such shipments against the tariff quota allocation for the year in which the tariff quota was initially allocated.

Consultations:

8. With a view to maintaining a transparent and open tariff quota system, upon request from any WTO Member, China shall consult with the Member on the administration of the tariff quota to ensure that the tariff quota will be allocated in a transparent, equitable and non-discriminatory manner and that the tariff quota will be fully utilized.

Notes:

1. The share of the tariff-quota reserved for importation through state-trading enterprises is specified in column 7 of Section I-B. The remainder of the tariff-quota quantity is reserved for importation through any non-state trading enterprise possessing the right to trade in any product as set forth in Section 5 of China's Protocol of Accession.

In any year, if the quantity of the tariff-quota reserved for importation through state-trading enterprises has not been contracted for by 15 August, quota-holders will have the right to trade or to import through any entity with the right to trade any product under Section 5 of China's Protocol of Accession.

2. China will ensure that the applied duty for soybean oil, rapeseed oil, palm oil, peanut oil, cottonseed oil, sunflower seed oil, and corn oil is no greater than the applied duty for any one of these oils or for any other vegetable oil. Of the vegetable oils subject to tariff quota (i.e., soybean oil, rapeseed oil, and palm oil), if the tariff-quota for any one oil is autonomously increased, the tariff-quotas for the other two will be increased commensurately. Beginning 1 January 2006, China will remove soybean oil, rapeseed oil and palm oil from Annex 2A of the Protocol of Accession and will grant the right to trade such oils to all individuals and enterprises.

3. All quota holders, that have already fully used or contracted their tariff-quota allocations in any year by 15 September shall also be eligible for reallocation of tariff-quota from other quota holders that have returned their allocations.

Description of products	Tariff item number	Initial quota quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
Wheat		7,884,000 mt	9,636,000 mt	2004	AU,US	1) STE share = 90% (See Note 1)

Description of products	Tariff item number	Initial quot quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	10011000	1%	1%			2) Staging of TRQ quantity:
	10019010	1%	1%			Year: TRQ quantity:
	10019090	1%	1%			2002: 8,468,000 mt
	11010000	6%	6%			2003: 9,052,000 mt
	11031100	9%	9%			2004: 9,636,000 mt
	11032100	10%	10%			
Corn		5,175,000 mt	7,200,000 mt	2004	AR,US	1) STE share = 71% to 60% (See Note 1)
	10051000	1%	1%			2) Staging of TRQ quantity: Year: TRQ quantity:
	10059000	1%	1%			2002: 5,850,000 tons
	11022000	9%	9%			2003: 6,525,000 tons
	11031300	9%	9%			2004: 7,200,000 tons
	11042300	10%	10%			3) Staging of STE share:
						2002 68%
						2003 64%
						2004 60%
Rice, short and medium grain		1,662,500 mt	2,660,000 mt	2004	AU,TH,US,UY	STE share = 50% (See Note 1)
	10061010x	1%	1%			1) Rice products are included in the short medium grain rice and long grain rice.; 2) China confirmed that the allocation of the TRQ on rice products shall take into consideration historical trade flows and the potential for growth in demand for rice
	10061090x	1%	1%			
	10062000x	1%	1%			
	10063000x	1%	1%			
	10064000x	1%	1%			
	11023000x	9%	9%			

Description of products	Tariff item number	Initial quota quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	11031400x	9%	9%			products in the Chinese market. In any case, import of rice products is allowed to the full limit of the quota established each calendar year if there is such demand in th Chinese market.; 3) Quota for short & medium grain rice and long grain rice shall be allocated to state enterprises and to private sectors at a ratio of 50:50 (See Not 1); 4) Staging for the TRQ quantity: Year: TRQ quantity: 2002 1,995,000 tons 2003 2,327,500 tons 2004 2,660,000 tons
Rice, long grain		1,662,500 mt	2,660,000 mt	2004	AU,TH,US,UY	STE share = 50% (See Note 1)
	10061010y	1%	1%			1) Rice products are included in the short
	10061090y	1%	1%			medium grain rice and long grain rice.; 2)
	10062000y	1%	1%			China confirmed that the allocation of the
	10063000y	1%	1%			TRQ on rice products shall take into
	10064000y	1%	1%			consideration historical trade flows and the
	11023000y	9%	9%			potential for growth in demand for rice
	11031400y	9%	9%			products in the Chinese market. In any case, import of rice products is allowed to the full limit of the quota established each calendar year if there is such demand in th Chinese market.; 3) Quota for short & medium grain rice and long grain rice shall be allocated to state enterprises and to private sectors at a ratio of 50:50 (See Not 1); 4) Staging for the TRQ quantity: Year: TRQ quantity: 2002 1,995,000 tons 2003 2,327,500 tons 2004 2,660,000 tons
Soybean oil		2,118,000 mt	3,261,000 mt	2005	AR,BR,US,MY	1) STE share = 42% to 10% (See Notes 1 and 2);
	15071000	9%	9%			2) Staging for soybean oil

Description of products	Tariff item number	Initial quota quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	15079000	9%	9%			Year: TRQ quantity: 2002 2,518,000 tons 2003 2,818,000 tons 2004 3,118,000 tons 2005 3,261,000 tons Staging of STE share: Year: share: 2002 34% 2003 26% 2004 18% 2005 10% Tariff quotas to be eliminated on 1 January 2006
Palm oil		2,100,000 mt	2,880,000 mt	2005	CR,MY	1) STE share = 42% to 10% (See Notes 1 and 2); 2) Staging for palm oil: Year: TRQ quantity: 2002 2,400,000 tons 2003 2,600,000 tons 2004 2,700,000 tons 2005 2,880,000 tons Staging of STE share: Year: share: 2002 34% 2003 26% 2004 18% 2005 10% Tariff quotas to be eliminated on 1 January 2006
	15111000	9%	9%			

Description of products	Tariff item number	Initial quota quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	15119000	9%	9%			3) China agrees to provide adequate opportunities in increasing the established import quota levels of TRQs for palm oil in case of an excessive demand for palm oil within China that is over and above that of the present TRQs as evidenced by the complete utilisation of TRQs for palm oil in the previous year; 4) Any adjustments to tariffs, import quota levels of TRQs, import rights (with respect to state trading enterprises) and implementation period resulting from the conclusion of future bilateral negotiations with other oils and fat exporting countries for other oils and fats, shall see a corresponding adjustment for palm oil as well.
Rape-seed oil		739,200 mt	1,130,000 mt	2005	AU,CA	1) STE share = 42% to 10% (See Notes 1 and 2);
	15141010	9%	9%			2) Staging for rape-seed oil
	15141090	9%	9%			Year: TRQ quantity:
	15149000	9%	9%			2002 878,900 tons 2003 1,018,600 tons 2004 1,126,600 tons 2005 1,130,000 tons Staging of STE share: Year: share: 2002 34% 2003 26% 2004 18% 2005 10% Tariff quotas to be eliminated on 1 January 2006
Sugar		1,680,000 mt	1,945,000 mt	2004	AU,CO,CR,CU,GT,	1) STE share=70% (See Note 1)
	17011000	20%	20%			2) Annual growth rate for the quota volum sugar is 5%;
	17011200	20%	20%			3) China agrees to provide adequate opportunities for
	17019100	20%	20%			consultations in case of an excessive re-export of sugar

Description of products	Tariff item number	Initial quota quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	17019910	20%	20%			from China and it shall fully take into accou the
	17019920	20%	20%			concerns of WTO Members in this regard.;
	17019990	20%	20%			2) Staging for sugar: 2002 1,764,000 tons 2003 1,852,000 tons 2004 1,945,000 tons
Wool		253,250 mt	287,000 mt	2004	AU,CL,CO,NZ,UY	1) Tariff quota quantities will be implement by compound growth.
	51011100	1%	1%			4)Staging for wool: Year: TRQ quantity: 2002 264,500 tons 2003 275,750 tons 2004 287,000 tons
	51011900	1%	1%			
	51012100	1%	1%			
	51012900	1%	1%			
	51013000	1%	1%			
	51031010	1%	1%			
Cotton		780,750 mt	894,000 mt	2004	AU,CO,US	1) STE share = 33% (See Note 1)
	52010000	1%	1%			2) Staging for cotton
	52030000	1%	1%			Year: TRQ quantity: 2002 818,500 tons 2003 856,250 tons 2004 894,000 tons

14 September 2001

Corrigendum to WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1

1. For the following tariff lines, "MX" should be added to the INR column:

02013000, 02071100, 02071200, 02071300, 02071400, 02072400, 02072500, 02072600, 02072700, 02073210, 02073220, 02073230, 02073310, 02073320, 02073330, 02073400, 02073500, 02073600, 03061100, 03061200, 03061311, 03061319, 07020000, 07031000, 07070000, 07092000, 07096000, 07099090, 07108010, 07108020, 07108090, 07132000, 08030000, 08044000, 08045000, 08051000, ex 08053000, 08061000, 08071990, ex 08071990, 08101000, 09011100, 09011200, 09012100, 09012200, 16041400, 17011100, 17011200, 17049000, 19059000, 20019000, 20091100, 22030000, 22089000, ex 22089000, 24021000, 24022000, 25232900, 29173610, 29173700, 39041000, 52010000, 52030000, 55063000, 70052900, 70071110, 70071190, 70109100, 70109200, 70109300, 70109400, 73042100, 73042900, 84182100, 96031000

2. For tariff item 10061010, the bound rate at date of accession should be 74%, the final bound rate should be 65%, and the implementation column should read 2004.

3. For tariff item 10061090, the bound rate at date of accession should be 74%, the final bound rate should be 65%, and the implementation column should read 2004.

4. For tariff item 10062000, the bound rate at date of accession should be 74%, the final bound rate should be 65%, and the implementation column should read 2004.

5. For tariff item 10063000, the bound rate at date of accession should be 74%, the final bound rate should be 65%, and the implementation column should read 2004.

6. For tariff item 10064000, the bound rate at date of accession should be 74%, the final bound rate should be 65%, and the implementation column should read 2004.

7. For tariff item 15071000, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

8. For tariff item 15079000, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

9. For tariff item 15111000, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

10. For tariff item 15119000, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

11. For tariff item 15141010, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

12. For tariff item 15141090, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

13. For tariff item 15149000, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

14. For tariff item 15159000, the bound rate at date of accession should be 32%, the final bound rate should be 20%, and the implementation column should read 2004.

15. For tariff item 15162000, the bound rate at date of accession should be 34%, the final bound rate should be 25%, and the implementation column should read 2004.

16. For tariff item 15179000, the bound rate at date of accession should be 34%, the final bound rate should be 25%, and the implementation column should read 2004.

17. For tariff item 20083010, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

18. For tariff item 20083090, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

19. For tariff item 20084010, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

20. For tariff item 20084090, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

21. For tariff item 20085000, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

22. For tariff item 21012000, the bound rate at date of accession should be 42.8%, the final bound rate should be 32%, and the implementation column should read 2004.

23. For tariff item 22203000, the bound rate at date of accession should be 42%, the final bound rate should be 0%, and the implementation column should read 2004.

24. For tariff item 20083090, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

25. For tariff item 03053000, the bound rate at date of accession should be 23.3%, the final bound rate should be 10%, and the implementation column should read 2005.

26. For tariff item 03056910, the bound rate at date of accession should be 24.4%, the final bound rate should be 16%, and the implementation column should read 2004.

27. For tariff item 03056920, the bound rate at date of accession should be 24.4%, the final bound rate should be 16%, and the implementation column should read 2004.

28. For tariff item 03056930, the bound rate at date of accession should be 24.4%, the final bound rate should be 16%, and the implementation column should read 2004.

29. For tariff item 03056990, the bound rate at date of accession should be 24.4%, the final bound rate should be 16%, and the implementation column should read 2004.

30. For tariff item 03062399, the bound rate at date of accession should be 24%, the final bound rate should be 12%, and the implementation column should read 2005.

31. For tariff item 03062492, the bound rate at date of accession should be 33.6%, the final bound rate should be 14%, and the implementation column should read 2004.

32. For tariff item 31021000, the bound rate at date of accession should be 50%.

33. For tariff item 31052000, the bound rate at date of accession should be 50%.

34. For tariff item 31053000, the bound rate at date of accession should be 50%.

35. For tariff item 32041100, the bound rate at date of accession should be 10.8%, the final bound rate should be 6.5%, and the implementation column should read 2008.

36. For tariff item 32041200, the bound rate at date of accession should be 10.8%, the final bound rate should be 6.5%, and the implementation column should read 2008.

37. For tariff item 32041600, the bound rate at date of accession should be 10.8%, the final bound rate should be 6.5%, and the implementation column should read 2008.

38. For tariff item 40122010, the bound rate at date of accession should be 34%, the final bound rate should be 25%, and the implementation column should read 2004.

39. For tariff item 40122090, the bound rate at date of accession should be 34%, the final bound rate should be 25%, and the implementation column should read 2004.

40. For tariff item 51051000, the bound rate at date of accession should be 38%, the final bound rate and implementation column are blank.

41. For tariff item 51052100, the bound rate at date of accession should be 38%, the final bound rate and implementation column are blank.

42. For tariff item 51052900, the bound rate at date of accession should be 38%, the final bound rate and implementation column are blank.

43. For tariff item 56039110, the bound rate at date of accession should be 21%, the final bound rate should be 10%, and the implementation column should read 2004.

44. For tariff item 59111010, the bound rate at date of accession should be 17%, the final bound rate should be 8%, and the implementation column should read 2004.

45. For tariff items 7217200, 72173000, and 72179000, the bound rate at date of accession should be 11.5%, the final bound rate should be 8%, and the implementation column should read 2003.

46. For tariff items 72291000, the bound rate at date of accession should be 8.4%, the final bound rate should be 3%, and the implementation column should read 2004.

47. For tariff item 72299000, the bound rate at date of accession should be 8.7%, the final bound rate should be 7%, and the implementation column should read 2002.

48. For tariff item 73069000, the bound rate at date of accession should be 7.7%, the final bound rate should be 6%, and the implementation column should read 2002.

49. For tariff item 73089000, the bound rate at date of accession should be 10.4%, the final bound rate should be 4%, and the implementation column should read 2004.

50. For tariff item 73090000, the bound rate at date of accession should be 12%, the final bound rate should be 10.5%, and the implementation column should read 2002.

51. For tariff items 76071100, 76071900, and 76072000, the bound rate at date of accession should be 13.2%, the final bound rate should be 6%, and the implementation column should read 2004.

52. For tariff item 76169910, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

53. For tariff item 79070090, the bound rate at date of accession should be 11.4%, the final bound rate should be 6%, and the implementation column should read 2004.

54. For tariff item 83040000, the bound rate at date of accession should be 14.3%, the final bound rate should be 10.5%, and the implementation column should read 2003.

55. For tariff item 84099191, the bound rate at date of accession should be 14%, the final bound rate should be 5%, and the implementation column should read 2004.

56. For tariff item 84143019, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

57. For tariff item 84143090, the bound rate at date of accession should be 15.6%, the final bound rate should be 9%, and the implementation column should read 2004.

58. For tariff items 84171000 and 84178010, the bound rate at date of accession should be 14%, the final bound rate should be 10%, and the implementation column should read 2003.

59. For tariff items 84178030, 84178040 and 84178090, the bound rate at date of accession should be 12%, the final bound rate should be 10%, and the implementation column should read 2002.

60. For tariff item 84283300, the bound rate at date of accession should be 11%, the final bound rate should be 5%, and the implementation column should read 2004.

61. For tariff item 84431200, the bound rate at date of accession should be 16%, the final bound rate should be 12%, and the implementation column should read 2003.

62. For tariff item 84775900, the bound rate at date of accession should be 11%, the final bound rate should be 5%, and the implementation column should read 2004.

63. For tariff item 84778000, the bound rate at date of accession should be 11%, the final bound rate should be 5%, and the implementation column should read 2004.

64. For tariff item 84714140, the bound rate at date of accession should be 9%, the final bound rate should be 0%, and the implementation column should read 2003.

65. For tariff item 84715090, the bound rate at date of accession should be 7.5%, the final bound rate should be 0%, and the implementation column should read 2003.

66. For tariff item 84794000, the bound rate at date of accession should be 11%, the final bound rate should be 7%, and the implementation column should read 2002.

67. For tariff item 85118000, the bound rate at date of accession should be 11.7%, the final bound rate should be 8.4%, and the implementation column should read 2003.

68. For tariff item 85131090, the bound rate at date of accession should be 21.3%, the final bound rate should be 17.5%, and the implementation column should read 2003.

69. For tariff item 85152900, the bound rate at date of accession should be 12%, the final bound rate should be 10%, and the implementation column should read 2002.

70. For tariff item 85162910, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

71. For tariff items 85271300 and 85271900, the bound rate at date of accession should be 24%, the final bound rate should be 15%, and the implementation column should read 2004.

72. For tariff items 87032314, 87032315, 87032316, 87032319, 87032334, 87032335, 87032336, 87032339, the implementation column should read 1 July 2006, the bound rate at date of accession should be 51.9%, and the final bound rate should be 25%.

73. For tariff items 87032430, 87032440, 87032450, 87032490, the implementation column should read 1 July 2006, the bound rate at date of accession should be 61.7%, and the final bound rate should be 25%.

74. For tariff item 87042300, the bound rate at date of accession should be 24%, the final bound rate should be 15%, and the implementation column should read 2004.

75. For tariff item 87043100, the bound rate at date of accession should be 40%, the final bound rate should be 25%, and the implementation column should read 2005.

75. For tariff item 87043230, the bound rate at date of accession should be 33.3%, the final bound rate should be 20%, and the implementation column should read 2005.

76. For tariff item 87049040, the bound rate at date of accession should be 16%, the final bound rate should be 12%, and the implementation column should read 2003.

77. For tariff item 87060030, the bound rate at date of accession should be 40%, the final bound rate should be 20%, and the implementation column should read 2005.

78. For tariff item 87079010, the bound rate at date of accession should be 34%, the final bound rate should be 10%, and the implementation column should read 1 July 2006.

79. For tariff item 87079090, the bound rate at date of accession should be 34%, the final bound rate should be 10%, and the implementation column should read 1 July 2006.

80. For tariff item 85273100, the bound rate at date of accession should be 24%, the final bound rate should be 15%, and the implementation column should read 2004.

81. For tariff item 87081000, the bound rate at date of accession should be 24.6%, the final bound rate should be 10%, and the implementation column should read 2006.

82. For tariff items 87082910 and 87082920, the bound rate at date of accession should be 35.7%, the final bound rate should be 10%, and the implementation column should read 1 July 2006.

83. For tariff items 87082990 and 87083100, the bound rate at date of accession should be 24.6%, the final bound rate should be 10%, and the implementation column should read 2006.

84. For tariff item 87083990, the bound rate at date of accession should be 34%, the final bound rate should be 10%, and the implementation column should read 1 July 2006.

85. For tariff item 87084050, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

86. For tariff item 87084050, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

87. For tariff items 87084091 and 87084099, the bound rate at date of accession should be 34%, the final bound rate should be 10%, and the implementation column should read 1 July 2006.

88. For tariff item 87085050, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

89. For tariff item 87085090, the bound rate at date of accession should be 27.5%, the final bound rate should be 10%, and the implementation column should read 2006.

90. For tariff item 87084050, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

91. For tariff items 87086090, 87087090, 87088010, 87088090, 87089390, 87089990, the bound rate at date of accession should be 27.5%, the final bound rate should be 10%, and the implementation column should read 2006. Furthermore, for 87089990, the rate in 2004 shall be 17%.

92. For tariff items 87087020 and 87089100, the bound rate at date of accession should be 24.6%, the final bound rate should be 10%, and the implementation column should read 2006.

93. For tariff items 87089940 and 87089920, the bound rate at date of accession should be 30%, the final bound rate should be 25%, and the implementation column should read 2003.

94. For tariff item 87114000, the bound rate at date of accession should be 51.7%, the final bound rate should be 40%, and the implementation column should read 2005.

95. For tariff item 87115000, the bound rate at date of accession should be 41.7%, the final bound rate should be 30%, and the implementation column should read 2005.

96. . For tariff item 05051000, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

97. For tariff items 12112091 and 12112099, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

98. For tariff items 12122010 and 12122020, the bound rate at date of accession should be 23%, the final bound rate should be 20%, and the implementation column should read 2004.

99. For tariff items 12122030, 12122040, 12122050, 12122090, the bound rate at date of accession should be 21.7%, the final bound rate should be 15%, and the implementation column should read 2005.

100. For tariff item 21021000, the bound rate at date of accession should be 28%, the final bound rate should be 25%, and the implementation column should read 2004.

101. For tariff item 22029000, the bound rate at date of accession should be 44%, the final bound rate should be 35%, and the implementation column should read 2004.

102. For tariff items 35030010 and 35030090, the bound rate at date of accession should be 15.6%, the final bound rate should be 12%, and the implementation column should read 2004.

103. For tariff items 87084050, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

104. For tariff items 03033100, 03036000, 03037910, 03037920, 03037930, 03037990, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

105. For tariff items 03033200 and 03037600, the bound rate at date of accession should be 16%, the final bound rate should be 12%, and the implementation column should read 2003.

106. For tariff item 03055100, the bound rate at date of accession should be 24.4%, the final bound rate should be 16%, and the implementation column should read 2003.

107. For tariff item 03073900 and 03076090, the bound rate at date of accession should be 23.6%, the final bound rate should be 14%, and the implementation column should read 2004.

108. For tariff item 03079990, the bound rate at date of accession should be 23.3%, the final bound rate should be 10%, and the implementation column should read 2005.

109. For tariff item 28182000, the bound rate at date of accession should be 14%, the final bound rate should be 8%, and the implementation column should read 2004.

110. For tariff item ex84622110, the bound rate at date of accession should be 6.5%, the final bound rate should be 0%, and the implementation column should read 2002.

111. For tariff item ex84622910, the bound rate at date of accession should be 6.7%, the final bound rate should be 0%, and the implementation column should read 2003.

112. For tariff items 11071000 and 11072000, the bound rate at date of accession should be 10%; the final bound rate and implementation column are blank.

113. For tariff item 84292090, the bound rate at date of accession should be 8.5%, the final bound rate should be 5%, and the implementation column should read 2003. The interim rate in 2002 should read 6.8%.

114. For tariff item 07141030, the bound rate at date of accession should be 11.8%, the final bound rate should be 10%, and the implementation column should read 2004.

115. For tariff item 12129991, 12129992, 12129993, 12129994, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

116. For the headnote to Section I-A, the following should be included: "Feed peas (07131090)- will be granted parity with HS2304 (oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soybean oil.)."

117. Section I-B is replaced by the attached new Section I-B.

118. Part III, Section A is replaced by the attached new Part III, Section A.

119. For tariff items 31021000, 31052000, 51052900, 23040010, and 23066000; "MY" should be added to the INR column.

120. For tariff item 07141030, the bound rate at date of accession should be 11.8%, the final bound rate should be 10%, and the implementation column should read 2004.

121. For tariff items 03061100 and 03061200, the bound rate at date of accession should be 23.3%, the final bound rate should be 10%, and the implementation column should read 2005.

122. For tariff item 08101000, the bound rate at date of accession should be 27.1%, the final bound rate should be 14%, and the implementation column should read 2010.

123. For tariff items 17011100, 17011200, 17019100, 17019910, 17019920, 17019990, 15141010, 15141090, 15149000, 15111000, and 15119000; "BR" should be added to the INR column.

124. For tariff item 20091100, the bound rate at date of accession should be 7.5%, the final bound rate and the implementation column are blank.

125. Tariff line "ex08053000", with the description "Citrus Latifolia" should be added in numerical order with the bound rate at date of accession should be 30.7%, the final bound rate should be 12%, and the implementation column should read 2005.

126. Tariff line "ex08071990", with the description "Cantaloupe and Galia Melons" should be added in numerical order with the bound rate at date of accession should be 25%, the final bound rate should be 15%, and the implementation column should read 2005.

127. Tariff line "ex22089000", with the description "Tequila, Mezcal" should be added in numerical order with the bound rate at date of accession should be 46.7%, the final bound rate should be 10%, and the implementation column should read 2005.

128. For tariff items 84182110, 84182120, 84182130, the bound rate at date of accession should be 20%, the final bound rate should be 10%, and the implementation column should read 2005.

129. For tariff items 15131100 and 15131900, the interim rates for 2005 should read 9.5%.

130. The Staging Matrix for Section I-A and Section II will be updated accordingly to take into account the above changes to rates and/or staging.

PART I - MOST-FAVOURED-NATION TARIFF

SECTION I - B Tariff Quotas

1. Tariff quotas indicated in the third column are volumes for calendar year 2001. Tariff quota concessions will be implemented according to the date specified in the "implementation" column. The implementation column indicates the date (referring to 1 January of the year indicated) when the final quota quantity will be achieved. The tariff quota concessions are subject to equal annual adjustments (occurring on 1 January of each year), unless otherwise specified in the last column ("Other terms and conditions").

2. The People's Republic of China (hereinafter referred to as "China")shall maintain its in-quota applied and bound rates (and, upon removal of the tariff-quota, its applied and bound rates) for HS 1514 (rape or colza (canola) oil and its fractions, whether or not refined, but not chemically modified) at a level equal to that for HS 1507 (soya-bean oil and its fractions, whether or not refined, but not chemically modified) and for HS 1205 (rape or colza (canola) seeds, whether or not broken).

3. The growth rate for the TRQ volume for canola (rapeseed) oil shall be no less than the growth rate for the TRQ volume for soybean oil.

4. An entity granted a tariff quota allocation (quota-holder) may engage in importation through state-trading enterprises and/or through entities possessing the right to trade other than state-trading enterprises, including direct importation by the quota holder, as indicated on documentation issued with the allocation or reallocation of the tariff quota quantities.

5 . Application: All applications for an allocation of the tariff-quota will be submitted to the State Development and Planning Commission (SDPC). Specific conditions for applying for a tariff-quota allocation will be published in the official journal one month in advance of the application period, which will be from 15 October to 30 October.

6. Allocation:

A. Tariff-quotas shall be allocated to end users of the entire tariff-quota quantity established in Section I-B by 1 January each year. Inquiries regarding tariff-quota allocations can be made to the SDPC, with responses provided within 10 working days. Any additional requirement for importation will be automatic under the terms of the Agreement on Import Licensing Procedures. China shall equitably distribute allocations within each portion of the tariff-quota to ensure complete tariff-quota utilization and to establish a tariff-quota system that is open, transparent, fair, responsive to market conditions, timely, minimally burdensome to trade and reflects end user preferences.

B.In the first year, allocations to end users by the SDPC of the tariff-quota reserved for importation through state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria, subject to specific conditions to be published one month in advance of the opening of the application period so as to ensure an equitable distribution and complete tariff-quota utilization. In the first year, no less than 10 % of the tariff-quota reserved for importation through state-trading enterprises will be allocated to new quota-holders.

C. In the first year, allocations to end users by the SDPC of the tariff-quota reserved for importation through entities other than state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria. No less than 10 % of the tariff-quota reserved for importation through entities other than state-trading enterprises will be allocated to new quota-holders. This tariff-quota will be limited to entities that do not receive any special or exclusive rights or privileges, and will include allocations to joint ventures, wholly foreign-funded enterprises, and private enterprises.

D. Except in cases where tariff-quota is allocated on a first-come, first-served basis, and in accordance with China's Schedule of Concessions and Commitments on Goods, a quota-holder that has imported under a tariff-quota shall, upon application, receive an allocation of the tariff-quota in the following year for a quantity no less than the quantity imported the previous year. For all methods of allocation, a quota-holder that does not import its full allocation under a tariff-quota will receive a proportional reduction in the tariff-quota allocation in the subsequent year unless the quantity is returned to the SDPC prior to 15 September. A quota holder that has failed to import its full allocation in two consecutive years and has returned that unused portion by 15 September shall have its quota allocated in the following year on the basis of its fill rate in the most recent year, and will not benefit from any additional reallocations until and unless there are no other applications. The means of calculating the penalty will be included in the TRQ regulation in force and publicly available, and will be applied in a consistent and equitable manner.

E. Allocations will be established for commercially viable shipping quantities and provisions will be made for partial shipments against a single tariff-quota allocation. All commercial terms of trade, including product specification, pricing, packaging, etc., will be at the sole determination of the importer and the exporter taking into full account the demands of the end user. Tariff-quota allocations will be valid for any item or mixture of items subject to the same tariff-quota.

F. Inquiries on the entities which received the allocation can be made to the SDPC which shall provide the information within 10 days.

7. Term: The tariff-quota for each product will be opened on 1 January each year, unless otherwise specified in the Schedule. Tariff-quota allocations will be valid for the calendar year.

8. Reallocation:

A. In any year, if a quota-holder has not contracted for the total quantity by 15 September, it shall return the unused portion of the tariff-quota quantity to the SDPC for reallocation.

B. Applications for reallocation of the tariff-quota will be accepted by the SDPC from 1 September to 15 September and new allocations shall be assigned by 1 October. Specific conditions for applying for reallocation of tariff quotas will be published in the official journal one month in advance of the application period. Such allocations, which shall be to new applicants and to entities other than those returning quotas under sub-paragraph 8.A. above, will be assigned on a first-come, first-served basis. Quota-holders allocated a share of the tariff-quota reserved for importation through entities other than state-trading enterprises may import through any entity that has a right to trade in any product as specified in Section 5 of China's Protocol of Accession.

C. Inquiries on the entities which received the reallocations can be made to the SDPC which will provide the information within 10 days.

D. In situations where goods have been shipped from their port of origin before 31 December of any year, but are entered after 31 December of that year, China shall extend the validity of the tariff quota documents and shall count such shipments against the tariff quota allocation for the year in which the tariff quota was initially allocated.

Consultations:

9. With a view to maintaining a transparent and open tariff quota system, upon request from any WTO Member, China shall consult with the Member on the administration of the tariff quota to ensure that the tariff quota will be allocated in a transparent, equitable and non-discriminatory manner and that the tariff quota will be fully utilized.

Notes:

1. The share of the tariff-quota reserved for importation through state-trading enterprises is specified in column 7 of Section I-B. The remainder of the tariff-quota quantity is reserved for importation through any non-state trading enterprise possessing the right to trade in any product as set forth in Section 5 of China's Protocol of Accession.

In any year, if the quantity of the tariff-quota reserved for importation through state-trading enterprises has not been contracted for by 15 August, quota-holders will have the right to trade or to import through any entity with the right to trade any product under Section 5 of China's Protocol of Accession.

2. China shall ensure that the applied duty for soybean oil, rapeseed oil, palm oil, peanut oil, cottonseed oil, sunflower seed oil, and corn oil is no greater than the applied duty for any one of these oils or for any other vegetable oil. Of the vegetable oils subject to tariff quota (i.e., soybean oil, rapeseed oil, and palm oil), if the tariff-quota for any one oil is autonomously increased, the tariff-quotas for the other two will be increased commensurately. Beginning 1 January 2006, China will remove soybean oil, rapeseed oil and palm oil from Annex 2A of the Protocol of Accession and will grant the right to trade such oils to all individuals and enterprises.

3. All quota holders, that have already fully used or contracted their tariff-quota allocations in any year by 15 September shall also be eligible for reallocation of tariff-quota from other quota holders that have returned their allocations.

Description of products	Tariff item number	Initial quota quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
Wheat		7,884,000 mt	9,636,000 mt	2004	AU,CA,US	1) STE share = 90% (See Note 1)
	10011000	1%	1%			2) Staging of TRQ quantity:

Description of products	Tariff item number	Initial quota quantity and ... quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	10019010	1%	1%			Year: TRQ quantity:
	10019090	1%	1%			2002: 8,468,000 mt
	11010000	6%	6%			2003: 9,052,000 mt
	11031100	9%	9%			2004: 9,636,000 mt
	11032100	10%	10%			
Corn		5,175,000 mt	7,200,000 mt	2004	AR,US	1) STE share = 71% to 60% (See Note 1)
	10051000	1%	1%			2) Staging of TRQ quantity:
	10059000	1%	1%			2002: 5,850,000 mt
	11022000	9%	9%			2003: 6,525,000 mt
	11031300	9%	9%			2004: 7,200,000 mt
	11042300	10%	10%			3) Staging of STE share:
						2002 68%
						2003 64%
						2004 60%
Rice, short and medium grain		1,662,500 mt	2,660,000 mt	2004	AU,TH,US,UY	STE share = 50% (See Note 1)
	10061010x	1%	1%			1) Rice products are included in the short & medium grain rice; 2) China confirms that the allocation of the TRQ on rice and rice products in these product classifications shall take into consideration historical trade flows and allocations to end-users. Imports of rice and rice products will be allocated to the full limit of the quota established for each calendar year as determined by demand in the Chinese market.; 3) Quota for short & medium grain rice shall be allocated to state enterprises and to private sectors at a ratio of 50:50 (See Note 1); 4) Staging for the TRQ quantity: Year: TRQ quantity:
	10061090x	1%	1%			
	10062000x	1%	1%			
	10063000x	1%	1%			
	10064000x	1%	1%			
	11023000x	9%	9%			
	11031400x	9%	9%			
						2002 1,995,000 mt
						2003 2,327,500 mt
						2004 2,660,000 mt
Rice, long grain		1,662,500 mt	2,660,000 mt	2004	AU,TH,US,UY	STE share = 50% (See Note 1)
	10061010y	1%	1%			1) Rice products are included in the
	10061090y	1%	1%			long grain rice.; 2) China confirms that

Description of products	Tariff item number	Initial quota quantity and ... quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	10062000y	1%	1%			the allocation of the TRQ on rice and rice products in these product classifications shall take into consideration historical trade flows and allocations to end-users. Imports of rice and rice products will be allocated to the full limit of the quota established for each calendar year as determined by demand in the Chinese market.; 3) Quota for long grain rice shall be allocated to state enterprises and to private sectors at a ratio of 50:50 (See Note 1); 4) Staging for the TRQ quantity: Year: TRQ quantity: 2002 1,995,000 mt 2003 2,327,500 mt 2004 2,660,000 mt
	10063000y	1%	1%			
	10064000y	1%	1%			
	11023000y	9%	9%			
	11031400y	9%	9%			
Soybean oil		2,118,000 mt	3,587,100 mt	2005	AR,BR,MY,US	1) STE share = 42% to 10% (See Notes 1 and 2); 2) Staging for soybean oil Year: TRQ quantity: 2002 2,518,000 mt 2003 2,818,000 mt 2004 3,118,000 mt 2005 3,587,100 mt Staging of STE share: Year: share: 2002 34% 2003 26% 2004 18% 2005 10% Tariff quotas to be eliminated on 1 January 2006
	15071000	9%	9%			
	15079000	9%	9%			
Palm oil		2,100,000 mt	3,168,000 mt	2005	BR,CR,MY	1) STE share=42% to 10% (See Notes 1 and 2) 2) Staging of TRQ for palm oil:
	15111000	9%	9%			

Description of products	Tariff item number	Initial quota quantity and quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	15119000	9%	9%			Year: TRQ quantity: 2002 2,400,000 mt 2003 2,600,000 mt 2004 2,700,000 mt 2005 3,168,000 mt Staging of STE share: Year: share: 2002 34% 2003 26% 2004 18% 2005 10% Tariff quotas to be elimnated on 1 January 2006; 3) China agrees to provide adequate opportunities in increasing the established import quota levels of TRQs for palm oil in case of an excessive demand for palm oil within China that is over and above that of the present TRQs as evidenced by the complete utilisation of TRQs for palm oil in the previous year.; 4) Any adjustments to tariffs, import quota levels of TRQs, import rights (with respect to state trading enterprises) and implementation period resulting from the conclusion of future bilateral negotiations with other oils and fats exporting countries for other oils and fats, shall see a corresponding adjustment for palm oil as well.
Rape-seed oil		739,200 mt	1,243,000 mt	2005	AU,BR,CA,CE15	1) STE share = 42% to 10% (See Notes 1 and 2); 2) Staging for rape-seed oil Year: TRQ quantity:
	15141010	9%	9%			
	15141090	9%	9%			

Description of products	Tariff item number	Initial quota quantity and ... quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	15149000	9%	9%			2002 878,900 mt 2003 1,018,600 mt 2004 1,126,600 mt 2005 1,243,000 mt Staging of STE share: Year: share: 2002 34% 2003 26% 2004 18% 2005 10% Tariff quotas to be eliminated on 1 January 2006
Sugar		1,680,000 mt	1,945,000 mt	2004	AU,BO,BR,CO,CR, CU,DO,GT,HN,NI, PA,TH	1) STE share=70% (See Note 1)
	17011100	20%	15%			2) Annual growth rate for the quota volume of sugar is 5%.; 3) China agrees to provide adequate opportunities for consultations in case of an excessive re-export of sugar from China and it shall fully take into account the concerns of WTO Members in this regard.; 4) Staging for sugar: Year: TRQ quantity: 2002 1,764,000 mt 2003 1,852,000 mt 2004 1,945,000 mt: 5) The in-quota tariff rate will remain at 20% from the date of accession until 31 December 2003, whereupon the 15% tariff will take effect on 1 January 2004.
	17011200	20%	15%			
	17019100	20%	15%			
	17019910	20%	15%			
	17019920	20%	15%			
	17019990	20%	15%			
Wool		253,250 mt	287,000 mt	2004	AU,CL,CO,NZ,UY	1) China agrees that in relation to distribution of import and export licences and tariff quotas for wool, foreign individuals and enterprises, foreign-funded enterprises and joint ventures will be accorded treatment no less favourable than that accorded to other
	51011100	1%	1%			
	51011900	1%	1%			
	51012100	1%	1%			
	51012900	1%	1%			
	51013000	1%	1%			

Description of products	Tariff item number	Initial quota quantity and quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial ...gotiating right	Other terms and conditions
	51031010	1%	1%			individuals and enterprises. 2) Staging for wool: Year: TRQ quantity: 2002 264,500 mt 2003 275,750 mt 2004 287,000 mt
Cotton		780,750 mt	894,000 mt	2004	AU,CO,US	1) STE share = 33% (See Note 1)
	52010000	1%	1%			2) Staging for cotton
	52030000	1%	1%			Year: TRQ quantity: 2002 818,500 mt 2003 856,250 mt 2004 894,000 mt

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PART III - NON-TARIFF CONCESSIONS

Section A--Tariff-rate Quotas on Fertilizer and Wool Tops

1. Tariff quotas indicated in the third column are volumes for calendar year 2001. Tariff quota concessions will be implemented according to the date specified in the "implementation" column. The implementation column indicates the date (referring to 1 January of the year indicated) when the final quota quantity will be achieved. The tariff quota concessions are subject to equal annual adjustments (occurring on 1 January of each year), unless otherwise specified in the last column ("Other terms and conditions").

2. An entity granted a tariff quota allocation (quota-holder) may engage in importation through state-trading enterprises and/or through entities possessing the right to trade other than state-trading enterprises, including direct importation by the quota holder, as indicated on documentation issued with the allocation or reallocation of the tariff quota
3. Application: All applications for an allocation of the tariff-quota will be submitted to the relevant organization. Specific conditions for applying for a tariff-quota allocation will be published in the official journal one month in advance of the application period, which will be from 15 October to 30 October.

4. Allocation:

A. Tariff-quotas shall be allocated to end users of the entire tariff-quota quantity established in Part III by 1 January each year. Inquiries regarding tariff-quota allocations can be made to the relevant organization, with responses provided within 10 working days. Any additional requirement for importation will be automatic under the terms of the Agreement on Import Licensing Procedures. The People's Republic of China will equitably distribute allocations within each portion of the tariff-quota to ensure complete tariff-quota utilization and to establish a tariff-quota system that is open, transparent, fair, responsive to market conditions, timely, minimally burdensome to trade and reflects end user preferences.

B. In the first year, allocations to end users by the relevant organization of the tariff-quota reserved for importation through state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria, subject to specific conditions to be published one month in advance of the opening of the application period so as to ensure an equitable distribution and complete tariff-quota utilization. In the first year, no less than 10 % of the tariff-quota reserved for importation through state-trading enterprises will be allocated to new quota-holders.

C. In the first year, allocations to end users by the relevant organization of the tariff-quota reserved for importation through entities other than state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria. No less than 10 % of the tariff-quota reserved for importation through entities other than state-trading enterprises will be allocated to new quota-holders. This tariff-quota will be limited to entities that do not receive any special or exclusive rights or privileges, and will include allocations to joint ventures, wholly foreign-funded enterprises, and private enterprises.

D. Except in cases where tariff-quota is allocated on a first-come, first-served basis, and in accordance with China's Schedule of Concessions and Commitments on Goods, a quota-holder that has imported under a tariff-quota shall, upon application, receive an allocation of the tariff-quota in the following year for a quantity no less than the quantity imported the previous year. For all methods of allocation, a quota-holder that does not import its full allocation under a tariff-quota will receive a proportional reduction in the tariff-quota allocation in the subsequent year unless the quantity is returned to the relevant organization prior to 15 September. A quota-holder that has failed to import its full allocation in two consecutive years and has returned that unused portion by 15 September shall have its quota allocated in the following year on the basis of its fill rate in the most recent year, and shall not benefit from any additional reallocations until and unless there are no other applications. The means of calculating the penalty will be included in the TRQ regulation in force and publicly available, and will be applied in a consistent and equitable manner.

E. Allocations will be established for commercially viable shipping quantities and provisions will be made for partial shipments against a single tariff-quota allocation. All commercial terms of trade, including product specification, p g, packaging, etc., will be at the sole determinat of the importer and the exporter taking into full account the demands of the end user. Tariff-quota allocations will be valid for any item or mixture of items subject to the same tariff quota.

F. Inquiries on the entities which received the allocation can be made to the relevant organization which will provide the information within 10 days.

5. Term: The tariff-quota for each product will be opened on 1 January each year, unless otherwise specified in the Schedule. Tariff-quota allocations will be valid for the calendar year.

6. Reallocation:

A. In any year, if a quota-holder has not contracted for the total quantity by 15 September, it shall return the unused portion of the tariff-quota quantity to the relevant organization for reallocation.

B. Applications for reallocation of the tariff-quota will be accepted by the relevant organization from 1 September to 15 September and new allocations will be assigned by 1 October. Specific conditions for applying for reallocation of tariff quotas will be published in the official journal one month in advance of the application period. Such allocations, which will be to new applicants and to entities other than those returning quotas under sub-paragraph 6.A. above, will be assigned on a first-come, first-served basis. Quota-holders allocated a share of the tariff-quota reserved for importation through entities other than state-trading enterprises may import through any entity that has a right to trade in any product as specified in Section 5 of the Protocol of Accession.

C. Inquiries on the entities which received the reallocations can be made to the relevant organization which will provide the information within 10 days.

D. In situations where goods have been shipped from their port of origin before 31 December of any year, but are entered after 31 December of that year, the People's Republic of China shall extend the validity of the tariff quota documents and shall count such shipments against the tariff quota allocation for the year in which the tariff quota

Consultations:

7. With a view to maintaining a transparent and open tariff quota system, upon request from any WTO Member, China shall consult with the Member on the administration of the tariff quota to ensure that the tariff quota will be allocated in a transparent, equitable and non-discriminatory manner and that the tariff quota will be fully utilized.

Notes:

1. The share of the tariff-quota reserved for importation through state-trading enterprises is specified in column 7 of Part III. The remainder of the tariff-quota quantity is reserved for importation through any non-state trading enterprise possessing the right to trade in any product as set forth in Section 5 of the Protocol of Accession.
In any year, if the quantity of the tariff-quota reserved for importation through state-trading enterprises has not been contracted for by 15 August, quota-holders will have the right to trade or to import through any entity with the right to trade any product under Section 5 of the Protocol of Accession.
2. All quota holders, that have already fully used or contracted their tariff-quota allocations in any year by 15 September will also be eligible for reallocation of tariff-quota from other quota holders that have returned their allocations.
3. The quota quantities after the end of the implementation period will be the subject of further negotiation. Unless new quota quantities are agreed, the quantities at the end of the implementation period will continue.
4. The relevant organization referred to above for inquiries, allocations, and reallocations shall be:
(a) for fertilizer, the State Economic and Trade Commission (SETC);
(b) for wool top, the State Development and Planning Commission (SDPC).
5. After 1 January 2006, any annual growth in TRQ amounts provided to a fertilizer product subject to a TRQ shall be provided to all fertilizer products subject to a TRQ, including annual growth rates exceeding those provided for in this schedule.

Description of products	Tariff item number	Initial quota quantity and quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial notiating right	Other terms and conditions
Diammonium hydrogenorthophosphate (diammonium phosphate)	31053000	5,400,000 mt 4%	6,900,000 mt 4%	2006 (See Note 3)	US	1) STE quantity = 90% to 51% (See Note 1), decreasing 5 percentage points per year until reaching 51% in year 9. 2) The tariff quota level will be increased by 5% annually.
Urea	31021000	1,300,000 mt 4%	3,300,000 mt 4%	2006 (See Note 3)	AU,MY,US	1)STE quantity = 90% (See Note 1); 2) Year 2 - 1,300,000 mt Year 3 - 1,800,000 mt Year 4 - 2,300,000 mt Year 5 - 2,800,000 mt
NPK	31052000	2,700,000 mt 4%			MY,PH	1) Non-state trading share of 10% on accession increasing in equal steps to 49% over 8 years; 2) A 5% annual growth rate; 3) The growth rate will be reviewed with Members having an interest not before the end of the 6 year implementation period, following which it may be amended by agreement.
Wool tops	51051000 51052100 51052900	68,750 mt 3% 3% 3%	80,000 mt 3% 3% 3%	2004	AU,CL,CO,MY,NZ, UR.	1)The People's Republic of China will allocate access to the WTO Members taking into account their bilateral historical trade flows. 2) Year: TRQ quantity: 2002 72,500 mt 2003 76,250 mt 2004 80,000 mt

WORLD TRADE ORGANIZATION

RESTRICTED

WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1
12 September 2001

(01-4293)

Working Party on the Accession of China

DRAFT REPORT OF THE WORKING PARTY ON THE ACCESSION OF CHINA

Draft Schedule– China

Part I – Draft Schedule of Concessions and Commitments on Goods [1]

Revision

In accordance with WTO accession procedures, the revised Draft Schedule of Specific Concessions and Commitments in Goods of China is attached for examination and technical verification by Members of the Working Party and China. For the facility of Members, the document has been forwarded, where possible, through electronic mail.

[1] In English only./En anglais seulement./En inglés solamente.

WORLD TRADE ORGANIZATION

RESTRICTED

WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1/Corr.1
17 September 2001

(01-4384)

Working Party on the Accession of China

DRAFT REPORT OF THE WORKING PARTY ON THE ACCESSION OF CHINA

Draft Schedule– China

Part I – Draft Schedule of Concessions and Commitments on Goods [1]

Corrigendum

The following corrections, as noted below should be made to the Draft Schedule of China, as contained in WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1.

1. For the following tariff lines, "MX" should be added to the INR column:

02013000, 02071100, 02071200, 02071300, 02071400, 02072400, 02072500, 02072600, 02072700, 02073210, 02073220, 02073230, 02073310, 02073320, 02073330, 02073400, 02073500, 02073600, 03061100, 03061200, 03061311, 03061319, 07020000, 07031000, 07070000, 07092000, 07096000, 07099090, 07108010, 07108020, 07108090, 07132000, 08030000, 08044000, 08045000, 08051000, ex 08053000, 08061000, 08071990, ex 08071990, 08101000, 09011100, 09011200, 09012100, 09012200, 16041400, 17011100, 17011200, 17049000, 19059000, 20019000, 20091100, 22030000, 22089000, ex 22089000, 24021000, 24022000, 25232900, 29173610, 29173700, 39041000, 52010000, 52030000, 55063000, 70052900, 70071110, 70071190, 70109100, 70109200, 70109300, 70109400, 73042100, 73042900, 84182100, and 96031000.

2. For the following tariff lines, "MY" should be added to the INR column:

09041100, 09042010, 09042020, 31021000, 31052000, 51052900, 23040010, and 23066000.

3. For the following tariff lines, "SG" should be added to the INR column:

15071000, 15079000, 15111000, 15119000, 15141010, 15141090, and 15149000.

4. For the headnote to Section I-A, the following should be included: "Feed peas (07131090)- will be granted parity with HS2304 (oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soybean oil.)."

5. Section I-B is replaced by the attached new Section I-B.

6. Part III, Section A is replaced by the attached new Part III, Section A.

7. For tariff item 05051000, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

[1] In English only./En anglais seulement./En inglés solamente.

8. For tariff item 07141030, the bound rate at date of accession should be 11.8%, the final bound rate should be 10%, and the implementation column should read 2004.

9. Tariff line "ex08053000", with the description "Citrus Latifolia" should be added in numerical order with the bound rate at date of accession should be 28.4%, the final bound rate should be 11%, and the implementation column should read 2004.

10. Tariff line "ex08071990", with the description "Cantaloupe and Galia Melons" should be added in numerical order with the bound rate at date of accession should be 22.8%, the final bound rate should be 12%, and the implementation column should read 2004.

11. For tariff item 08101000, the bound rate at date of accession should be 27.1%, the final bound rate should be 14%, and the implementation column should read 2010.

12. For tariff item 10061010, the bound rate at date of accession should be 74%, the final bound rate should be 65%, and the implementation column should read 2004.

13. For tariff item 10061090, the bound rate at date of accession should be 74%, the final bound rate should be 65%, and the implementation column should read 2004.

14. For tariff item 10062000, the bound rate at date of accession should be 74%, the final bound rate should be 65%, and the implementation column should read 2004.

15. For tariff item 10063000, the bound rate at date of accession should be 74%, the final bound rate should be 65%, and the implementation column should read 2004.

16. For tariff items 11071000 and 11072000, the bound rate at date of accession should be 10%; the final bound rate and implementation column are blank.

17. For tariff items 12112091 and 12112099, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

18. For tariff items 12122010 and 12122020, the bound rate at date of accession should be 23%, the final bound rate should be 20%, and the implementation column should read 2004.

19. For tariff items 12122030, 12122040, 12122050, 12122090, the bound rate at date of accession should be 21.7%, the final bound rate should be 15%, and the implementation column should read 2005.

20. For tariff item 12129991, 12129992, 12129993, 12129994, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

21. For tariff item 15071000, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

22. For tariff item 15079000, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

23. For tariff item 15111000, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

24. For tariff item 15119000, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

25. For tariff items 15131100 and 15131900, the interim rates for 2005 should read 9.5%.

26. For tariff item 15141010, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

27. For tariff item 15141090, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

28. For tariff item 15149000, the bound rate at date of accession should be 63.3%, the final bound rate should be 9%, and the implementation column should read 2006.

29. For tariff item 15159000, the bound rate at date of accession should be 32%, the final bound rate should be 20%, and the implementation column should read 2004.

30. For tariff item 15162000, the bound rate at date of accession should be 34%, the final bound rate should be 25%, and the implementation column should read 2004.

31. For tariff item 15179000, the bound rate at date of accession should be 34%, the final bound rate should be 25%, and the implementation column should read 2004.

32. For tariff items 17011100, 17011200, 17019100, 17019910, 17019920, 17019990, 15141010, 15141090, 15149000, 15111000, and 15119000; "BR" should be added to the INR column.

33. For tariff item 20083010, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

34. For tariff item 20083090, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

35. For tariff item 20084010, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

36. For tariff item 20084090, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

37. For tariff item 20085000, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

38. For tariff item 20091100, the bound rate at date of accession should be 7.5%, the final bound rate and the implementation column are blank.

39. For tariff item 21012000, the bound rate at date of accession should be 42.8%, the final bound rate should be 32%, and the implementation column should read 2004.

40. For tariff item 21021000, the bound rate at date of accession should be 28%, the final bound rate should be 25%, and the implementation column should read 2004.

41. For tariff item 22029000, the bound rate at date of accession should be 44%, the final bound rate should be 35%, and the implementation column should read 2004.

42. For tariff item 2203000, the bound rate at date of accession should be 42%, the final bound rate should be 0%, and the implementation column should read 2004.

43. For tariff item 20083090, the bound rate at date of accession should be 26%, the final bound rate should be 20%, and the implementation column should read 2004.

44. Tariff line "ex22089000", with the description "Tequila, Mezcal" should be added in numerical order with the bound rate at date of accession should be 46.7%, the final bound rate should be 10%, and the implementation column should read 2005.

45. For tariff items 03033100, 03036000, 03037910, 03037920, 03037930, 03037990, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

46. For tariff items 03033200 and 03037600, the bound rate at date of accession should be 16%, the final bound rate should be 12%, and the implementation column should read 2003.

47. For tariff item 03055100, the bound rate at date of accession should be 24.4%, the final bound rate should be 16%, and the implementation column should read 2003.

48. For tariff item 03053000, the bound rate at date of accession should be 23.3%, the final bound rate should be 10%, and the implementation column should read 2005.

49. For tariff item 03056910, the bound rate at date of accession should be 24.4%, the final bound rate should be 16%, and the implementation column should read 2004.

50. For tariff item 03056920, the bound rate at date of accession should be 24.4%, the final bound rate should be 16%, and the implementation column should read 2004.

51. For tariff item 03056930, the bound rate at date of accession should be 24.4%, the final bound rate should be 16%, and the implementation column should read 2004.

52. For tariff item 03056990, the bound rate at date of accession should be 24.4%, the final bound rate should be 16%, and the implementation column should read 2004.

53. For tariff items 03061100 and 03061200, the bound rate at date of accession should be 23.3%, the final bound rate should be 10%, and the implementation column should read 2005.

54. For tariff item 03062399, the bound rate at date of accession should be 24%, the final bound rate should be 12%, and the implementation column should read 2005.

55. For tariff item 03062492, the bound rate at date of accession should be 33.6%, the final bound rate should be 14%, and the implementation column should read 2004.

56. For tariff item 03073900 and 03076090, the bound rate at date of accession should be 23.6%, the final bound rate should be 14%, and the implementation column should read 2004.

57. For tariff item 03079990, the bound rate at date of accession should be 23.3%, the final bound rate should be 10%, and the implementation column should read 2005.

58. For tariff item 28182000, the bound rate at date of accession should be 14%, the final bound rate should be 8%, and the implementation column should read 2004.

59. For tariff item 31021000, the bound rate at date of accession should be 50%.

60. For tariff item 31052000, the bound rate at date of accession should be 50%.

61. For tariff item 31053000, the bound rate at date of accession should be 50%.

62. For tariff item 32041100, the bound rate at date of accession should be 10.8%, the final bound rate should be 6.5%, and the implementation column should read 2008.

63. For tariff item 32041200, the bound rate at date of accession should be 10.8%, the final bound rate should be 6.5%, and the implementation column should read 2008.

64. For tariff item 32041600, the bound rate at date of accession should be 10.8%, the final bound rate should be 6.5%, and the implementation column should read 2008.

65. For tariff items 35030010 and 35030090, the bound rate at date of accession should be 15.6%, the final bound rate should be 12%, and the implementation column should read 2004.

66. For tariff item 40122010, the bound rate at date of accession should be 34%, the final bound rate should be 25%, and the implementation column should read 2004.

67. For tariff item 40122090, the bound rate at date of accession should be 34%, the final bound rate should be 25%, and the implementation column should read 2004.

68. For tariff item 51051000, the bound rate at date of accession should be 38%, the final bound rate and implementation column are blank.

69. For tariff item 51052100, the bound rate at date of accession should be 38%, the final bound rate and implementation column are blank.

70. For tariff item 51052900, the bound rate at date of accession should be 38%, the final bound rate and implementation column are blank.

71. For tariff item 56039110, the bound rate at date of accession should be 21%, the final bound rate should be 10%, and the implementation column should read 2004.

72. For tariff item 59111010, the bound rate at date of accession should be 17%, the final bound rate should be 8%, and the implementation column should read 2004.

73. For tariff items 72172000, 72173000, and 72179000, the bound rate at date of accession should be 11.5%, the final bound rate should be 8%, and the implementation column should read 2003.

74. For tariff items 72291000, the bound rate at date of accession should be 8.4%, the final bound rate should be 3%, and the implementation column should read 2004.

75. For tariff item 72299000, the bound rate at date of accession should be 8.7%, the final bound rate should be 7%, and the implementation column should read 2002.

76. For tariff item 73069000, the bound rate at date of accession should be 7.7%, the final bound rate should be 6%, and the implementation column should read 2002.

77. For tariff item 73089000, the bound rate at date of accession should be 10.4%, the final bound rate should be 4%, and the implementation column should read 2004.

78. For tariff item 73090000, the bound rate at date of accession should be 12%, the final bound rate should be 10.5%, and the implementation column should read 2002.

51. For tariff items 76071100, 76071900, and 76072000, the bound rate at date of accession should be 13.2%, the final bound rate should be 6%, and the implementation column should read 2004.

79. For tariff item 76169910, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

80. For tariff item 79070090, the bound rate at date of accession should be 11.4%, the final bound rate should be 6%, and the implementation column should read 2004.

81. For tariff item 83040000, the bound rate at date of accession should be 14.3%, the final bound rate should be 10.5%, and the implementation column should read 2003.

82. For tariff item 84099191, the bound rate at date of accession should be 14%, the final bound rate should be 5%, and the implementation column should read 2004.

83. For tariff item 84143019, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

84. For tariff item 84143090, the bound rate at date of accession should be 15.6%, the final bound rate should be 9%, and the implementation column should read 2004.

85. For tariff items 84171000 and 84178010, the bound rate at date of accession should be 14%, the final bound rate should be 10%, and the implementation column should read 2003.

86. For tariff items 84178030, 84178040 and 84178090, the bound rate at date of accession should be 12%, the final bound rate should be 10%, and the implementation column should read 2002.

87. For tariff items 84182110, 84182120, 84182130, the bound rate at date of accession should be 20%, the final bound rate should be 10%, and the implementation column should read 2005.

88. For tariff item 84283300, the bound rate at date of accession should be 11%, the final bound rate should be 5%, and the implementation column should read 2004.

89. For tariff item 84292090, the bound rate at date of accession should be 8.5%, the final bound rate should be 5%, and the implementation column should read 2003. The interim rate in 2002 should read 6.8%.

90. For tariff item 84431200, the bound rate at date of accession should be 16%, the final bound rate should be 12%, and the implementation column should read 2003.

91. For tariff item 84596910, the bound rate at date of accession should be 15%, the final bound rate should be 12%, and the implementation column should read 2003.

92. For tariff item ex84622110, the bound rate at date of accession should be 6.5%, the final bound rate should be 0%, and the implementation column should read 2002.

93. For tariff item ex84622910, the bound rate at date of accession should be 6.7%, the final bound rate should be 0%, and the implementation column should read 2003.

94. For tariff item 84775900, the bound rate at date of accession should be 11%, the final bound rate should be 5%, and the implementation column should read 2004.

95. For tariff item 84778000, the bound rate at date of accession should be 11%, the final bound rate should be 5%, and the implementation column should read 2004.

96. For tariff item 84714140, the bound rate at date of accession should be 9%, the final bound rate should be 0%, and the implementation column should read 2003.

97. For tariff item 84715090, the bound rate at date of accession should be 7.5%, the final bound rate should be 0%, and the implementation column should read 2003.

98. For tariff item 84794000, the bound rate at date of accession should be 11%, the final bound rate should be 7%, and the implementation column should read 2002.

99. For tariff item 85118000, the bound rate at date of accession should be 11.7%, the final bound rate should be 8.4%, and the implementation column should read 2003.

100. For tariff item 85131090, the bound rate at date of accession should be 21.3%, the final bound rate should be 17.5%, and the implementation column should read 2003.

101. For tariff item 85152900, the bound rate at date of accession should be 12%, the final bound rate should be 10%, and the implementation column should read 2002.

102. For tariff item 85162910, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

103. For tariff items 85271300 and 85271900, the bound rate at date of accession should be 24%, the final bound rate should be 15%, and the implementation column should read 2004.

104. For tariff item 85273100, the bound rate at date of accession should be 24%, the final bound rate should be 15%, and the implementation column should read 2004.

105. For tariff items 87032314, 87032315, 87032316, 87032319, 87032334, 87032335, 87032336, 87032339, the implementation column should read 1 July 2006, the bound rate at date of accession should be 51.9%, and the final bound rate should be 25%.

106. For tariff items 87032430, 87032440, 87032450, 87032490, the implementation column should read 1 July 2006, the bound rate at date of accession should be 61.7%, and the final bound rate should be 25%.

107. For tariff item 87042300, the bound rate at date of accession should be 24%, the final bound rate should be 15%, and the implementation column should read 2004.

108. For tariff item 87043100, the bound rate at date of accession should be 40%, the final bound rate should be 25%, and the implementation column should read 2005.

109. For tariff item 87043230, the bound rate at date of accession should be 33.3%, the final bound rate should be 20%, and the implementation column should read 2005.

110. For tariff item 87049040, the bound rate at date of accession should be 16%, the final bound rate should be 12%, and the implementation column should read 2003.

111. For tariff item 87060030, the bound rate at date of accession should be 40%, the final bound rate should be 20%, and the implementation column should read 2005.

112. For tariff item 87079010, the bound rate at date of accession should be 34%, the final bound rate should be 10%, and the implementation column should read 1 July 2006.

113. For tariff item 87079090, the bound rate at date of accession should be 34%, the final bound rate should be 10%, and the implementation column should read 1 July 2006.

114. For tariff item 87081000, the bound rate at date of accession should be 24.6%, the final bound rate should be 10%, and the implementation column should read 2006.

115. For tariff items 87082910 and 87082920, the bound rate at date of accession should be 35.7%, the final bound rate should be 10%, and the implementation column should read 1 July 2006.

116. For tariff items 87082990 and 87083100, the bound rate at date of accession should be 24.6%, the final bound rate should be 10%, and the implementation column should read 2006.

117. For tariff item 87083990, the bound rate at date of accession should be 34%, the final bound rate should be 10%, and the implementation column should read 1 July 2006.

118. For tariff item 87084050, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

119. For tariff item 87084050, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

120. For tariff items 87084091 and 87084099, the bound rate at date of accession should be 34%, the final bound rate should be 10%, and the implementation column should read 1 July 2006.

121. For tariff item 87085050, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

122. For tariff item 87085090, the bound rate at date of accession should be 27.5%, the final bound rate should be 10%, and the implementation column should read 2006.

123. For tariff item 87084050, the bound rate at date of accession should be 16%, the final bound rate should be 10%, and the implementation column should read 2004.

124. For tariff items 87086090, 87087090, 87088010, 87088090, 87089390, 87089990, the bound rate at date of accession should be 27.5%, the final bound rate should be 10%, and the implementation column should read 2006. Furthermore, for 87089990, the rate in 2004 shall be 17%.

125. For tariff items 87087020 and 87089100, the bound rate at date of accession should be 24.6%, the final bound rate should be 10%, and the implementation column should read 2006.

126. For tariff items 87089940 and 87089920, the bound rate at date of accession should be 30%, the final bound rate should be 25%, and the implementation column should read 2003.

127. For tariff item 87114000, the bound rate at date of accession should be 51.7%, the final bound rate should be 40%, and the implementation column should read 2005.

128. For tariff item 87115000, the bound rate at date of accession should be 41.7%, the final bound rate should be 30%, and the implementation column should read 2005.

129. The Staging Matrix for Section I-A and Section II will be updated accordingly to take into account the above changes to rates and/or staging.

Schedule ____ - People's Republic of China

PART I - MOST-FAVOURED-NATION TARIFF

SECTION I - B Tariff Quotas

1. Tariff quotas indicated in the third column are volumes for calendar year 2001. Tariff quota concessions will be implemented according to the date specified in the "implementation" column. The implementation column indicates the date (referring to 1 January of the year indicated) when the final quota quantity will be achieved. The tariff quota concessions are subject to equal annual adjustments (occurring on 1 January of each year), unless otherwise specified in the last column ("Other terms and conditions").

2. The People's Republic of China (hereinafter referred to as "China")shall maintain its in-quota applied and bound rates (and, upon removal of the tariff-quota, its applied and bound rates) for HS 1514 (rape or colza (canola) oil and its fractions, whether or not refined, but not chemically modified) at a level equal to that for HS 1507 (soya-bean oil and its fractions, whether or not refined, but not chemically modified) and for HS 1205 (rape or colza (canola) seeds, whether or not broken).

3. The growth rate for the TRQ volume for canola (rapeseed) oil shall be no less than the growth rate for the TRQ volume for soybean oil.

4. An entity granted a tariff quota allocation (quota-holder) may engage in importation through state-trading enterprises and/or through entities possessing the right to trade other than state-trading enterprises, including direct importation by the quota holder, as indicated on documentation issued with the allocation or reallocation of the tariff quota quantities.

5 . Application: All applications for an allocation of the tariff-quota will be submitted to the State Development and Planning Commission (SDPC). Specific conditions for applying for a tariff-quota allocation will be published in the official journal one month in advance of the application period, which will be from 15 October to 30 October.

6. Allocation:

A. The entire tariff-quota quantity established in Section I-B shall be allocated to end users by 1 January each year. Inquiries regarding tariff-quota allocations can be made to the SDPC, with responses provided within 10 working days. Any additional requirement for importation will be automatic under the terms of the Agreement on Import Licensing Procedures. China shall equitably distribute allocations within each portion of the tariff-quota to ensure complete tariff-quota utilization and to establish a tariff-quota system that is open, transparent, fair, responsive to market conditions, timely, minimally burdensome to trade and reflects end user preferences.

B.In the first year, allocations to end users by the SDPC of the tariff-quota reserved for importation through state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria, subject to specific conditions to be published one month in advance of the opening of the application period so as to ensure an equitable distribution and complete tariff-quota utilization. In the first year, no less than 10 % of the tariff-quota reserved for importation through state-trading enterprises will be allocated to new quota-holders.

C. In the first year, allocations to end users by the SDPC of the tariff-quota reserved for importation through entities other than state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria. No less than 10 % of the tariff-quota reserved for importation through entities other than state-trading enterprises will be allocated to new quota-holders. This tariff-quota will be limited to entities that do not receive any special or exclusive rights or privileges, and will include allocations to joint ventures, wholly foreign-funded enterprises, and private enterprises.

D. Except in cases where tariff-quota is allocated on a first-come, first-served basis, and in accordance with China's Schedule of Concessions and Commitments on Goods, a quota-holder that has imported under a tariff-quota shall, upon application, receive an allocation of the tariff-quota in the following year for a quantity no less than the quantity imported the previous year. For all methods of allocation, a quota-holder that does not import its full allocation under a tariff-quota will receive a proportional reduction in the tariff-quota allocation in the subsequent year unless the quantity is returned to the SDPC prior to 15 September. A quota holder that has failed to import its full allocation in two consecutive years and has returned that unused portion by 15 September shall have its quota allocated in the following year on the basis of its fill rate in the most recent year, and will not benefit from any additional reallocations until and unless there are no other applications. The means of calculating the penalty will be included in the TRQ regulation in force and publicly available, and will be applied in a consistent and equitable manner.

E. Allocations will be established for commercially viable shipping quantities and provisions will be made for partial shipments against a single tariff-quota allocation. All commercial terms of trade, including product specification, pricing, packaging, etc., will be at the sole determination of the importer and the exporter taking into full account the demands of the end user. Tariff-quota allocations will be valid for any item or mixture of items subject to the same tariff-quota.

F. Inquiries on the entities which received the allocation can be made to the SDPC which shall provide the information within 10 days.

7. Term: The tariff-quota for each product will be opened on 1 January each year, unless otherwise specified in the Schedule. Tariff-quota allocations will be valid for the calendar year.

8. Reallocation:

A. In any year, if a quota-holder has not contracted for the total quantity by 15 September, it shall return the unused portion of the tariff-quota quantity to the SDPC for reallocation.

B. Applications for reallocation of the tariff-quota will be accepted by the SDPC from 1 September to 15 September and new allocations shall be assigned by 1 October. Specific conditions for applying for reallocation of tariff quotas will be published in the official journal one month in advance of the application period. Such allocations, which shall be to new applicants and to entities other than those returning quotas under sub-paragraph 8.A. above, will be assigned on a first-come, first-served basis. Quota-holders allocated a share of the tariff-quota reserved for importation through entities other than state-trading enterprises may import through any entity that has a right to trade in any product as specified in Section 5 of China's Protocol of Accession.

C. Inquiries on the entities which received the reallocations can be made to the SDPC which will provide the information within 10 days.

D. In situations where goods have been shipped from their port of origin before 31 December of any year, but are entered after 31 December of that year, China shall extend the validity of the tariff quota documents and shall count such shipments against the tariff quota allocation for the year in which the tariff quota was initially allocated.

Consultations:

9. With a view to maintaining a transparent and open tariff quota system, upon request from any WTO Member, China shall consult with the Member on the administration of the tariff quota to ensure that the tariff quota will be allocated in a transparent, equitable and non-discriminatory manner and that the tariff quota will be fully utilized.

Notes:

1. The share of the tariff-quota reserved for importation through state-trading enterprises is specified in column 7 of Section I-B. The remainder of the tariff-quota quantity is reserved for importation through any non-state trading enterprise possessing the right to trade in any product as set forth in Section 5 of China's Protocol of Accession.

In any year, if the quantity of the tariff-quota reserved for importation through state-trading enterprises has not been contracted for by 15 August, quota-holders will have the right to trade or to import through any entity with the right to trade any product under Section 5 of China's Protocol of Accession.

2. China shall ensure that the applied duty for soybean oil, rapeseed oil, palm oil, peanut oil, cottonseed oil, sunflower seed oil, and corn oil is no greater than the applied duty for any one of these oils or for any other vegetable oil. Of the vegetable oils subject to tariff quota (i.e., soybean oil, rapeseed oil, and palm oil), if the tariff-quota for any one oil is autonomously increased, the tariff-quotas for the other two will be increased commensurately. Beginning 1 January 2006, China will remove soybean oil, rapeseed oil and palm oil from Annex 2A of the Protocol of Accession and will grant the right to trade such oils to all individuals and enterprises.

3. All quota holders, that have already fully used or contracted their tariff-quota allocations in any year by 15 September shall also be eligible for reallocation of tariff-quota from other quota holders that have returned their allocations.

Description of products	Tariff item number	Initial quota quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
Wheat		7,884,000 mt	9,636,000 mt	2004	AU,CA,US	1) STE share = 90% (See Note 1)
	10011000	1%	1%			2) Staging of TRQ quantity:

Description of products	Tariff item number	Initial quota quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	10019010	1%	1%			Year: TRQ quantity:
	10019090	1%	1%			2002: 8,468,000 mt
	11010000	6%	6%			2003: 9,052,000 mt
	11031100	9%	9%			2004: 9,636,000 mt
	11032100	10%	10%			
Corn		5,175,000 mt	7,200,000 mt	2004	AR,US	1) STE share = 71% to 60% (See Note 1)
	10051000	1%	1%			2) Staging of TRQ quantity:
	10059000	1%	1%			2002: 5,850,000 mt
	11022000	9%	9%			2003: 6,525,000 mt
	11031300	9%	9%			2004: 7,200,000 mt
	11042300	10%	10%			3) Staging of STE share: 2002 68% 2003 64% 2004 60%
Rice, short and medium grain		1,662,500 mt	2,660,000 mt	2004	AU,TH,US,UY	STE share = 50% (See Note 1)
	10061010x	1%	1%			1) Rice products are included in the short & medium grain rice; 2) China confirms that the allocation of the TRQ on rice and rice products in these product classifications shall take into consideration historical trade flows and allocations to end-users. Imports of rice and rice products will be allocated to the full limit of the quota established for each calendar year as determined by demand in the Chinese market.; 3) Quota for short & medium grain rice shall be allocated to state enterprises and to private sectors at a ratio of 50:50 (See Note 1); 4) Staging for the TRQ quantity: Year: TRQ quantity: 2002 1,995,000 mt 2003 2,327,500 mt 2004 2,660,000 mt
	10061090x	1%	1%			
	10062000x	1%	1%			
	10063000x	1%	1%			
	10064000x	1%	1%			
	11023000x	9%	9%			
	11031400x	9%	9%			
Rice, long grain		1,662,500 mt	2,660,000 mt	2004	AU,TH,US,UY	STE share = 50% (See Note 1)
	10061010y	1%	1%			1) Rice products are included in the long grain rice.; 2) China confirms that the allocation of the TRQ on rice and
	10061090y	1%	1%			
	10062000y	1%	1%			

Description of products	Tariff item number	Initial quota quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	10063000y	1%	1%			rice products in these product
	10064000y	1%	1%			classifications shall take into consideration
	11023000y	9%	9%			historical trade flows and allocations to
	11031400y	9%	9%			end-users. Imports of rice and rice products will be allocated to the full limit of the quota established for each calendar year as determined by demand in the Chinese market.; 3) Quota for long grain rice shall be allocated to state enterprises and to private sectors at a ratio of 50:50 (See Note 1); 4) Staging for the TRQ quantity: Year: TRQ quantity: 2002 1,995,000 mt 2003 2,327,500 mt 2004 2,660,000 mt
Soybean oil		2,118,000 mt	3,587,100 mt	2005	AR,BR,MY,SG,US	1) STE share = 42% to 10% (See Notes 1 and 2);
	15071000	9%	9%			2) Staging for soybean oil
	15079000	9%	9%			Year: TRQ quantity: 2002 2,518,000 mt 2003 2,818,000 mt 2004 3,118,000 mt 2005 3,587,100 mt Staging of STE share: Year: share: 2002 34% 2003 26% 2004 18% 2005 10% Tariff quotas to be eliminated on 1 January 2006
Palm oil		2,100,000 mt	3,168,000 mt	2005	BR,CR,MY,SG	1) STE share=42% to 10% (See Notes 1 and 2)
	15111000	9%	9%			2) Staging of TRQ for palm oil:

Description of products	Tariff item number	Initial quota quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	15119000	9%	9%			Year: TRQ quantity: 2002 2,400,000 mt 2003 2,600,000 mt 2004 2,700,000 mt 2005 3,168,000 mt Staging of STE share: Year: share: 2002 34% 2003 26% 2004 18% 2005 10% Tariff quotas to be elimnated on 1 January 2006; 3) China agrees to provide adequate opportunities in increasing the established import quota levels of TRQs for palm oil in case of an excessive demand for palm oil within China that is over and above that of the present TRQs as evidenced by the complete utilisation of TRQs for palm oil in the previous year.; 4) Any adjustments to tariffs, import quota levels of TRQs, import rights (with respect to state trading enterprises) and implementation period resulting from the conclusion of future bilateral negotiations with other oils and fats exporting countries for other oils and fats, shall see a corresponding adjustment for palm oil as well.
Rape-seed oil		739,200 mt	1,243,000 mt	2005	AU,BR,CA,CE15, SG	1) STE share = 42% to 10% (See Notes 1 and 2);
	15141010	9%	9%			2) Staging for rape-seed oil
	15141090	9%	9%			Year: TRQ quantity:

Description of products	Tariff item number	Initial quota quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	15149000	9%	9%			2002 878,900 mt 2003 1,018,600 mt 2004 1,126,600 mt 2005 1,243,000 mt Staging of STE share: Year: share: 2002 34% 2003 26% 2004 18% 2005 10% Tariff quotas to be eliminated on 1 January 2006
Sugar		1,680,000 mt	1,945,000 mt	2004	AU,BO,BR,CO,CR,CU,DO,GT,HN,NI,PA,TH	1) STE share=70% (See Note 1)
	17011100	20%	15%			2) Annual growth rate for the quota volume of sugar is 5%.; 3) China agrees to provide adequate opportunities for consultations in case of an excessive re-export of sugar from China and it shall fully take into account the concerns of WTO Members in this regard.; 4) Staging for sugar: Year: TRQ quantity: 2002 1,764,000 mt 2003 1,852,000 mt 2004 1,945,000 mt: 5) The in-quota tariff rate will remain at 20% from the date of accession until 31 December 2003, whereupon the 15% tariff will take effect on 1 January 2004.
	17011200	20%	15%			
	17019100	20%	15%			
	17019910	20%	15%			
	17019920	20%	15%			
	17019990	20%	15%			
Wool		253,250 mt	287,000 mt	2004	AU,CL,CO,NZ,UY	1) China agrees that in relation to distribution of import and export licences and tariff quotas for wool, foreign individuals and enterprises, foreign-funded enterprises and joint ventures will be accorded treatment no less favourable than that accorded to other
	51011100	1%	1%			
	51011900	1%	1%			
	51012100	1%	1%			
	51012900	1%	1%			
	51013000	1%	1%			

Description of products	Tariff item number	Initial quota quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
	51031010	1%	1%			individuals and enterprises. 2) Staging for wool: Year: TRQ quantity: 2002 264,500 mt 2003 275,750 mt 2004 287,000 mt
Cotton		780,750 mt	894,000 mt	2004	AU,CO,US	1) STE share = 33% (See Note 1)
	52010000	1%	1%			2) Staging for cotton
	52030000	1%	1%			Year: TRQ quantity: 2002 818,500 mt 2003 856,250 mt 2004 894,000 mt

Schedule ____ - People's Republic of China

PART III - NON-TARIFF CONCESSIONS

Section A--Tariff-rate Quotas on Fertilizer and Wool Tops

1. Tariff quotas indicated in the third column are volumes for calendar year 2001. Tariff quota concessions will be implemented according to the date specified in the "implementation" column. The implementation column indicates the date (referring to 1 January of the year indicated) when the final quota quantity will be achieved. The tariff quota concessions are subject to equal annual adjustments (occurring on 1 January of each year), unless otherwise specified in the last column ("Other terms and conditions").

2. An entity granted a tariff quota allocation (quota-holder) may engage in importation through state-trading enterprises and/or through entities possessing the right to trade other than state-trading enterprises, including direct importation by the quota holder, as indicated on documentation issued with the allocation or reallocation of the tariff quota

3. Application: All applications for an allocation of the tariff-quota will be submitted to the relevant organization. Specific conditions for applying for a tariff-quota allocation will be published in the official journal one month in advance of the application period, which will be from 15 October to 30 October.

4. Allocation:

A. The entire tariff-quota quantity established in Part III shall be allocated to end users by 1 January each year. Inquiries regarding tariff-quota allocations can be made to the relevant organization, with responses provided within 10 working days. Any additional requirement for importation will be automatic under the terms of the Agreement on Import Licensing Procedures. The People's Republic of China will equitably distribute allocations within each portion of the tariff-quota to ensure complete tariff-quota utilization and to establish a tariff-quota system that is open, transparent, fair, responsive to market conditions, timely, minimally burdensome to trade and reflects end user preferences.

B. In the first year, allocations to end users by the relevant organization of the tariff-quota reserved for importation through state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria, subject to specific conditions to be published one month in advance of the opening of the application period so as to ensure an equitable distribution and complete tariff-quota utilization. In the first year, no less than 10 % of the tariff-quota reserved for importation through state-trading enterprises will be allocated to new quota-holders.

C. In the first year, allocations to end users by the relevant organization of the tariff-quota reserved for importation through entities other than state-trading enterprises shall be based on a first-come, first-served system or the requests of the applicants and their historical import performance, production capacity, or other relevant commercial criteria. No less than 10 % of the tariff-quota reserved for importation through entities other than state-trading enterprises will be allocated to new quota-holders. This tariff-quota will be limited to entities that do not receive any special or exclusive rights or privileges, and will include allocations to joint ventures, wholly foreign-funded enterprises, and private enterprises.

D. Except in cases where tariff-quota is allocated on a first-come, first-served basis, and in accordance with China's Schedule of Concessions and Commitments on Goods, a quota-holder that has imported under a tariff-quota shall, upon application, receive an allocation of the tariff-quota in the following year for a quantity no less than the quantity imported the previous year. For all methods of allocation, a quota-holder that does not import its full allocation under a tariff-quota will receive a proportional reduction in the tariff-quota allocation in the subsequent year unless the quantity is returned to the relevant organization prior to 15 September. A quota-holder that has failed to import its full allocation in two consecutive years and has returned that unused portion by 15 September shall have its quota allocated in the following year on the basis of its fill rate in the most recent year, and shall not benefit from any additional reallocations until and unless there are no other applications. The means of calculating the penalty will be included in the TRQ regulation in force and publicly available, and will be applied in a consistent and equitable manner.

E. Allocations will be established for commercially viable shipping quantities and provisions will be made for partial shipments against a single tariff-quota allocation. All commercial terms of trade, including product specification, pricing, packaging, etc., will be at the sole determination of the importer and the exporter taking into full account the demands of the end user. Tariff-quota allocations will be valid for any item or mixture of items subject to the same tariff quota.

F. Inquiries on the entities which received the allocation can be made to the relevant organization which will provide the information within 10 days.

5. Term: The tariff-quota for each product will be opened on 1 January each year, unless otherwise specified in the Schedule. Tariff-quota allocations will be valid for the calendar year.

6. Reallocation:

A. In any year, if a quota-holder has not contracted for the total quantity by 15 September, it shall return the unused portion of the tariff-quota quantity to the relevant organization for reallocation.

B. Applications for reallocation of the tariff-quota will be accepted by the relevant organization from 1 September to 15 September and new allocations will be assigned by 1 October. Specific conditions for applying for reallocation of tariff quotas will be published in the official journal one month in advance of the application period. Such allocations, which will be to new applicants and to entities other than those returning quotas under sub-paragraph 6.A. above, will be assigned on a first-come, first-served basis. Quota-holders allocated a share of the tariff-quota reserved for importation through entities other than state-trading enterprises may import through any entity that has a right to trade in any product as specified in Section 5 of the Protocol of Accession.

C. Inquiries on the entities which received the reallocations can be made to the relevant organization which will provide the information within 10 days.

D. In situations where goods have been shipped from their port of origin before 31 December of any year, but are entered after 31 December of that year, the People's Republic of China shall extend the validity of the tariff quota documents and shall count such shipments against the tariff quota allocation for the year in which the tariff quota

Consultations:

7. With a view to maintaining a transparent and open tariff quota system, upon request from any WTO Member, China shall consult with the Member on the administration of the tariff quota to ensure that the tariff quota will be allocated in a transparent, equitable and non-discriminatory manner and that the tariff quota will be fully utilized.

Notes:

1. The share of the tariff-quota reserved for importation through state-trading enterprises is specified in column 7 of Part III. The remainder of the tariff-quota quantity is reserved for importation through any non-state trading enterprise possessing the right to trade in any product as set forth in Section 5 of the Protocol of Accession.
In any year, if the quantity of the tariff-quota reserved for importation through state-trading enterprises has not been contracted for by 15 August, quota-holders will have the right to trade or to import through any entity with the right to trade any product under Section 5 of the Protocol of Accession.
2. All quota holders, that have already fully used or contracted their tariff-quota allocations in any year by 15 September will also be eligible for reallocation of tariff-quota from other quota holders that have returned their allocations.
3. The quota quantities after the end of the implementation period will be the subject of further negotiation. Unless new quota quantities are agreed, the quantities at the end of the implementation period will continue.
4. The relevant organization referred to above for inquiries, allocations, and reallocations shall be:
(a) for fertilizer, the State Economic and Trade Commission (SETC);
(b) for wool top, the State Development and Planning Commission (SDPC).
5. After 1 January 2006, any annual growth in TRQ amounts provided to a fertilizer product subject to a TRQ shall be provided to all fertilizer products subject to a TRQ, including annual growth rates exceeding those provided for in this schedule.

Description of products	Tariff item number	Initial quota quantity and in-quota tariff rate	Final quota quantity and inquota tariff rate	Implementation period	Initial negotiating right	Other terms and conditions
Diammonium hydrogenorthophosphate (diammonium phosphate)	31053000	5,400,000 mt 4%	6,900,000 mt 4%	2006 (See Note 3)	US	1) STE quantity = 90% to 51% (See Note 1), decreasing 5 percentage points per year until reaching 51% in year 9. 2) The tariff quota level will be increased by 5% annually.
Urea	31021000	1,300,000 mt 4%	3,300,000 mt 4%	2006 (See Note 3)	AU,MY,US	1)STE quantity = 90% (See Note 1); 2) Year 2 - 1,300,000 mt Year 3 - 1,800,000 mt Year 4 - 2,300,000 mt Year 5 - 2,800,000 mt
NPK	31052000	2,700,000 mt 4%			CE15,MY,PH	1) Non-state trading share of 10% on accession increasing in equal steps to 49% over 8 years; 2) A 5% annual growth rate; 3) The growth rate will be reviewed with Members having an interest not before the end of the 6 year implementation period, following which it may be amended by agreement.
Wool tops	51051000 51052100 51052900	68,750 mt 3% 3% 3%	80,000 mt 3% 3% 3%	2004	AU,CL,CO,MY,NZ, UY	1)The People's Republic of China will allocate access to the WTO Members taking into account their bilateral historical trade flows. 2) Year: TRQ quantity: 2002 72,500 mt 2003 76,250 mt 2004 80,000 mt

WORLD TRADE ORGANIZATION

RESTRICTED

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31 July 2001

(01-3807)

Working Party on the Accession of China

DRAFT REPORT OF THE WORKING PARTY ON THE ACCESSION OF CHINA

Draft Schedule – China

Part II – Draft Schedule of Specific Commitments on Services

Addendum

In accordance with WTO accession procedures, the Draft Schedule of Specific Commitments on Services of China is attached for examination and technical verification by Members of the Working Party and China. For the facility of Members, the document has been forwarded, where possible, through electronic mail.

Proposals for technical corrections, if any, should be sent to Mr. Peter Milthorp[1] in the WTO Secretariat by 10 August 2001 at the latest for transmission to China and Members of the Working Party.

[1] Room 1132, telephone 739 5016, e-mail peter.milthorp@wto.org.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	(3) In China, foreign invested enterprises include foreign capital enterprises (also referred to as wholly foreign-owned enterprises) and joint venture enterprises and there are two types of joint venture enterprises: equity joint ventures and contractual joint ventures.[2] The proportion of foreign investment in an equity joint venture shall be no less than 25 per cent of the registered capital of the joint venture. The establishment of branches by foreign enterprises is unbound, unless otherwise indicated in specific sub-sectors, as the laws and regulations on branches of foreign enterprises are under formulation. Representative offices of foreign enterprises are permitted to be established in China, but they shall not engage in any profit-making activities except for the representative offices under CPC 861, 862, 863, 865 in the sectoral specific commitments.	(3) Unbound for all the existing subsidies to domestic services suppliers in the sectors of audio-visual, aviation and medical services.	

[2] The terms of the contract, concluded in accordance with China's laws, regulations and other measures, establishing a "contractual joint venture" govern matters such as the manner of operation and management of the joint venture as well as the investment or other contributions of the joint venture parties. Equity participation by all parties to the contractual joint venture is not required, but is determined pursuant to the joint venture contract.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	The conditions of ownership, operation and scope of activities, as set out in the respective contractual or shareholder agreement or in a license establishing or authorizing the operation or supply of services by an existing foreign service supplier, will not be made more restrictive than they exist as of the date of China's accession to the WTO. The land in the People's Republic of China is State-owned. Use of land by enterprises and individuals is subject to the following maximum term limitations: (a) 70 years for residential purposes; (b) 50 years for industrial purposes; (c) 50 years for the purpose of education, science, culture, public health and physical education; (d) 40 years for commercial, tourist and recreational purposes; (e) 50 years for comprehensive utilization or other purposes. (4) Unbound except for measures concerning the entry and temporary stay of natural persons who fall into one of the following categories: (a) Managers, executives and specialists defined as senior employees of a corporation of a WTO Member that has established a representative office, branch or subsidiary in the territory of the People's Republic of China, temporarily moving as intra-corporate transferees, shall be permitted entry for an initial stay of three years;	(4) Unbound except for the measures concerning the entry and temporary stay of natural persons who fall into the categories referred to in the market access column.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	(b) Managers, executives and specialists defined as senior employees of a corporation of other WTO Members, being engaged in the foreign invested enterprises in the territory of the People's Republic of China for conducting business, shall be granted a long-term stay permit as stipulated in the terms of contracts concerned or an initial stay of three years, whichever is shorter; (c) Service salespersons -- persons not based in the territory of the People's Republic of China and receiving no remuneration from a source located within China, and who are engaged in activities related to representing a service supplier for the purpose of negotiation for the sale of services of that supplier where (a) such sales are not directly made to the general public and (b) the salesperson is not engaged in supplying the service: entry for salespersons is limited to a 90-day period.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
A. Professional Services (a) Legal Services (CPC 861)	Business scope of foreign representative offices is only as follows: (a) to provide clients with consultancy on the legislation of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work, and on international conventions and practices; (b) to handle, when entrusted by clients or Chinese law firms, legal affairs of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work; (c) to entrust, on behalf of foreign clients, Chinese law firms to deal with the Chinese legal affairs; (d) to enter into contracts to maintain long-term entrustment relations with Chinese law firms for legal affairs; (e) to provide information on the impact of the Chinese legal environment. Entrustment allows the foreign representative office to directly instruct lawyers in the entrusted Chinese law firm, as agreed between both parties. The representatives of a foreign law firm shall be practitioner lawyers who are members of the bar or law society in a WTO member and have practiced for no less than two years outside of China. The Chief representative shall be a partner or equivalent (e.g., member of a law firm of a limited liability corporation) of a law firm of a WTO member and have practiced for no less than three years. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
b. Accounting, auditing and bookkeeping services (CPC 862)	(1) None (2) None (3) Partnerships or incorporated accounting firms are limited to Certified Public Accountants (CPAs) licensed by the Chinese authorities. (4) Unbound except as indicted in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicted in Horizontal Commitments.	Foreign accounting firms are permitted to affiliate with Chinese firms and enter into contractual agreements with their affiliated firms in other WTO members. Upon accession to the WTO, issuance of licenses to those foreigners who have passed the Chinese national CPA examination shall be accorded national treatment. Applicants will be informed of results in writing no later than 30 days after submission of their applications. Existing contractual joint venture accounting firms are not limited only to CPAs licensed by Chinese authorities. Accounting firms providing services in CPC 862 can engage in taxation and management consulting services. They will not be subject to requirements on form of establishment in CPC 865 and 8630.
c. Taxation services (CPC 8630)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. None, within six years of China's accession, foreign firms will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
d. Architectural services (CPC 8671) e. Engineering services (CPC 8672) f. Integrated engineering services (CPC 8673) g. Urban planning services (except general urban planning) (CPC 8674)	(1) None for scheme design Co-operation with Chinese professional organisations is required except scheme design (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. Within five years after China's accession to the WTO, wholly foreign-owned Enterprises will be permitted (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) Foreign service suppliers shall be registered architects/engineers, or enterprises engaged in architectural/engineering/urban planning services, in their home country (4) Unbound, except as indicated in Horizontal Commitments	
h. Medical and dental services (CPC 9312)	(1) None (2) None (3) Foreign service suppliers are permitted to establish joint venture hospitals or clinics with Chinese partners with quantitative limitations in line with China's needs, with foreign majority ownership permitted. (4) Unbound, except as indicated in Horizontal Commitments and as follows: - Foreign doctors with professional certificates issued by their home country shall be permitted to provide short-term medical services in China after they obtain licenses from the Ministry of Public Health. The term of service is six months and may extend to one year.	(1) None (2) None (3) The majority of doctors and medical personnel of the joint venture hospital and clinics shall be of Chinese nationality. (4) Unbound, except as indicated in Horizontal Commitments	
B. Computer and Related Services a. Consultancy services related to the installation of computer hardware (CPC 841)	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
b. Software implementation services (CPC 842) - Systems and software consulting services (CPC 8421) - Systems analysis services (CPC 8422)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	
- Systems design services (CPC 8423) - Programming services (CPC 8424) - Systems maintenance services (CPC 8425)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	
c. Data processing services (CPC 843) - Input preparation services (CPC 8431)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	
- Data processing and tabulation services (CPC 8432) - Time-sharing services (CPC 8433)	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
D. Real Estate Services a. Real estate services involving own or leased property (CPC 821)	(1) None (2) None (3) None except for the following: Wholly foreign-owned enterprises are not permitted for high standard real estate projects[1], such as apartments and office buildings, but excluding luxury hotels. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
b. Real estate services on a fee or contract basis (CPC 822)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
F. Other Business Services a. Advertising Services (CPC 871)	(1) Only through advertising agents registered in China who have the right to provide foreign advertising services. (2) Only through advertising agents registered in China who have the right to provide foreign advertising services. (3) Foreign service suppliers are permitted to establish advertising enterprises in China only in the form of joint ventures with foreign investment no more than 49 per cent. Within two years after China's accession, foreign majority ownership will be permitted and within four years after China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

[1] High standard real estate projects refer to the real estate projects with construction costs per unit two times more than the average construction costs per unit in the same city.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
c. Management Consulting services (CPC 865)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. None, within six years of China's accession, foreign firms will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
e. Technical testing and analysis services (CPC 8676) and freight inspection covered by (CPC 749), excluding statutory inspection services for freight inspection services	(1) None (2) None (3) Foreign services suppliers which have been engaged in inspection services in their home countries for more than three years are permitted to establish joint venture technical testing, analysis and freight inspection companies with no less than US$ 350,000 in registered capital. Within two years after China's accession, foreign majority ownership will be permitted and within four years after China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
f. Services incidental to agriculture, forestry, hunting and fishing (CPC 881, 882)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
m. Related scientific technical consulting services (CPC 8675)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
- Offshore oil-field services geological, geophysical and other scientific prospecting services (CPC 86751) Sub-surface surveying services (CPC 86752)	(1) None (2) None (3) Only in the form of petroleum exploitation in cooperation with Chinese partners (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
- Onshore oil-field services	(1) None (2) None (3) Only in the form of petroleum exploitation in cooperation with China National Petroleum Corp. (CNPC) in the designated areas approved by the Chinese government. 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. 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. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) The foreign service supplier shall furnish CNPC accurately and promptly with the reports on the petroleum operations, and shall submit to CNPC the data and samples as well as various technological, economic, accounting and administrative reports related to petroleum operations. CNPC shall have the ownership of all of the data records, samples, vouchers and other original information acquired during the implementation of the petroleum operations. The investment of foreign service suppliers shall be made in US dollars or other hard currencies. (4) Unbound except as indicated in Horizontal Commitments.	
p. Photographic services (CPC 875)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
q. Packaging services (CPC 876)	(1) None (2) None (3) Foreign service suppliers will be permitted to establish joint venture in China. Within one year after China's accession, foreign majority ownership will be permitted. Within three years after China's accession, foreign service suppliers will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
s. Convention services (CPC 87909)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
t. Translation and interpretation services (CPC 87905)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: three years of experience in translation or interpretation and a good command of the working language(s).	
- Maintenance and repair services (CPC 63, 6112 and 6122) - Maintenance and repair services of office machinery and equipment including computers (CPC 845 and 886) - Rental and leasing services (CPC 831, 832, excluding CPC 83202)	(1) None (2) None (3) Only in the form of joint ventures. Within one year after China's accession, foreign majority ownership will be permitted. Within three years after China's accession, wholly foreign-owned subsidiaries will be permitted. For Rental and Leasing services, service suppliers will have global assets of US$ 5 million. (4) Unbound, except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	
2. COMMUNICATION SERVICES B. Courier Services (CPC 75121, except for those currently specifically reserved to Chinese postal authorities by law.)	(1) None (2) None (3) Upon accession, foreign service suppliers will be permitted to establish joint ventures with foreign investment not exceeding 49 per cent. Within one year after China's accession, foreign majority ownership will be permitted. Within four years after China's accession, foreign service suppliers will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
C. Telecommunication Services[1,2,3] Value-added Services Including the following: h. Electronic mail 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)	(1) See mode 3 (2) None (3) Foreign service suppliers will be permitted to establish joint venture value-added telecommunication enterprises, without quantitative restrictions, and provide services in the cities of Shanghai, Guangzhou and Beijing. Foreign investment in joint venture shall be no more than 30 per cent. Within one year after China's accession, the areas will be expanded to include Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 49 per cent. Within two years after China's accession, there will be no geographic restriction and foreign investment shall be no more than 50 per cent.	(1) None (2) None (3) None	China undertakes the obligations contained in the reference paper attached hereto.
m. Code and protocol conversion n. On-line information and/or data processing (including transaction processing)	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

1 China's commitments are scheduled in accordance with the following: Notes for Scheduling Basic Telecom Services Commitments (S/GBT/W/2/REV/1) and Market Access Limitations on Spectrum Availability (S/GBT/W/3) attached hereto.

2 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.

3 Further liberalization of this sector, including with respect to the level of equity participation permitted, will be discussed in the services negotiations during the new round of trade talks.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
Basic Telecommunication Services - Paging Services	(1) See mode 3 (2) None (3) Foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in joint venture shall be no more than 30 per cent. Within one year after China's accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 49 per cent. Within two years after China's accession, there will be no geographic restriction and foreign investment shall be no more than 50 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	China undertakes the obligations contained in Annex 1 attached hereto.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
Mobile Voice and Data Services: - Analogue/Digital/ Cellular Services - Personal Communication Services	(1) See mode 3 (2) None (3) Upon China's accession, foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in the joint venture shall be no more than 25 per cent. Within one year after accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 35 per cent. Within three years after accession, foreign investment shall be no more than 49 per cent. Within five years after accession, there will be no geographic restriction. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
- 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 - International Services 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)	(1) See mode 3 (2) None (3) Within three years after China's accession, foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in the joint venture shall be no more than 25 per cent. Within five years after accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan. And foreign investment shall be no more than 35 per cent. Within six years after accession, there will be no geographic restriction and foreign investment shall be no more than 49 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
D. Audiovisual Services - Videos, including entertainment software and (CPC 83202), distribution services - Sound recording distribution services	(1) None (2) None (3) Upon accession, foreign services suppliers will be permitted to establish joint ventures with Chinese partners with foreign investment less than 49 per cent to engage in the distribution of audiovisual products, excluding motion pictures, without prejudice to China's right to examine the content of audio and video products. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	Without prejudice to compliance with China's regulations on the administration of films, upon accession, China will allow the importation of motion pictures for theatrical release on a revenue-sharing basis and the number of such imports shall be 20 on an annual basis.
- Cinema Theater Services	(1) None (2) None (3) Upon accession, foreign services suppliers will be permitted to construct and/or renovate cinema theaters, with foreign investment no more than 49 per cent. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES (CPC 511, 512, 513[1] 514, 515, 516, 517, 518[2])	(1) Unbound[3] (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. Within three years after China's accession to the WTO, wholly foreign-owned enterprises will be permitted. Wholly foreign-owned enterprises can only undertake the following four types of construction projects. 1. Construction projects wholly financed by foreign investment and/or grants. 2. Construction projects financed by loans of international financial institutions and awarded through international tendering according to the terms of loans. 3. Chinese-foreign jointly constructed projects with foreign investment equal to or more than 50 per cent; and Chinese-foreign jointly constructed projects with foreign investment less than 50 per cent but technically difficult to be implemented by Chinese construction enterprises alone	(1) Unbound[3] (2) None (3) None except for the following: (a) The existing registered capital requirements for joint venture construction enterprises are slightly different from those of the domestic enterprises. (b) Joint venture construction enterprises are allowed only to undertake foreign-invested construction projects. Within three years after China's accession to the WTO, none.	
	4. Chinese invested construction projects which are difficult to be implemented by Chinese construction enterprises alone can be jointly undertaken by Chinese and foreign construction enterprises with the approval of provincial government (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

[1] Including dredging services relating to infrastructure construction.

[2] 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.

[3] Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
4. DISTRIBUTION SERVICES (as defined in Annex 2) A. Commission Agents' Services (excluding salt, tobacco) B. Wholesale Trade services[1] (excluding salt, tobacco)	(1) Unbound (2) None (3) Within one year after China's accession to the WTO, foreign service suppliers may establish joint ventures to engage in the wholesale business of all imported and domestically produced products, except those products that immediately follow. For these products, foreign service suppliers will be permitted to engage in the distribution of books, newspapers, magazines, pharmaceutical products, pesticides and mulching films within three years after China's accession, and to engage in the distribution of chemical fertilizers, processed oil and crude oil within five years after China's accession. Within two years after China's accession to the WTO, foreign majority ownership will be permitted and no geographic or quantitative restrictions will apply. None, within three years after accession, except for chemical fertilizers, processed oil and crude oil within five years after accession. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	Foreign-invested enterprises are permitted to distribute their products manufactured in China, including the products listed in the market access or sector or sub-sector column, and provide subordinate services as defined in Annex 2. Foreign service suppliers may provide the full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.

[1] The restrictions on mode 1 shall not undermine the rights of WTO Members to the right to trade as stipulated in Chapter 5 of China's Protocol of accession to the WTO.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
C. Retailing Services (CPC 61 and 63, excluding tobacco)	(1) Unbound except for mail order. (2) None (3) Foreign service suppliers may supply services only in forms of joint ventures in five Special Economic Zones (Shenzhen, Zhuhai, Shantou, Xiamen and Hainan) and six cities (Beijing, Shanghai, Tianjin, Guangzhou, Dalian and Qingdao). In Beijing and Shanghai, a total of no more than four joint venture retailing enterprises are permitted respectively. In each of the other cities, no more than two joint venture retailing enterprises will be permitted. Two joint venture retailing enterprises among the four to be established in Beijing may set up their branches in the same city (i.e. Beijing). Upon China's accession to the WTO, Zhengzhou and Wuhan will be immediately open to joint venture retailing enterprises. Within two years after China's accession to the WTO, foreign majority control will be permitted in joint venture retailing enterprises and all provincial capitals, Chongqing and Ningbo will be open to joint venture retailing enterprises.	(1) Unbound except mail order. (2) None (3) None	Foreign-invested enterprises may distribute their products manufactured in China, including those excepted products as listed in the market access or sector or sub-sector column, and provide subordinate services as defined in Annex 2. Foreign service suppliers will be permitted to provide full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	Foreign service suppliers will be permitted to engage in the retailing of all products, except for the retailing of books, newspapers and magazines within one year after accession, the retailing of pharmaceutical products, pesticides, mulching films and processed oil within three years after accession and retailing of chemical fertilizers within dive years after accession. None, within three years after accession, except for: - chemical fertilizers, within five years after accession; and - those chain stores which sell products of different types and brands from multiple suppliers with more than 30 outlets. For such chains stores with more than 30 outlets, foreign majority ownership will not be permitted if those chain stores distribute any of the following products: motor vehicles (for a period of five years after accession at which time the equity limitation will have been eliminated), and products listed above and in Annex 2a of the Protocol of China's WTO Accession. The foreign chain store operators will have the freedom of choice of any partner, legally established in China according to China's laws and regulations. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
D. Franchising	(1) None (2) None (3) Within three years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Within three years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	
E. Wholesale or retail trade services away from a fixed location. For all sub-sectors listed in Annex 2	(1) None (2) None (3) Within three years after China's accession to the WTO, none*. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Within three years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	
5. EDUCATIONAL SERVICES (Excluding special education services e.g. military, police, political and party school education) A. Primary education services (CPC 921, excluding national compulsory education in CPC 92190) B. Secondary education services (CPC 922, excluding national compulsory education in CPC 92210)	(1) Unbound (2) None (3) Joint schools will be established, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments and the following: - foreign individual education service suppliers may enter into China to provide education services when invited or employed by Chinese schools and other education institutions.	(1) Unbound (2) None (3) Unbound (4) Qualifications are as follows: - possession of Bachelor's degree - or above and an appropriate professional title or certificate, with two years' professional experiences.	

* See paragraph [321] of the Working Party Report.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
C. Higher education services (CPC 923) D. Adult education services (CPC 924) E. Other education services (CPC 929, including English language training)			
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)	(1) Unbound except for environmental consultation services. (2) None (3) Foreign services suppliers engaged in environmental services are permitted to provide services only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments	
F. Other Environmental Protection Services (CPC 9409) G. Sanitation Services (CPC 9403)		.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
7. FINANCIAL SERVICES A. All Insurance and Insurance-Related Services[1] a. Life, health and pension/annuities insurance b. Non-life insurance c. Reinsurance d. Services auxiliary to insurance	(1) Unbound except for : a) international marine, aviation, and transport insurance and reinsurance; b) brokerage for insurance of large scale commercial risks, brokerage for insurance and brokerage for international marine, aviation, and transport insurance and reinsurance. (2) Unbound for brokerage. Other, none. (3) A. Form of establishment Foreign non-life insurers will be permitted to establish as a branch or as a joint venture with 51 per cent foreign ownership. Within two years after China's accession, foreign non-life insurers will be permitted to establish as a wholly-owned subsidiary; i.e., with no form of establishment restrictions. Upon accession, foreign life insurers will be permitted 50 per cent foreign ownership in a joint venture with the partner of their choice. The joint venture partners can freely agree the terms of their engagement, provided they remain within the limits of the commitments contained in this schedule.	(1) None (2) None (3) None, except for: - Foreign insurance institutions shall not engage in the statutory insurance business. - Upon accession, a 20 per cent cession of all lines of the primary risks for non-life, personal accident and health insurance business with an appointed Chinese Reinsurance Company shall be required; one year after accession, 15 per cent shall be required; two years after accession, ten per cent shall be required; and three years after accession, five per cent shall be required; and four years after accession, no compulsory cession shall be required.	

[1] Any further authorization provided to foreign insurers after accession under more favorable 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 (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	For brokerage for insurance of large scale commercial risks and brokerage for reinsurance and brokerage for international marine, aviation, and transport insurance and reinsurance: upon accession, joint venture with foreign equity no more than 50 per cent will be permitted; within three years after China's accession, foreign equity share shall be increased to 51 per cent; within five years after China's accession, wholly foreign owned subsidiary will be permitted. For other brokerage services: Unbound Internal branching for an insurance firm will be permitted consistent with the phase out of geographic restrictions. B. Geographic Coverage Upon accession, foreign life and non-life insurers, and insurance brokers will be permitted to provide services in Shanghai, Guangzhou, Dalian, Shenzhen and Foshan. Within two years after China's accession, foreign life and non-life insurers, and insurance brokers will be permitted to provide services in the following cities: Beijing, Chengdu, Chongqing, Fuzhou, Suzhou, Xiamen, Ningbo, Shenyang, Wuhan and Tianjin. Within three years after China's accession, there will be no geographic restrictions. C. Business Scope Upon accession, foreign non-life insurers will be 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 will be permitted to provide "Master policy" no later than Chinese brokers, under conditions no less favourable.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	Foreign non-life insurers are permitted only to provide insurance of enterprises abroad as well as property insurance, related liability insurance and credit insurance of foreign-invested enterprises in China upon accession. Within 2 years after China's accession, foreign non-life insurers will be permitted to provide the full range of non-life insurance services to both foreign and domestic clients. Foreign insurers are permitted to provide individual (not group) insurance to foreigners and Chinese citizens; within three years after accession, foreign insurers will be permitted to provide health insurance, group insurance and pension/annuities insurance to foreigners and Chinese. Upon accession, foreign insurers will be permitted to provide reinsurance services for life and non-life insurance as a branch, joint venture, or wholly foreign-owned subsidiary, without geographic or quantitative restrictions on the number of licenses issued. D. Licenses: Upon accession, licenses will be issued with no economic needs test or quantitative limits on licenses. Qualifications for establishing a foreign insurance institution are as follows: - the investor shall be a foreign insurance company with more than 30 years of establishment experience in a WTO member; - it shall have a representative office for two consecutive years in China;		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	- it shall have total assets of more than US $5 billion at the end of the year prior to application, except for insurance brokers. Insurance brokers shall have total assets of more than US$ 500 million. Within one year after accession, they shall have total assets of more than US$ 400 million. Within two years after accession, they shall have total assets of more than US$ 300 million Within four years after accession, they shall have total assets of more than US$ 200 million. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	
B. Banking and Other Financial Services (excluding insurance and securities) Banking services as listed below: a. Acceptance of deposits and other repayable funds from the public; b. Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction; c. Financial leasing;	(1) Unbound except for the following: - 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. (2) None (3) A. Geographic coverage. For foreign currency business, there will be no geographic restriction upon accession. For local currency business, the geographic restriction will be phased out as follows: Upon accession, Shanghai, Shenzhen, Tianjin and Dalian; Within one year after accession, Guangzhou, Zhuhai, Qingdao, Nanjing and Wuhan; within two years after accession, Jinan, Fuzhou, Chengdu and Chongqing; within three years after accession, Kunming, Beijing and Xiamen; Within four years after accession, Shantou, Ningbo, Shenyang and Xian. Within five years after accession, all geographic restrictions will be removed.	(1) None (2) None (3) Except for geographic restrictions and client limitations on local currency business (listed in the market access column), 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 (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
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.	B Clients. For foreign currency business, foreign financial institutions will be permitted to provide services in China without restriction as to clients upon accession. For local currency business, within two years after accession, foreign financial institutions will be permitted to provide services to Chinese enterprises. Within five years after accession, foreign financial institutions will be permitted to provide services to all Chinese clients. Foreign financial institutions licensed for local currency business in one region of China may service clients in any other region that has been opened for such business. C: Licensing. Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). Within five years after accession, any existing non-prudential measures restricting ownership, operation, and juridical form of foreign financial institutions, including on internal branching and licenses, shall be eliminated. Foreign financial institutions who meet the following condition are permitted to establish a subsidiary of a foreign bank or a foreign finance company in China: - total assets of more than US $10 billion at the end of the year prior to filing the application. Foreign financial institutions who meet the following condition are permitted to establish a branch of a foreign bank in China:		For financial leasing services, foreign financial leasing corporations will be permitted to provide financial leasing service at the same time as domestic corporations.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	- total assets of more than US $20 billion at the end of the year prior to filing the application. Foreign financial institutions who meet the following condition are permitted to establish a Chinese-foreign joint bank or a Chinese-foreign joint finance company in China: - total assets of more than US $10 billion at the end of the year prior to filing the application; Qualifications for foreign financial institutions to engage in local currency business are as follows: - three years business operation in China and being profitable for two consecutive years prior to the application; (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	
- Motor vehicle financing by non-bank financial institutions	(1) Unbound except for the following: - 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. (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
- 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 research and advice, advice on acquisitions and on corporate restructuring and strategy.	(1) None (2) None (3) None (Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). Branches of foreign institutions are permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
- Securities	(1) Unbound except for the following: - Foreign securities institutions may engage directly (without Chinese intermediary) in B share business. (2) None (3) a. Unbound, except for the following: Upon accession, representative offices in China of foreign securities institutions may become Special Members of all Chinese stock exchanges. Upon accession, foreign service suppliers will be permitted to establish joint ventures with foreign investment less than 33 per cent to conduct domestic securities investment fund management business. Within three years after China's accession, foreign investment shall be increased to 49 per cent. Within three years after accession, foreign securities institutions will be permitted to establish joint ventures, with foreign minority ownership not exceeding 1/3, to engage (without Chinese intermediary) in underwriting A shares and in underwriting and trading of B and H shares as well as government and corporate debts, launching of funds. b. Criteria for authorization to deal in China's financial industry are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
9. TOURISM AND TRAVEL RELATED SERVICES A. Hotels (including apartment buildings) and Restaurants (CPC 641-643)	(1) None (2) None (3) Foreign services suppliers may construct, renovate and operate hotel and restaurant establishments in China in the form of joint ventures with foreign majority ownership permitted. Within four years after accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound, except as indicated in Horizontal Commitments and as follows: - Foreign managers, specialists including chefs and senior executives who have signed contracts with joint venture hotels and restaurants in China shall be permitted to provide services in China.	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	
B. Travel Agency and Tour Operator (CPC 7471)	(1) None (2) None (3) Foreign services suppliers who meet the following conditions are permitted to provide services in the form of joint venture travel agencies and tour operators in the holiday resorts designated by the Chinese government and in the cities of Beijing, Shanghai, Guangzhou and Xi'an upon accession: a) a travel agency and tour operator mainly engaged in travel business; b) Annual world-wide turnover exceeds US$ 40 million.	1) None 2) None 3) None except that joint ventures or wholly foreign-owned travel agencies and tour operators are not permitted to engage in the activities of Chinese travelling abroad and to Hong Kong China, Macao China and Chinese Taipei	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	Within three years after accession foreign majority ownership will be permitted. Within six years after accession, wholly foreign-owned subsidiaries will be permitted and geographic restrictions will be removed. e registered capital of joint venture travel agency/tour operator shall be no less than RMB 4 million. Within three years after China's accession, the registered capital shall be no less than RMB 2.5 million. The business scope of the travel agency/ tour operator is as follows: a) travel and hotel accommodation services for foreign travellers which can be made directly with transportation and hotel operators in China covering such operations; b) travel services and hotel accommodation services for domestic travellers which can be made directly with transportation and hotel operators in China covering such operations; c) conducting of tours within China for both domestic and foreign travellers, and d) travellers check cashing services within China. Within six years after accession, there will be no restriction on the establishment of branches of the joint venture travel agency/tour operator. And the requirement on registered capital of foreign-invested travel agency/tour operator will be the same as that of Chinese travel agency/tour operator. 4) Unbound, except as indicated in Horizontal Commitments.	4) Unbound, except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
11. TRANSPORT SERVICES A. Maritime Transport Services - International transport (freight and passengers) (CPC 7211 and 7212 less cabotage transport services)	(1) (a) Liner shipping (including passenger transportation): None (b) Bulk, tramp and other international shipping (including passenger transportation): None (2) None (3) (a) Establishment of registered companies for the purpose of operating a fleet under the national flag of the People's Republic of China: - Foreign service suppliers are permitted to establish joint venture shipping companies. - Foreign investment shall not exceed 49 per cent of the total registered capital of the joint venture. - The chairman of board of directors and the general manager of the joint venture shall be appointed by the Chinese side. (b) Other forms of commercial presence for the supply of international maritime transport services: Unbound (4) (a) Ship's crew: Unbound except as indicated in Horizontal Commitments. (b) Key personnel employed by Commercial Presence as defined under mode (3) (b) above: Unbound except as indicated in Horizontal Commitments.	(1) (a) None (b) None (2) None (3) (a) None (b) Unbound (4) (a) Unbound except as indicated in Horizontal Commitments. (b) Unbound except as indicated in Horizontal Commitments.	The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: 1. Pilotage 2. Towing and tug assistance 3. Provisioning, fueling and watering 4. Garbage collecting and ballast waste disposal 5. Port Captain's services 6. Navigation aids 7. Shore-based operational services essential to ship operations, including communications, water and electrical supplies 8. Emergency repair facilities 9. Anchorage, berth and berthing services.
H. Auxiliary Services a. Maritime cargo-handling services (CPC 741) c. Customs clearance services for maritime transport	(1) Unbound* (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

* Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
d. Container station and depot services	(1) Unbound* (2) None (3) Only in forms of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
e. Maritime agency services	(1) None (2) None (3) Only in forms of joint ventures, with foreign equity share no more than 49 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
B. Internal Waterways Transport b. Freight transport (CPC 7222)	(1) Only international shipping in ports open to foreign vessels shall be permitted. (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	(1) Limitations as indicated under market access column. (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments	
C. Air Transport Services d. Aircraft repair and maintenance services (CPC 8868)	(1) Unbound* (2) None (3) Foreign service suppliers are permitted to establish joint venture aircraft repair and maintenance enterprises in China. The Chinese side shall hold controlling shares or be in a dominant position in the joint ventures. Licenses for the establishments of joint ventures are subject to economic needs test. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) The joint ventures are allowed only to undertake business in the international market. (4) Unbound except as indicated in Horizontal Commitments.	

* Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
- Computer reservation System (CRS) services	(1) A. Foreign Computer Reservation System, when having agreements with Chinese aviation enterprises and Chinese Computer Reservation System, may provide services to Chinese aviation enterprises and Chinese aviation agents by connecting with Chinese Computer Reservation System. B. 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. C. 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 General Administration of Civil Aviation of China (CAAC). (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	
E. Rail Transport Services F. Road Transport Services - Freight transportation by rail (CPC7112) - Freight transportation by road in trucks or cars (CPC7123)	(1) None (2) None 3) Only in the form of joint ventures, with foreign investment not to exceed 49 per cent. - For rail transport, within three years after China's accession, foreign majority ownership will be permitted and within six years after China's accession, wholly foreign-owned subsidiaries will be permitted. - For road transport, within one year after China's accession, foreign majority ownership will be permitted. Within three years after China's accession, wholly foreign-owned subsidiaries will be permitted.	(1) None (2) None (3) Unbound	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	(4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	
- Storage and warehousing services (CPC742)	1) Unbound 2) None 3) Upon accession, only in the form of joint ventures, with foreign investment not to exceed 49 per cent. Within one year after China's accession, foreign majority ownership will be permitted and within three years of China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments	
- Freight forwarding agency services (CPC 748 and 749 excluding freight inspection)	(1) None (2) None (3) Upon accession, foreign freight forwarding agencies which have at least three consecutive years experience are permitted to set up freight forwarding agency joint ventures in China, with foreign investment not to exceed 50 per cent; within one year after China's accession, foreign majority ownership will be permitted. Within four years after China's accession, wholly foreign-owned subsidiaries will be permitted. The minimum registered capital of the joint venture shall be no less than US$ 1 million. Within four years after accession, national treatment will be accorded in this respect. Operation term of the joint ventures shall not exceed 20 years. After one year operating in China, the joint venture can set up branches when the registered capital of both sides has been provided. Another US$ 120,000 shall be added to the original registered capital of the joint venture for the set-up of each branch. Within two years after China's accession to the WTO, this additional registered capital requirement will be implemented on the national treatment basis.	(1) None (2) None (3) None	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitment
	A foreign freight forwarding agency may set up a second joint venture after its first joint venture has been in operation for five years. Within two years after China's accession to WTO, this requirement will be reduced to two years. 4) Unbound except as indicated in Horizontal Commitments.	4) Unbound except as indicated in Horizontal Commitments.	

LIST OF ARTICLE II EXEMPTIONS FOR CHINA

Sector or Sub-sector	Description of Measures Indicating its Inconsistency with Article II	Countries to Which the Measures Applies	Intended Duration	Conditions Creating the Need for the Exemption
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.	Unforeseeable.	According to present state of trade between signatories.
	Agreements of cargo sharing.	Algeria, Argentina, Bangladesh, Brazil, Thailand, USA, Zaire.	Subject to the effective duration of the agreements concerned.	According to present state of trade between signatories.

ANNEX 1

Reference Paper

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that

(a) are exclusively or predominantly provided by a single or limited number of suppliers; and
(b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

(a) control over essential facilities; or
(b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

(a) engaging in anti-competitive cross-subsidization;
(b) using information obtained from competitors with anti-competitive results; and
(c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

2.2 Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided.

(a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
(b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
(c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4 Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

(a) at any time; or
(b) after a reasonable period of time which has been made publicly known

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

(a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence; and
(b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

WORLD TRADE ORGANIZATION

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Group on Basic Telecommunications

Note by the Chairman

Revision

It has been suggested by a number of delegations that it might be helpful to produce a brief and simple note on assumptions applicable to the scheduling of commitments in basic telecoms. The purpose of the attached note is to assist delegations in ensuring the transparency of their commitments and to promote a better understanding of the meaning of commitments. This note is not intended to have or acquire any binding legal status.

NOTES FOR SCHEDULING BASIC TELECOM SERVICES COMMITMENTS

1. Unless otherwise noted in the sector column, any basic telecom service listed in the sector column:

(a) encompasses local, long distance and international services for public and non-public use;

(b) may be provided on a facilities-basis or by resale; and

(c) may be provided through any means of technology (e.g., cable[3], wireless, satellites).

2. Subsector (g) --private leased circuit services -- involves the ability of service suppliers to sell or lease any type of network capacity for the supply of services listed in any other basic telecom service subsector unless otherwise noted in the sector column. This would include capacity via cable, satellite and wireless network.

3. In view of points 1 and 2 above, it should not be necessary to list cellular or mobile services as a separate subsector. However, a number of Members have done so, and a number of offers have commitments only in these subsectors. Therefore, in order to avoid extensive changes in schedules, it would seem appropriate for Members to maintain separate entries for these subsectors.

[3]Including all types of cable.

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CHAIRMAN'S NOTE

Market Access Limitations on Spectrum Availability

Many Members have entries in the market access column of their schedules indicating that commitments are "subject to availability of spectrum/frequency" or similar wording. In light of the physical nature of spectrum and the constraints inherent in its use, it is understandable that Members may have sought to rely on these words to adequately protect legitimate spectrum management policies. There is, however, doubt that words such as "subject to availability of spectrum/frequency" as listed in the market access column of many Members' schedules achieve that objective.

Spectrum/frequency management is not, *per se*, a measure which needs to be listed under Article XVI. Furthermore under the GATS each Member has the right to exercise spectrum/frequency management, which may affect the number of service suppliers, provided that this is done in accordance with Article VI and other relevant provisions of the GATS. This includes the ability to allocate frequency bands taking into account existing and future needs. Also, Members which have made additional commitment in line with the Reference Paper on regulatory principles are bound by its paragraph 6.

Therefore, words such as "subject to availability of spectrum/frequency" are unnecessary and should be deleted from Members' schedules.

ANNEX 2

Distribution Services

Distribution trade services are comprised of four main sub-sectors:

- commission agents services;
- wholesaling;
- retailing; and
- franchising.

The principal services rendered in each subsector can be characterized as reselling merchandise, accompanied by a variety of related subordinated services, including inventory management; assembly, sorting and grading of bulk lots; breaking bulk lots and redistributing into smaller lots; delivery services; refrigeration, storage, warehousing and garage services; sales promotion, marketing and advertising, installation and after sales services including maintenance and repair and training services. Distribution services are generally covered by CPC 61, 62, 63 and 8929. Commission Agents' Services consist of sales on a fee or contract basis by an agent, broker or auctioneer or other wholesalers of goods/merchandise and related subordinated services.

Wholesaling consist of the sale of goods/merchandise to retailers to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

Retailing services consist of the sale of goods/merchandise for personal or household consumption either from a fixed location (e.g., store, kiosk, etc.) or away from a fixed location and related subordinated services.

Franchising services consist of the sale of the use of a product, trade name or particular business format system in exchange for fees or royalties. Product and trade name franchising involves the use of a trade name in exchange for fees or royalties and may include an obligation for exclusive sale of trade name products. Business format franchising involves the use of an entire business concept in exchange for fees and royalties, and may include the use of a trade name, business plan, and training materials and related subordinated services.

ANNEX 3

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 authorized 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 can not be underwritten or co-insured by insurers located other than where the subject-insured are located, or covered under a master policy.

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WORLD TRADE ORGANIZATION

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Working Party on the Accession of China

DRAFT REPORT OF THE WORKING PARTY ON THE ACCESSION OF CHINA

Draft Schedule – China

Part II – Draft Schedule of Specific Commitments on Services

Revision

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	(3) In China, foreign invested enterprises include foreign capital enterprises (also referred to as wholly foreign-owned enterprises) and joint venture enterprises and there are two types of joint venture enterprises: equity joint ventures and contractual joint ventures.[1] The proportion of foreign investment in an equity joint venture shall be no less than 25 per cent of the registered capital of the joint venture. The establishment of branches by foreign enterprises is unbound, unless otherwise indicated in specific sub-sectors, as the laws and regulations on branches of foreign enterprises are under formulation. Representative offices of foreign enterprises are permitted to be established in China, but they shall not engage in any profit-making activities except for the representative offices under CPC 861, 862, 863, 865 in the sectoral specific commitments.	(3) Unbound for all the existing subsidies to domestic services suppliers in the sectors of audio-visual, aviation and medical services.	

[1] The terms of the contract, concluded in accordance with China's laws, regulations and other measures, establishing a "contractual joint venture" govern matters such as the manner of operation and management of the joint venture as well as the investment or other contributions of the joint venture parties. Equity participation by all parties to the contractual joint venture is not required, but is determined pursuant to the joint venture contract.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	The conditions of ownership, operation and scope of activities, as set out in the respective contractual or shareholder agreement or in a license establishing or authorizing the operation or supply of services by an existing foreign service supplier, will not be made more restrictive than they exist as of the date of China's accession to the WTO. The land in the People's Republic of China is State-owned. Use of land by enterprises and individuals is subject to the following maximum term limitations: (a) 70 years for residential purposes; (b) 50 years for industrial purposes; (c) 50 years for the purpose of education, science, culture, public health and physical education; (d) 40 years for commercial, tourist and recreational purposes; (e) 50 years for comprehensive utilization or other purposes. (4) Unbound except for measures concerning the entry and temporary stay of natural persons who fall into one of the following categories:	(4) Unbound except for the measures concerning the entry and temporary stay of natural persons who fall into the categories referred to in the market access column.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	(a) Managers, executives and specialists defined as senior employees of a corporation of a WTO Member that has established a representative office, branch or subsidiary in the territory of the People's Republic of China, temporarily moving as intra-corporate transferees, shall be permitted entry for an initial stay of three years; (b) Managers, executives and specialists defined as senior employees of a corporation of WTO Members, being engaged in the foreign invested enterprises in the territory of the People's Republic of China for conducting business, shall be granted a long-term stay permit as stipulated in the terms of contracts concerned or an initial stay of three years, whichever is shorter; (c) Service salespersons -- persons not based in the territory of the People's Republic of China and receiving no remuneration from a source located within China, and who are engaged in activities related to representing a service supplier for the purpose of negotiation for the sale of services of that supplier where: (a) such sales are not directly made to the general public and (b) the salesperson is not engaged in supplying the service: entry for salespersons is limited to a 90-day period.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
II. SPECIFIC COMMITMENTS			
A. Professional Services	Business scope of foreign representative offices is only as follows:		
a. Legal Services (CPC 861, excluding Chinese law practice)	(1) None (2) None (3) Foreign law firms can provide legal services only in the form of representative offices in Beijing, Shanghai, Guangzhou, Shenzhen, Haikou, Dalian, Qingdao, Ningbo, Yantai, Tianjin, Suzhou, Xiamen, Shuhai, Hanghou, Fuzhou, Wuhan, Chengdu, Shenyang and Kunming only. Representative offices can engage in profit-making activities. Representative offices in China shall be no less than the number established upon the date of accession. A foreign law firm can only establish one representative office in China. The above-mentioned geographic and quantitative limitations will be eliminated within one year after China's accession to the WTO.	(1) None (2) None (3) All representatives shall be resident in China no less than six months each year. The representative office shall not employ Chinese national registered lawyers outside of China.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	Business scope of foreign representative offices: (a) to provide clients with consultancy on the legislation of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work, and on international conventions and practices; (b) to handle, when entrusted by clients or Chinese law firms, legal affairs of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work; (c) to entrust, on behalf of foreign clients, Chinese law firms to deal with the Chinese legal affairs; (d) to enter into contracts to maintain long-term entrustment relations with Chinese law firms for legal affairs; (e) to provide information on the impact of the Chinese legal environment. Entrustment allows the foreign representative office to directly instruct lawyers in the entrusted Chinese law firm, as agreed between both parties.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	The representatives of a foreign law firm shall be practitioner lawyers who are members of the bar or law society in a WTO member and have practiced for no less than two years outside of China. The Chief representative shall be a partner or equivalent (e.g., member of a law firm of a limited liability corporation) of a law firm of a WTO member and have practiced for no less than three years outside of China. (4) Unbound except as indicated in Horizontal Commitments.	 (4) Unbound except as indicated in Horizontal Commitments.	
b. Accounting, auditing and bookkeeping services (CPC 862)	(1) None (2) None (3) Partnerships or incorporated accounting firms are limited to Certified Public Accountants (CPAs) licensed by the Chinese authorities. (4) Unbound except as indicted in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicted in Horizontal Commitments.	- Foreign accounting firms are permitted to affiliate with Chinese firms and enter into contractual agreements with their affiliated firms in other WTO members. - Upon accession to the WTO, issuance of licenses to those foreigners who have passed the Chinese national CPA examination shall be accorded national treatment. - Applicants will be informed of results in writing no later than 30 days after submission of their applications. - Existing contractual joint venture accounting firms are not limited only to CPAs licensed by Chinese authorities. - Accounting firms providing services in CPC 862 can engage in taxation and management consulting services. They will not be subject to requirements on form of establishment in CPC 865 and 8630.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
c. Taxation services (CPC 8630)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. None, within six years of China's accession, foreign firms will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
d. Architectural services (CPC 8671) e. Engineering services (CPC 8672) f. Integrated engineering services (CPC 8673) g. Urban planning services (except general urban planning) (CPC 8674)	(1) None for scheme design Co-operation with Chinese professional organisations is required except scheme design (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. Within five years after China's accession to the WTO, wholly foreign-owned enterprises will be permitted (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) Foreign service suppliers shall be registered architects/engineers, or enterprises engaged in architectural/engineering/urban planning services, in their home country (4) Unbound, except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
h. Medical and dental services (CPC 9312)	(1) None (2) None (3) Foreign service suppliers are permitted to establish joint venture hospitals or clinics with Chinese partners with quantitative limitations in line with China's needs, with foreign majority ownership permitted. (4) Unbound, except as indicated in Horizontal Commitments and as follows: Foreign doctors with professional certificates issued by their home country shall be permitted to provide short-term medical services in China after they obtain licenses from the Ministry of Public Health. The term of service is six months and may extend to one year.	(1) None (2) None (3) The majority of doctors and medical personnel of the joint venture hospital and clinics shall be of Chinese nationality. (4) Unbound, except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
B. Computer and Related Services a. Consultancy services related to the installation of computer hardware (CPC 841)	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	
b. Software implementation services (CPC 842) - Systems and software consulting services (CPC 8421) - Systems analysis services (CPC 8422) - Systems design services (CPC 8423) - Programming services (CPC 8424) - Systems maintenance services (CPC 8425) c. Data processing services (CPC 843) - Input preparation services (CPC 8431)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	
- Data processing and tabulation services (CPC 8432) - Time-sharing services (CPC 8433)	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
D. Real Estate Services	(1) None (2) None	(1) None (2) None	
a. Real estate services involving own or leased property (CPC 821)	(3) None except for the following: Wholly foreign-owned enterprises are not permitted for high standard real estate projects[2], such as apartments and office buildings, but excluding luxury hotels. (4) Unbound except as indicated in Horizontal Commitments.	(3) None (4) Unbound except as indicated in Horizontal Commitments.	
b. Real estate services on a fee or contract basis (CPC 822)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

[2] High standard real estate projects refer to the real estate projects with construction costs per unit two times more than the average construction costs per unit in the same city.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
F. Other Business Services a. Advertising Services (CPC 871)	(1) Only through advertising agents registered in China who have the right to provide foreign advertising services. (2) Only through advertising agents registered in China who have the right to provide foreign advertising services. (3) Foreign service suppliers are permitted to establish advertising enterprises in China only in the form of joint ventures with foreign investment no more than 49 per cent. Within two years after China's accession, foreign majority ownership will be permitted and within four years after China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
c. Management Consulting services (CPC 865)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. None, within six years of China's accession, foreign firms will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
e. Technical testing and analysis services (CPC 8676) and freight inspection covered by CPC 749, excluding statutory inspection services for freight inspection services	(1) None (2) None (3) Foreign services suppliers which have been engaged in inspection services in their home countries for more than three years are permitted to establish joint venture technical testing, analysis and freight inspection companies with no less than US$ 350,000 in registered capital. Within two years after China's accession, foreign majority ownership will be permitted and within four years after China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
f. Services incidental to agriculture, forestry, hunting and fishing (CPC 881, 882) m. Related scientific technical consulting services (CPC 8675)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
- Offshore oil-field services geological, geophysical and other scientific prospecting services (CPC 86751) Sub-surface surveying services (CPC 86752)	(1) None (2) None (3) Only in the form of petroleum exploitation in cooperation with Chinese partners (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- Onshore oil-field services	(1) None (2) None (3) Only in the form of petroleum exploitation in cooperation with China National Petroleum Corp. (CNPC) in the designated areas approved by the Chinese government. 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. 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. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) The foreign service supplier shall furnish CNPC accurately and promptly with the reports on the petroleum operations, and shall submit to CNPC the data and samples as well as various technological, economic, accounting and administrative reports related to petroleum operations. CNPC shall have the ownership of all of the data records, samples, vouchers and other original information acquired during the implementation of the petroleum operations. The investment of foreign service suppliers shall be made in US dollars or other hard currencies. (4) Unbound except as indicated in Horizontal Commitments.	
p. Photographic services (CPC 875)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
q. Packaging services (CPC 876)	(1) None (2) None (3) Foreign service suppliers will be permitted to establish joint venture in China. Within one year after China's accession, foreign majority ownership will be permitted. Within three years after China's accession, foreign service suppliers will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	
s. Convention services (CPC 87909)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
t. Translation and interpretation services (CPC 87905)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: three years of experience in translation or interpretation and a good command of the working language(s).	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- Maintenance and repair services (CPC 63, 6112 and 6122) - Maintenance and repair services of office machinery and equipment including computers (CPC 845 and 886) - Rental and leasing services (CPC 831, 832, excluding CPC 83202)	(1) None (2) None (3) Only in the form of joint ventures. Within one year after China's accession, foreign majority ownership will be permitted. Within three years after China's accession, wholly foreign-owned subsidiaries will be permitted. For Rental and Leasing services, service suppliers will have global assets of US$ 5 million. (4) Unbound, except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
2. COMMUNICATION SERVICES			
B. Courier Services (CPC 75121, except for those currently specifically reserved to Chinese postal authorities by law)	(1) None (2) None (3) Upon accession, foreign service suppliers will be permitted to establish joint ventures with foreign investment not exceeding 49 per cent. Within one year after China's accession, foreign majority ownership will be permitted. Within four years after China's accession, foreign service suppliers will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	
C. Telecommunication Services[3] Value-added Services Including the following: h. Electronic mail 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)	(1) See mode 3 (2) None (3) Foreign service suppliers will be permitted to establish joint venture value-added telecommunication enterprises, without quantitative restrictions, and provide services in the cities of Shanghai, Guangzhou and Beijing. Foreign investment in joint venture shall be no more than 30 per cent. Within one year after China's accession, the areas will be expanded to include Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo,	(1) None (2) None (3) None	China undertakes the obligations contained in the Reference Paper in Annex I attached hereto.

[3] China's commitments are scheduled in accordance with the following: Notes for Scheduling Basic Telecom Services Commitments (S/GBT/W/2/REV/1) and Market Access Limitations on Spectrum Availability (S/GBT/W/3) attached hereto.

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.

Further liberalization of this sector, including with respect to the level of equity participation permitted, will be discussed in the services negotiations during the new round of trade talks.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 49 per cent. Within two years after China's accession, there will be no geographic restriction and foreign investment shall be no more than 50 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	
Basic Telecommunication Services - Paging Services	(1) See mode 3 (2) None (3) Foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in joint venture shall be no more than 30 per cent. Within one year after China's accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 49 per cent. Within two years after China's accession, there will be no geographic restriction and foreign investment shall be no more than 50 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	China undertakes the obligations contained in the Reference Paper in Annex 1 attached hereto.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
Mobile Voice and Data Services: - Analogue / Digital / Cellular Services - Personal Communication Services	(1) See mode 3 (2) None (3) Upon China's accession, foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in the joint venture shall be no more than 25 per cent. Within one year after accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan and foreign investment shall be no more than 35 per cent. Within three years after accession, foreign investment shall be no more than 49 per cent. Within five years after accession, there will be no geographic restriction. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- 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 - International Services 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)	(1) See mode 3 (2) None (3) Within three years after China's accession, foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in the joint venture shall be no more than 25 per cent. Within five years after accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xian, Taiyuan and Wuhan. And foreign investment shall be no more than 35 per cent. Within six years after accession, there will be no geographic restriction and foreign investment shall be no more than 49 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
D. Audiovisual Services - Videos, including entertainment software and (CPC 83202), distribution services - Sound recording distribution services	(1) None (2) None (3) Upon accession, foreign services suppliers will be permitted to establish joint ventures with Chinese partners with foreign investment less than 49 per cent to engage in the distribution of audiovisual products, excluding motion pictures, without prejudice to China's right to examine the content of audio and video products. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	Without prejudice to compliance with China's regulations on the administration of films, upon accession, China will allow the importation of motion pictures for theatrical release on a revenue-sharing basis and the number of such imports shall be 20 on an annual basis.
- Cinema Theatre Services	(1) None (2) None (3) Upon accession, foreign services suppliers will be permitted to construct and/or renovate cinema theatres, with foreign investment no more than 49 per cent. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
(CPC 511, 512, 513[4], 514, 515, 516, 517, 518[5])	(1) Unbound* (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. Within three years after China's accession to the WTO, wholly foreign-owned enterprises will be permitted. Wholly foreign-owned enterprises can only undertake the following four types of construction projects. 1. Construction projects wholly financed by foreign investment and/or grants. 2. Construction projects financed by loans of international financial institutions and awarded through international tendering according to the terms of loans. 3. Chinese-foreign jointly constructed projects with foreign investment equal to or more than 50 per cent; and Chinese-foreign jointly constructed projects with foreign investment less than 50 per cent but technically difficult to be implemented by Chinese construction enterprises alone	(1) Unbound* (2) None (3) None except for the following: (a) The existing registered capital requirements for joint venture construction enterprises are slightly different from those of the domestic enterprises. (b) Joint venture construction enterprises have the obligation to undertake foreign-invested construction projects. Within three years after China's accession to the WTO, none.	

[4] Including dredging services relating to infrastructure construction.
[5] 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.
* Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	4. Chinese invested construction projects which are difficult to be implemented by Chinese construction enterprises alone can be jointly undertaken by Chinese and foreign construction enterprises with the approval of provincial government (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
4. DISTRIBUTION SERVICES			
(as defined in Annex 2) A. Commission Agents' Services (excluding salt, tobacco) B. Wholesale Trade Services[6] (excluding salt, tobacco)	(1) Unbound (2) None (3) Within one year after China's accession to the WTO, foreign service suppliers may establish joint ventures to engage in the commission agents' business and wholesale business of all imported and domestically produced products, except those products that immediately follow. For these products, foreign service suppliers will be permitted to engage in the distribution of books, newspapers, magazines, pharmaceutical products, pesticides and mulching films within three years after China's accession, and to engage in the distribution of chemical fertilizers, processed oil and crude oil within five years after China's accession. Within two years after China's accession to the WTO, foreign majority ownership will be permitted and no geographic or quantitative restrictions will apply. None, within three years after accession, except for chemical fertilizers, processed oil and crude oil within five years after accession. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	Foreign-invested enterprises are permitted to distribute their products manufactured in China, including the products listed in the market access or sector or sub-sector column, and provide subordinate services as defined in Annex 2. Foreign service suppliers are permitted to provide the full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.

[6] The restrictions on mode 1 shall not undermine the rights of WTO Members to the right to trade as stipulated in Chapter 5 of China's Protocol of accession to the WTO.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
C. Retailing Services	(1) Unbound except for mail order. (2) None (3) Foreign service suppliers may supply services only in forms of joint ventures in five Special Economic Zones (Shenzhen, Zhuhai, Shantou, Xiamen and Hainan) and six cities (Beijing, Shanghai, Tianjin, Guangzhou, Dalian and Qingdao). In Beijing and Shanghai, a total of no more than four joint venture retailing enterprises are permitted respectively. In each of the other cities, no more than two joint venture retailing enterprises will be permitted. Two joint venture retailing enterprises among the four to be established in Beijing may set up their branches in the same city (i.e. Beijing). Upon China's accession to the WTO, Zhengzhou and Wuhan will be immediately open to joint venture retailing enterprises. Within two years after China's accession to the WTO, foreign majority control will be permitted in joint venture retailing enterprises and all provincial capitals, Chongqing and Ningbo will be open to joint venture retailing enterprises. Foreign service suppliers will be permitted to engage in the retailing of all products, except for the retailing of books, newspapers and magazines within one year after accession, the retailing of pharmaceutical products, pesticides, mulching films and processed oil	(1) Unbound except for mail order. (2) None (3) None	Foreign-invested enterprises may distribute their products manufactured in China, including those excepted products as listed in the market access or sector or sub-sector column, and provide subordinate services as defined in Annex 2. Foreign service suppliers are permitted to provide full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	within three years after accession and retailing of chemical fertilizers within five years after accession. None, within three years after accession, except for: - retailing of chemical fertilizers, within five years after accession; and- those chain stores which sell products of different types and brands from multiple suppliers with more than 30 outlets. For such chains stores with more than 30 outlets, foreign majority ownership will not be permitted if those chain stores distribute any of the following products: motor vehicles (for a period of five years after accession at which time the equity limitation will have been eliminated), and products listed above and in Annex 2a of the Protocol of China's WTO Accession. The foreign chain store operators will have the freedom of choice of any partner, legally established in China according to China's laws and regulations. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
D. Franchising	(1) None (2) None (3) Within three years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Within three years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	
E. Wholesale or retail trade services away from a fixed location.	(1) None (2) None (3) Within three years after China's accession to the WTO, none[7]. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Within three years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	

[7] See paragraph 309 of the Working Party Report.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
5. EDUCATIONAL SERVICES			
(Excluding special education services e.g. military, police, political and party school education) A. Primary education services (CPC 921, excluding national compulsory education in CPC 92190) B. Secondary education services (CPC 922, excluding national compulsory education in CPC 92210) C. Higher education services (CPC 923) D. Adult education services (CPC 924) E. Other education services (CPC 929, including English language training)	(1) Unbound (2) None (3) Joint schools will be established, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments and the following: foreign individual education service suppliers may enter into China to provide education services when invited or employed by Chinese schools and other education institutions.	(1) Unbound (2) None (3) Unbound (4) Qualifications are as follows: possession of Bachelor's degree or above; and an appropriate professional title or certificate, with two years' professional experiences.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
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)	(1) Unbound except for environmental consultation services. (2) None (3) Foreign services suppliers engaged in environmental services are permitted to provide services only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
7. FINANCIAL SERVICES			
A. All Insurance and Insurance-Related Services[8] a. Life, health and pension/annuities insurance b. Non-life insurance c. Reinsurance d. Services auxiliary to insurance	(1) Unbound except for : a) international marine, aviation, and transport insurance and reinsurance; b) brokerage for insurance of large scale commercial risks, brokerage for insurance and brokerage for international marine, aviation, and transport insurance and reinsurance. (2) Unbound for brokerage. Other, none. (3) A. <u>Form of establishment</u> Foreign non-life insurers will be permitted to establish as a branch or as a joint venture with 51 per cent foreign ownership. Within two years after China's accession, foreign non-life insurers will be permitted to establish as a wholly-owned subsidiary; i.e., with no form of establishment restrictions. Upon accession, foreign life insurers will be permitted 50 per cent foreign ownership in a joint venture with the partner of their choice. The joint venture partners can freely agree the terms of their engagement, provided they remain within the limits of the commitments contained in this schedule. For brokerage for insurance of large scale commercial risks and brokerage for reinsurance and brokerage for international marine,	(1) None (2) None (3) None, except for: - Foreign insurance institutions shall not engage in the statutory insurance business. - Upon accession, a 20 per cent cession of all lines of the primary risks for non-life, personal accident and health insurance business with an appointed Chinese Reinsurance Company shall be required; one year after accession, 15 per cent shall be required; two years after accession, ten per cent shall be required; and three years after accession, five per cent shall be required; and four years after accession, no compulsory cession shall be required.	

[8] Any further authorization provided to foreign insurers after accession under more favorable 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 (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	aviation, and transport insurance and reinsurance: upon accession, joint venture with foreign equity no more than 50 per cent will be permitted; within three years after China's accession, foreign equity share shall be increased to 51 per cent; within five years after China's accession, wholly foreign owned subsidiary will be permitted. For other brokerage services: Unbound. Internal branching for an insurance firm will be permitted consistent with the phase out of geographic restrictions. B. Geographic Coverage Upon accession, foreign life and non-life insurers, and insurance brokers will be permitted to provide services in Shanghai, Guangzhou, Dalian, Shenzhen and Foshan. Within two years after China's accession, foreign life and non-life insurers, and insurance brokers will be permitted to provide services in the following cities: Beijing, Chengdu, Chongqing, Fuzhou, Suzhou, Xiamen, Ningbo, Shenyang, Wuhan and Tianjin. Within three years after China's accession, there will be no geographic restrictions.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	C. <u>Business Scope</u> Upon accession, foreign non-life insurers will be 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 will be permitted to provide "Master policy" no later than Chinese brokers, under conditions no less favourable. Foreign non-life insurers are permitted to provide insurance of enterprises abroad as well as property insurance, related liability insurance and credit insurance of foreign-invested enterprises in China upon accession. Within 2 years after China's accession, foreign non-life insurers will be permitted to provide the full range of non-life insurance services to both foreign and domestic clients. Foreign insurers are permitted to provide individual (not group) insurance to foreigners and Chinese citizens; within three years after accession, foreign insurers will be permitted to provide health insurance, group insurance and pension/annuities insurance to foreigners and Chinese.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	Upon accession, foreign insurers will be permitted to provide reinsurance services for life and non-life insurance as a branch, joint venture, or wholly foreign-owned subsidiary, without geographic or quantitative restrictions on the number of licenses issued. D. Licenses Upon accession, licenses will be issued with no economic needs test or quantitative limits on licenses. Qualifications for establishing a foreign insurance institution are as follows: - the investor shall be a foreign insurance company with more than 30 years of establishment experience in a WTO member; - it shall have a representative office for two consecutive years in China; - it shall have total assets of more than US $5 billion at the end of the year prior to application, except for insurance brokers. Insurance brokers shall have total assets of more than US$ 500 million. Within one year after accession, they shall have total assets of more than US$ 400 million. Within two years after accession, they shall have total assets of more than US$ 300 million Within four years after accession, they shall have total assets of more than US$ 200 million. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
B. Banking and Other Financial Services (excluding insurance and securities) Banking services as listed below: a. Acceptance of deposits and other repayable funds from the public; b. Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction; c. Financial leasing; 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.	(1) Unbound except for the following: - 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. (2) None (3) A. <u>Geographic coverage</u> For foreign currency business, there will be no geographic restriction upon accession. For local currency business, the geographic restriction will be phased out as follows: Upon accession, Shanghai, Shenzhen, Tianjin and Dalian; Within one year after accession, Guangzhou, Zhuhai, Qingdao, Nanjing and Wuhan; within two years after accession, Jinan, Fuzhou, Chengdu and Chongqing; within three years after accession, Kunming, Beijing and Xiamen; Within four years after accession, Shantou, Ningbo, Shenyang and Xian. Within five years after accession, all geographic restrictions will be removed.	(1) None (2) None (3) Except for geographic restrictions and client limitations on local currency business (listed in the market access column), 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.	For financial leasing services, foreign financial leasing corporations will be permitted to provide financial leasing service at the same time as domestic corporations.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	B. Clients For foreign currency business, foreign financial institutions will be permitted to provide services in China without restriction as to clients upon accession. For local currency business, within two years after accession, foreign financial institutions will be permitted to provide services to Chinese enterprises. Within five years after accession, foreign financial institutions will be permitted to provide services to all Chinese clients. Foreign financial institutions licensed for local currency business in one region of China may service clients in any other region that has been opened for such business. C. Licensing Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). Within five years after accession, any existing non-prudential measures restricting ownership, operation, and juridical form of foreign financial institutions, including on internal branching and licenses, shall be eliminated. Foreign financial institutions who meet the following condition are permitted to establish a subsidiary of a foreign bank or a foreign finance company in China:		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	- total assets of more than US $10 billion at the end of the year prior to filing the application. Foreign financial institutions who meet the following condition are permitted to establish a branch of a foreign bank in China: - total assets of more than US $20 billion at the end of the year prior to filing the application. Foreign financial institutions who meet the following condition are permitted to establish a Chinese-foreign joint bank or a Chinese-foreign joint finance company in China: - total assets of more than US $10 billion at the end of the year prior to filing the application. Qualifications for foreign financial institutions to engage in local currency business are as follows: - three years business operation in China and being profitable for two consecutive years prior to the application. Otherwise, none. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- Motor vehicle financing by non-bank financial institutions	(1) Unbound except for the following: - 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. (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal 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 research and advice, advice on acquisitions and on corporate restructuring and strategy.	(1) None (2) None (3) None (Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). Branches of foreign institutions are permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- Securities	(1) Unbound except for the following: - Foreign securities institutions may engage directly (without Chinese intermediary) in B share business. (2) None (3) a. Unbound, except for the following: - Upon accession, representative offices in China of foreign securities institutions may become Special Members of all Chinese stock exchanges. - Upon accession, foreign service suppliers will be permitted to establish joint ventures with foreign investment up to 33 per cent to conduct domestic securities investment fund management business. Within three years after China's accession, foreign investment shall be increased to 49 per cent. Within three years after accession, foreign securities institutions will be permitted to establish joint ventures, with foreign minority ownership not exceeding 1/3, to engage (without Chinese intermediary) in underwriting A shares and in underwriting and trading of B and H shares as well as government and corporate debts, launching of funds. b. Criteria for authorization to deal in China's financial industry are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotels (including apartment buildings) and Restaurants (CPC 641-643)	(1) None (2) None (3) Foreign services suppliers may construct, renovate and operate hotel and restaurant establishments in China in the form of joint ventures with foreign majority ownership permitted. None, within four years after accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound, except as indicated in Horizontal Commitments and as follows: - Foreign managers, specialists including chefs and senior executives who have signed contracts with joint venture hotels and restaurants in China shall be permitted to provide services in China.	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	
B. Travel Agency and Tour Operator (CPC 7471)	(1) None (2) None (3) Foreign services suppliers who meet the following conditions are permitted to provide services in the form of joint venture travel agencies and tour operators in the holiday resorts designated by the Chinese government and in the cities of Beijing, Shanghai, Guangzhou and Xi'an upon accession: a) a travel agency and tour operator mainly engaged in travel business; b) Annual world-wide turnover exceeds US$ 40 million.	(1) None (2) None (3) None except that joint ventures or wholly-owned travel agencies and tour operators are not permitted to engage in the activities of Chinese travelling abroad and to Hong Kong China, Macao China and Chinese Taipei.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	The registered capital of joint venture travel agency/tour operator shall be no less than RMB 4 million. Within three years after China's accession, the registered capital shall be no less than RMB 2.5 million. Within three years after accession foreign majority ownership will be permitted. Within six years after accession, wholly foreign-owned subsidiaries will be permitted and geographic restrictions will be removed. The business scope of the travel agency/ tour operator is as follows: a) travel and hotel accommodation services for foreign travellers which can be made directly with transportation and hotel operators in China covering such operations; b) travel services and hotel accommodation services for domestic travellers which can be made directly with transportation and hotel operators in China covering such operations; c) conducting of tours within China for both domestic and foreign travellers, and d) travellers check cashing services within China. None within six years after accession, there will be no restriction on the establishment of branches of the joint venture travel agency/tour operator and the requirement on registered capital of foreign-invested travel agency/tour operator will be the same as that of Chinese travel agency/tour operator.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	4) Unbound, except as indicated in Horizontal Commitments.	(4) Unbound, except as indicated in Horizontal Commitments	
11. TRANSPORT SERVICES			
A. Maritime Transport Services - International transport (freight and passengers) (CPC 7211 and 7212 less cabotage transport services)	(1) (a) Liner shipping (including passenger transportation): None (b) Bulk, tramp and other international shipping (including passenger transportation): None (2) None (3) (a) Establishment of registered companies for the purpose of operating a fleet under the national flag of the People's Republic of China: - Foreign service suppliers are permitted to establish joint venture shipping companies. - Foreign investment shall not exceed 49 per cent of the total registered capital of the joint venture. - The chairman of board of directors and the general manager of the joint venture shall be appointed by the Chinese side. (b) Other forms of commercial presence for the supply of international maritime transport services: Unbound (4) (a) Ship's crew: Unbound except as indicated in Horizontal Commitments. (b) Key personnel employed by Commercial Presence as defined under mode (3) (b) above: Unbound except as indicated in Horizontal Commitments.	(1) (a) None (b) None (2) None (3) (a) None (b) Unbound (4) (a) Unbound except as indicated in Horizontal Commitments. (b) Unbound except as indicated in Horizontal Commitments.	The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: 1. Pilotage 2. Towing and tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting and ballast waste disposal 5. Port Captain's services 6. Navigation aids 7. Shore-based operational services essential to ship operations, including communications, water and electrical supplies 8. Emergency repair facilities 9. Anchorage, berth and berthing services.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
H. Auxiliary Services a. Maritime cargo-handling services (CPC 741) c. Customs clearance services for maritime transport	(1) Unbound* (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
d. Container station and depot services	(1) Unbound* (2) None (3) Only in forms of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
e. Maritime agency services	(1) None (2) None (3) Only in forms of joint ventures, with foreign equity share no more than 49 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

* Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
B. Internal Waterways Transport b. Freight transport (CPC 7222)	(1) Only international shipping in ports open to foreign vessels shall be permitted. (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	(1) Limitations as indicated under market access column. (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments	
C. Air Transport Services d. Aircraft repair and maintenance services (CPC 8868)	(1) Unbound* (2) None (3) Foreign service suppliers are permitted to establish joint venture aircraft repair and maintenance enterprises in China. The Chinese side shall hold controlling shares or be in a dominant position in the joint ventures. Licenses for the establishments of joint ventures are subject to economic needs test. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) The joint ventures have the obligation to undertake business in the international market. (4) Unbound except as indicated in Horizontal Commitments.	

* Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- Computer Reservation System (CRS) services	(1) A. Foreign Computer Reservation System, when having agreements with Chinese aviation enterprises and Chinese Computer Reservation System, may provide services to Chinese aviation enterprises and Chinese aviation agents by connecting with Chinese Computer Reservation System. B. 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. C. 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 General Administration of Civil Aviation of China (CAAC). (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
E. Rail Transport Services F. Road Transport Services - Freight transportation by rail (CPC 7112) - Freight transportation by road in trucks or cars (CPC 7123)	(1) None (2) None (3) Only in the form of joint ventures, with foreign investment not to exceed 49 per cent. For rail transport, within three years after China's accession, foreign majority ownership will be permitted and within six years after China's accession, wholly foreign-owned subsidiaries will be permitted. For road transport, within one year after China's accession, foreign majority ownership will be permitted, within three years after China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
H. Services Auxiliary to all Modes of Transport - Storage and warehousing services (CPC 742)	1) Unbound 2) None 3) Upon accession, only in the form of joint ventures, with foreign investment not to exceed 49 per cent. Within one year after China's accession, foreign majority ownership will be permitted. None within three years of China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- Freight forwarding agency services (CPC 748 and 749 excluding freight inspection)	(1) None (2) None (3) Upon accession, foreign freight forwarding agencies which have at least three consecutive years experience are permitted to set up freight forwarding agency joint ventures in China, with foreign investment not to exceed 50 per cent; within one year after China's accession, foreign majority ownership will be permitted. Within four years after China's accession, wholly foreign-owned subsidiaries will be permitted. The minimum registered capital of the joint venture shall be no less than US$ 1 million. Within four years after accession, national treatment will be accorded in this respect. Operation term of the joint ventures shall not exceed 20 years. After one year operating in China, the joint venture can set up branches when the registered capital of both sides has been provided. Another US$ 120,000 shall be added to the original registered capital of the joint venture for the set-up of each branch. Within two years after China's accession to the WTO, this additional registered capital requirement will be implemented on the national treatment basis.	(1) None (2) None (3) None	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	A foreign freight forwarding agency may set up a second joint venture after its first joint venture has been in operation for five years. Within two years after China's accession to WTO, this requirement will be reduced to two years. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

LIST OF ARTICLE II EXEMPTIONS FOR CHINA

Sector or Sub-sector	Description of Measures Indicating its Inconsistency with Article II	Countries to Which the Measures Applies	Intended Duration	Conditions Creating the Need for the Exemption
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.	Unforeseeable.	According to present state of trade between signatories.
	Agreements of cargo sharing.	Algeria, Argentina, Bangladesh, Brazil, Thailand, USA, Zaire.	Subject to the effective duration of the agreements concerned.	According to present state of trade between signatories.

ANNEX 1

Reference Paper

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that

(a) are exclusively or predominantly provided by a single or limited number of suppliers; and
(b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

(a) control over essential facilities; or
(b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

(a) engaging in anti-competitive cross-subsidization;
(b) using information obtained from competitors with anti-competitive results; and
(c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

2.2 Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided.

(a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
(b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
(c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4 Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

(a) at any time; or
(b) after a reasonable period of time which has been made publicly known

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

(a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence; and
(b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

WORLD TRADE ORGANIZATION

S/GBT/W/2/Rev.1
16 January 1997

(97-0173)

Group on Basic Telecommunications

Note by the Chairman

Revision

It has been suggested by a number of delegations that it might be helpful to produce a brief and simple note on assumptions applicable to the scheduling of commitments in basic telecoms. The purpose of the attached note is to assist delegations in ensuring the transparency of their commitments and to promote a better understanding of the meaning of commitments. This note is not intended to have or acquire any binding legal status.

NOTES FOR SCHEDULING BASIC TELECOM SERVICES COMMITMENTS

1. Unless otherwise noted in the sector column, any basic telecom service listed in the sector column:

(a) encompasses local, long distance and international services for public and non-public use;

(b) may be provided on a facilities-basis or by resale; and

(c) may be provided through any means of technology (e.g., cable[9], wireless, satellites).

2. Subsector (g) --private leased circuit services -- involves the ability of service suppliers to sell or lease any type of network capacity for the supply of services listed in any other basic telecom service subsector unless otherwise noted in the sector column. This would include capacity via cable, satellite and wireless network.

3. In view of points 1 and 2 above, it should not be necessary to list cellular or mobile services as a separate subsector. However, a number of Members have done so, and a number of offers have commitments only in these subsectors. Therefore, in order to avoid extensive changes in schedules, it would seem appropriate for Members to maintain separate entries for these subsectors.

[9]Including all types of cable.

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Group on Basic Telecommunications

CHAIRMAN'S NOTE

Market Access Limitations on Spectrum Availability

Many Members have entries in the market access column of their schedules indicating that commitments are "subject to availability of spectrum/frequency" or similar wording. In light of the physical nature of spectrum and the constraints inherent in its use, it is understandable that Members may have sought to rely on these words to adequately protect legitimate spectrum management policies. There is, however, doubt that words such as "subject to availability of spectrum/frequency" as listed in the market access column of many Members' schedules achieve that objective.

Spectrum/frequency management is not, *per se*, a measure which needs to be listed under Article XVI. Furthermore under the GATS each Member has the right to exercise spectrum/frequency management, which may affect the number of service suppliers, provided that this is done in accordance with Article VI and other relevant provisions of the GATS. This includes the ability to allocate frequency bands taking into account existing and future needs. Also, Members which have made additional commitment in line with the Reference Paper on regulatory principles are bound by its paragraph 6.

Therefore, words such as "subject to availability of spectrum/frequency" are unnecessary and should be deleted from Members' schedules.

ANNEX 2

Distribution Services

Distribution trade services are comprised of four main sub-sectors:

- commission agents services;
- wholesaling;
- retailing; and
- franchising.

The principal services rendered in each subsector can be characterized as reselling merchandise, accompanied by a variety of related subordinated services, including inventory management; assembly, sorting and grading of bulk lots; breaking bulk lots and redistributing into smaller lots; delivery services; refrigeration, storage, warehousing and garage services; sales promotion, marketing and advertising, installation and after sales services including maintenance and repair and training services. Distribution services are generally covered by CPC 61, 62, 63 and 8929.

Commission Agents' Services consist of sales on a fee or contract basis by an agent, broker or auctioneer or other wholesalers of goods/merchandise and related subordinated services.

Wholesaling consist of the sale of goods/merchandise to retailers to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

Retailing services consist of the sale of goods/merchandise for personal or household consumption either from a fixed location (e.g., store, kiosk, etc.) or away from a fixed location and related subordinated services.

Franchising services consist of the sale of the use of a product, trade name or particular business format system in exchange for fees or royalties. Product and trade name franchising involves the use of a trade name in exchange for fees or royalties and may include an obligation for exclusive sale of trade name products. Business format franchising involves the use of an entire business concept in exchange for fees and royalties, and may include the use of a trade name, business plan, and training materials and related subordinated services.

ANNEX 3

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 authorized 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 can not be underwritten or co-insured by insurers located other than where the subject-insured are located, or covered under a master policy.

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Working Party on the Accession of China

DRAFT REPORT OF THE WORKING PARTY ON THE ACCESSION OF CHINA

Draft Schedule – China

Part II – Draft Schedule of Specific Commitments on Services

Corrigendum

Page 7, Limitations on market access column, mode (3), last sentence, delete "outside of China". Delete "Business scope of foreign representative offices as follows;".

Page 21, D. Audiovisual services, Sound recording distribution services, Limitations on market access column, mode (3). Amend as follows;

"(3) Upon accession, foreign services suppliers will be permitted to establish **contractual** joint ventures with Chinese partners ~~with foreign investment less than 49 per cent~~ to engage in the distribution of audiovisual products, excluding motion pictures, without prejudice to China's right to examine the content of audio and video products **(see footnote 1)**."

Page 25, Sector or sub-sector column, after C. Retailing services, add "(excluding tobacco)".

Page 30, 7. Financial services, A. All Insurance and Insurance-Related Services, Limitations on market access column, mode (1). Delete current text. Replace with;

"(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."

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DRAFT REPORT OF THE WORKING PARTY

ON THE ACCESSION OF CHINA

Corrigendum

Draft Report of the Working Party

Paragraph 8, third line: change "special and preferential treatment" to "differential and more favourable treatment".

Paragraph 21, lines 2 and 11: change "GATT Article III" to "Article III of GATT 1994".

Paragraph 23, second line: change "subnational" to "sub-national".

Paragraph 23, fifth indent ("Chemicals"), second line: change "Environmental Control Regulations for Initial Imports of Chemical Products and Imports and Exports of Toxic Chemical Products" to "Provisions on the Environmental Administration of Initial Imports of Chemical Products and Imports and Exports of Toxic Chemical Products".

Paragraph 38, third line: delete "and".

Paragraph 53, second line: change "the agencies concerned should apply to the competent pricing authorities for that purpose." to "the agencies or operators concerned should apply or propose to the competent pricing authorities for that purpose."; fourth line: change "Operators or competent agencies could, in the light of market changes and according to their purview of pricing, submit applications to the competent pricing authorities …" to "Competent agencies or operators could, in the light of market changes and according to relevant provisions of the Price Law, submit applications or proposals to the competent pricing authorities …".

Paragraph 58, last sentence: delete "or government guidance pricing unless the provider was a non-profit educational service provider".

Paragraph 65, lines 4 and 5: change "1992" to "1993" in both instances.

Paragraph 68, eighth line: add "Agreement" following "WTO".

Paragraph 79, third line: add "the implementation of" before "national treatment".

Paragraph 93, lines 2 and 3: change "China confirmed that it had" to "the representative of China confirmed that China had".

Paragraph 94, first line: change "China confirmed its commitment" to "the representative of China confirmed China's commitment".

Paragraph 96, last line: change "that" to "this".

Paragraph 101, third line: change "all purposes" to "the purposes provided for in Article I of the WTO Agreement on Rules of Origin".

Paragraph 103, second line: change "Customs" to "customs".

Paragraph 105, sixth line: change "Customs" to "General Customs Administration ('Customs')".

Paragraph 109 (k): change "China" to "the government".

Paragraph 111, second line: change "so as to ensure" to "on the basis of".

Paragraph 113, fifth line: change "subnational" to "sub-national".

Paragraph 117, lines 5 and 6: change "China confirmed that it would" to "the representative of China confirmed that China would".

Paragraph 120, lines 3 and 8: delete the parentheses around the words "of the Draft Protocol" in both instances.

Paragraph 127, fourth line: change "Members" to "Those Members", and "concern" to "concerns".

Paragraph 130: delete and replace with the following reordered paragraph, including word changes in last lines of new subparagraphs (b)(iii) and (b)(iv).

"130. The representative of China stated that China would allocate quotas in accordance with the following criteria and procedures which would be published in advance and would be applied in conformity with WTO requirements, including the Agreement on Import Licensing Procedures. In applying these criteria, China would consider the need to allow for equitable participation by producers from WTO Members and take into account the need to maximize the potential for quota fill.

(a) If the relevant quota quantity exceeded total requests for quota allocations, all requests would be approved.

(b) In other cases, the criteria for allocation would be as follows:

(i) Historical performance of applicants where relevant (in cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, amounted to less than 75 per cent of the relevant quota, it would be necessary to take into account other criteria, *inter alia,* as set forth below);

— Production or processing capacity, in the case of intermediate products and raw materials;

— Experience and ability in producing, importing, marketing, or servicing in international markets, in the case of finished products or products destined for wholesale or retail distribution;

(ii) In the first year, 25 per cent of the total quota would be allocated to applicants that had not previously been allocated quota; however, an applicant that had imported under a quota on the relevant products in the year prior to China's accession would not receive a decrease in the absolute amount of its quota allocation.

(iii) In the second year, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership equal to or less than 50 per cent.

(iv) In the third and fourth year, if relevant, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership greater than 50 per cent.

(c) In cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, exceeded 75 per cent of the relevant quota, applicants

that had not previously been allocated quota would be allocated 10 per cent of the total quota in the first year and the majority of any quota growth in any subsequent year.

(d) In all cases, a quota-holder receiving an initial allocation that had fully utilized or contracted for its quota allocation would, upon application, receive an allocation in the following year for a quantity no less than the quantity imported in the previous year. A quota-holder that did not import its full allocation would receive a proportional reduction in its quota allocation in the subsequent year unless the quantity was returned for reallocation by1 September.

The Working Party took note of these commitments."

Paragraph 139, first line: add "of the Working Party" following "members".

Paragraph 143: delete the third sentence.

Paragraph 144, lines 2 and 4: change "System" to "Procedures" in both instances.

Paragraph 145: at the end of this paragraph, add "The Working Party took note of this commitment".

Paragraph 149, second line: change "paragraph (d)" to "subparagraph (d)".

Paragraph 151, seventh line: change "paragraph (a)(ii)" to "subparagraph (a)(ii)"; in subparagraph (d), last line, add "a" before "particular".

Paragraph 153, second line: change "Anti-subsidy" to "Countervailing Measures"; in subparagraph (b): merge the two separate paragraphs; in the title of subparagraph (d): add "the" before "State".

Paragraph 154: delete second sentence; fourth line: delete "He noted that, at present"

Paragraph 156, third line: change "duty-paying value" to "customs value".

Paragraph 161, first line: add "of" before "products".

Paragraph 167, first line: change "Section 11.3" to "Section 10.3".

Paragraph 171, sixth line: change "Articles 27" to "Article 27".

Paragraphs 173, lines 3 and 6: change "Annex 5A" to "Annexes 5A and 5B" in both instances.

Paragraph 188, second line: delete "the".

Paragraph 203, last sentence: change "China would respect enterprises' freedom of contract" to "the freedom of contract of enterprises would be respected".

Paragraph 210: at the end of the paragraph, add "The Working Party took note of this commitment".

Paragraph 218, third line: change "Special Economic Zones" ('SEZs')" to "SEZs".

Paragraph 225, third line: add "The representative of" before "China".

Paragraph 226, lines 1 and 4: delete "Secretariat" in both instances.

Paragraph 231, fourth line: insert a comma between "response" and "China".

Paragraph 241, subparagraph (f): change the period at the end of the sentence into a semicolon and add "and" at the end.

Paragraph 245, subparagraphs (a) through (g): change the period at the end of each sentence to a semicolon; subparagraph (g): add "and" at the end of the sentence.

Paragraph 250: Table A: delete and replace with the following:

Table A: The Administrative Rules of China Concerning Intellectual Property Rights

The following three parts were the administrative rules regarding protection of intellectual property right, which were still in force in China. As an important part of China's IPR legal system, these rules had a great effect on IPR protection, enforcing the IPR law, etc. Part I List of Administrative Rules Regarding Protection of Patent Right Part II List of Administrative Rules Regarding Protection of Trademark Part III List of Administrative Rules Regarding Protection of Copyright
Part I List of Administrative Rules Regarding Protection of Patent Right (i) Methods on the Showing the Identification of Right of Priority to Applicant made by Patent Office of China (1 March 1988) (ii) Opinions of the Patent Office of China concerning the Implementation of the Regulations on Patent Commissioning (19 April 1991) (iii) Explanation of the Patent Office of China on Certain Matters Relating to the Commissioning Involving Foreign Interests (16 November 1987) (iv) Decree of Patent Office of China (No.26) (20 November 1989) (v) Decree of Patent Office of China (No.27) (21 December 1989) (vi) Decree of Patent Office of China (No.31) (14 March 1991) (vii) Procedures for Administrative Reconsideration of Patent Office of the People's Republic of China (for Trial Implementation) (21 December 1992) (viii) Methods of Handling the Patent Disputes by the Administrative Authorities for Patent Affairs (4 December 1989)

Part II List of Administrative Rules Regarding Protection of Trademark

(i) Circular on the Commodities Demanded to Use Registered Trademark made by the State Administration for Industry and Commerce (14 January 1988)

(ii) Circular on the Prohibition from Registering the Other Person's Trademark Abroad without Being Authorized made by State Administration for Industry and Commerce and the Ministry of Foreign Economy and Trade (19 November 1990)

(iii) Interim Provisions on Claims for Priority in Applying for Registration of Trademarks made by State Administration for Industry and Commerce (15 March 1983)

(iv) Methods of the Application International Registration of Trademark of Madrid made by the State Administration for Industry and Commerce (2 March 1989)

(v) Circular on the Stopping Using the Literal of "Xiang Bin" or "Champagne" in Varieties of Commodities of Alcohol made by the State Administration for Industry and Commerce (26 October 1989)

(vi) Circular on Printing and distributing " the Rules regarding the Question of Using Trademark in Can Food for Export" (15 October 1991)

(vii) Provisions on the Control over the Surrogate of Trademark

(viii) Provisions on the Registration of and the Control over the Collective Trademark and Certified Trademark (issued on 30 December 1994, revised on 3 December 1998)

(ix) Provisions on the Control over the Printing of Trademark (issued on 5 September 1996, revised on 3 December 1998)

Part III List of Administrative Rules Regarding Protection of Copyright

(i) Opinions of the National Copyright Administration on Questions Relating to Reprinting the Programs in Advance in Broadcast and Television (12 December 1987)

(ii) Circular of the National Copyright Administration of Printing and Distribution "Report Relating to Appropriate Handling the Copyright Question in the Process of Culture Communication with Taiwan" and "Interim Provisions Relating to the Copyright Question of Pressing the Works Written by Taiwan Compatriots" (8 February 1988)

(iii) Circular of National Copyright Administration regarding the Points for Attention of Transferring Copyright to Taiwan's Press Person (26 December 1987)

(iv) Opinions of National Copyright Administration on Matters Relating to Local Work on Copyright Management (May 1988)

(v) Circular of the National Copyright Administration concerning Procedures of Examining and Verifying the Copyright Trading Contract Between the Mainland and Hong Kong, Macao and Taiwan (2 November 1988)

(vi)	Opinions on Certain Matters of the National Copyright Administration concerning Handling Copyright Cases (27 December 1988)
(vii)	Circular of the National Copyright Administration concerning the Standard of Paying Author's Remuneration When the Press Reprint and Extract the Published Works at Present (27 August 1991)
(viii)	Interim Provisions of the Standard of Paying Author's Remuneration When the Press Reprint and Extract the Published Works with the Consent by Law (1 August 1993)
(ix)	Interim Provisions of the Standard of Paying Author's Remuneration When Perform the Published Works with the Consent by Law (1 August 1993)
(x)	Interim Provisions of the Standard of Paying Author's Remuneration When Record the Published Works with the Consent by Law (1 August 1993)
(xi)	Direction of the Chinese Center of Receiving and Transmitting Author's Remuneration concerning Receiving and Transmitting Remuneration About the Press Extract the Published Works
(xii)	Circular of the National Copyright Administration concerning Enforcing "the Memorandum of Understanding between the Government of the People's Republic of China and the Government of the United States of America on the Protection of Intellectual Property" (29 February 1992)
(xiii)	Urgent Circular concerning Strengthening Administration of Reproducing Compact Discs and Laser Discs (12 April 1994)
(xiv)	Circular of Enforcing "Urgent Circular concerning Strengthening Administration of Reproducing Compact Discs and Laser Discs" (12 May 1994)
(xv)	Cooperate Circular of the Ministry of Judicial and National Copyright Administration concerning Bringing Notary Office into Play in Dealing with the Infringing Copyright Cases (29 August 1994)
(xvi)	Measures of the Registration of Copyright of Computer Software (4 June 1992)
(xvii)	Guide to Classified Coding of Software in Computer Software's Registration
(xviii)	The Item and Standard of Registration Expenses of Computer Software (18 April 1992)

Paragraph 251, last sentence: change "this commitment" to "these commitments": Table B: delete and replace with the following:

Table B: Revision of China's IPR Laws in Conformity with the TRIPS Agreement

The People's Republic of China had conducted an intensive work programme to examine and revise the IPR laws, administrative regulations and department rules relating to the implementation of the WTO Agreement and China's accession commitments. A list of China's IPR laws, administrative regulations and department rules to be revised and abolished was hereby notified to the Working Party. Part I of the list contained eight laws and regulations. Part II of the list contained four department rules to be revised or abolished for the same reason. This list included the names of laws, regulations and department rules, reasons for revision or abolishment, and dates of implementation.	
Part I Laws and Administrative Regulations	
Laws and Regulations	Date of Implementation
1. Copyright Law of the People's Republic of China	Upon accession
2. Regulations for the Implementation of the Copyright Law of the People's Republic of China	Upon accession
3. Regulations for the Protection of Computer Software	Upon accession
4. Trademark Law of the People's Republic of China	Upon accession
5. Detailed Rules for the Implementation of the Trademark Law of the People's Republic of China	Upon accession
6. Regulations of the People's Republic of China on the Protection of New Varieties of Plants	Effective as of 1 October 1997
7. Law of the People's Republic of China Against Unfair Competition	Effective as of 1 December 1993
8. Regulations on the Implementation of the Integrated Circuit Layout Design	To be effective as of 10 October 2001
Part II Department Rules	
Department Rules	Date of Implementation
1. Interim Rules on the Administration of Patents in Agriculture, Animal Husbandry and Fisheries	To be abolished upon accession
2. Notice on the Interim Regulation on the Protection of Copyright of Books and Magazines	To be abolished upon accession
3. Notice on the Issuance of the "Detailed Rules of Interim Regulations on the Protection of Copyright of Books and Magazines", "Publication Intention Contracts" and "Publication Contracts"	To be abolished upon accession
4. Interpretation of Article 15(4) of the "Interim Regulation on the Protection Copyright of Books and Magazines"	To be abolished upon accession

Paragraph 259, sixth line: change "right" to "rights".

Paragraph 268, fourth line: change "final text" to "draft".

Paragraph 271, last line: change "Article 51" to "Article 52".

Paragraph 274, fifth line: after "conditions" add ", on the understanding that this requirement could be waived in the case of a national emergency or other circumstances of extreme urgency or in cases of public or non-commercial use".

Paragraph 279, fourth line: add "Part II" before "of the TRIPS Agreement".

Paragraph 307(h), third line: change "company's name" to "company".

Paragraph 321, fourth line: change "as provided for in Annex 1 to the Draft Protocol" to "consistent with Section 18.1 and Annex 1A of the Draft Protocol".

Paragraph 333, fourth line: add "available" after "other measures".

Page 99: change subtitle "2. Government Procurement" to "4. Government Procurement".

Paragraph 341. Add references to the following additional commitment paragraphs: 145, 210 and 264.

Paragraph 342, seventh line: change "WT/ACC/SPEC/CHN/1/Rev.8/Add.1" to "WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1"; eighth line: change "WT/ACC/SPEC/CHN/1/Rev.8/Add.1" to "WT/ACC/SPEC/CHN/1/Rev.8/Add.2/Rev.1".

Draft Protocol

Preamble, paragraph 4: delete "to the WTO Agreement".

Section 1, paragraph 3: delete existing text and replace it with the following: "Except as otherwise provided for in this Draft Protocol, those obligations in the Multilateral Trade Agreements annexed to the WTO Agreement that are to be implemented over a period of time starting with entry into force of that Agreement shall be implemented by China as if it had accepted that Agreement on the date of its entry into force".

Section 5, paragraph 1, lines 4 and 9: change "Annex 2a" to "Annex 2A" and "Annex 2b" to "Annex 2B".

Section 7, paragraph 3, ninth line: add "or" before "performance".

Section 14, third line: change "accessopm" to "accession".

Section 15, subparagraph (c), second line: change "subparagraph (1)" to "subparagraph (a)"; third line: change "sub-paragraph (a)" to "subparagraph (a)".

Section 15, subparagraph (d), third line: change "contain" to "contains"; eighth line: change "sub-paragraph (a)" to "subparagraph (a)".

Section 16, paragraph 9: change "will" to "shall".

Section 17, third line: delete "at the HS 8-digit level".

Section 18, paragraph 1, third line: change "paragraph 18.4" to "paragraph 4"; paragraph 2, second line: change "paragraph 18.4" to "paragraph 4"; paragraph 2, fifth line: change "paragraph 18.1" to "paragraph 1"; paragraph 4, first line: change "paragraphs 18.1 and 18.2" to "paragraphs 1 and 2".

Annexes to the Draft Protocol

Annex 1A:

– Section IV.2(d): change "Section 7, Article 3" to "Section 7, paragraph 3".
– Section IV.7(k): change "Section 15, Article 4(a)" to "Section 15, subparagraph 4(a)".
– Section IV.8(a): divide (a) into two parts, i.e., (a) and (b), as set out below, and adjust lettering of remainder of this section accordingly:

"(a) elimination and cessation of enforcement of trade and foreign exchange balancing, local content and export performance requirements made effective through laws, regulations or other measures or through contracts imposing such requirements"

"(b) elimination of performance requirements of any kind, such as local content, offsets, technology transfer, export performance, or the conduct of research and development in China, as conditions for distribution of import licences, quotas, tariff-rate quotas, or other means of approval for importation, investment or the right to import"

Annex 1B: in third indent, change "cross-sectorial" to "cross-sectoral"; in last sentence, change "The Rules of Procedure o the WTO General Council" to "The Rules of Procedure of the WTO General Council".

Annex 2A1: replace existing text with revised version (attached).

Annex 2A2: replace existing text with revised version (attached).

Annex 2B: replace existing text with revised version (attached).

Annex 3: replace existing text with revised version (attached).

Annex 4: replace existing text with revised version (attached).

Annex 6: replace existing text with revised version (attached).

Annex 7: replace existing text with revised version (attached).

Annex 8: change document reference from "WT/ACC/SPEC/CHN/1/Rev.8/Add.1" to "WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1".

Annex 9: change document reference from "WT/ACC/SPEC/CHN/1/Rev.8/Add.2" to "WT/ACC/SPEC/CHN/1/Rev.8/Add.2/Rev.1".

ANNEX 2A1

PRODUCTS SUBJECT TO STATE TRADING (IMPORT)

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
GRAIN	1	10011000	Durum wheat	China National Cereals, Oil & Foodstuff Import and Export Co.
	2	10019010	Seed of wheat & maslin, excl. durum wheat	
	3	10019090	Wheat & maslin, excl. for seeding and durum wheat	
	4	11010000	Wheat or maslin flour	
	5	11031100	Groats & meal of wheat	
	6	11032100	Pellets of wheat	
	7	10051000	Maize (corn) seed	
	8	10059000	Maize (corn), excl. for seeding	
	9	11022000	Maize (corn) flour	
	10	11031300	Groats & meal of maize (corn)	
	11	11042300	Other worked grains of maize (corn) (for example, hulled, pearled, sliced or kibbled)	
	12	10061010	Rice in husk (paddy or rough) seed	
	13	10061090	Rice in husk (paddy or rough), excl. for seeding	
	14	10062000	Husked (brown) rice	
	15	10063000	Semi-milled or wholly milled rice, whether or not polished or glazed	
	16	10064000	Broken rice	
	17	11023000	Rice flour	
	18	11031400	Groats & meal of rice	
VEGETABLE OIL	19	15071000	Crude soybean oil, whether or not degummed, but not chemically modified	1. China National Cereals, Oil & Foodstuff Import and Export Co. 2. China National Native Products and Animal By-products Import & Export Co. 3. China Resources Co. 4. China Nam Kwong National Import & Export Co. 5. China Liangfeng Cereals Import & Export Co. 6. China Cereals, Oil & Foodstuff Co.(Group)
	20	15079000	Soybean oil and its fractions, refined, but not chemically modified	
	21	15111000	Crude palm oil, but not chemically modified	
	22	15119000	Palm oil and its fractions, refined, but not chemically modified	
	23	15141010	Crude rape, colza oil, but not chemically modified	
	24	15141090	Crude mustard oil, but not chemically modified	
	25	15149000	Rape, colza or mustard oil and fractions thereof, refined, but not chemically modified	
SUGAR	26	17011100	Raw cane sugar, in solid form, not containing added flavouring or colouring matter	1. China National Cereals, Oil & Foodstuff Import and Export Co. 2. China Export Commodities Base Construction Co. 3. China Overseas Trade Co. 4. China Sugar & Wine Co. (Group) 5. China Commerce Foreign Trade Co.
	27	17011200	Raw beet sugar, in solid form, not containing added flavouring or colouring matter	
	28	17019100	Cane or beet sugar and chemically pure sucrose, in solid form, containing added flavouring or colouring	
	29	17019910	Granulated sugar	
	30	17019920	Superfine sugar	
	31	17019990	Cane or beet sugar and chemically pure sucrose, in solid form, not containing added flavouring or colouring matter, excl. granulated sugar, superfine sugar and raw sugar	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
TOBACCO	32	24011010	Flue-cured tobacco, not stemmed/stripped	China National Tobacco Import & Export Co.
	33	24011090	Tobacco other than flue-cured, not stemmed/stripped	
	34	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	
	35	24012090	Tobacco other than flue-cured, partly or wholly stemmed/stripped	
	36	24013000	Tobacco refuse	
	37	24021000	Cigars, cheroots & cigarillos, containing tobacco	
	38	24022000	Cigarettes containing tobacco	
	39	24029000	Cigars, cheroots, cigarillos and cigarettes, of tobacco substitutes	
	40	24031000	Smoking tobacco whether or not containing tobacco substitutes in any proportion	
	41	24039100	Homogenized or "reconstituted" tobacco	
	42	24039900	Manufactured tobacco and tobacco substitutes, nes; tobacco extracts and essences	
	43	48131000	Cigarette paper in the form of booklets or tubes	
	44	48132000	Cigarette paper in rolls of a width ≤5cm	
	45	48139000	Cigarette paper, nes	
	46	55020010	Cellulose diacetate filament tow[3]	
	47	56012210	Cigarette filter tips of man-made fibres	
	48	84781000	Machinery for preparing or making up tobacco, not elsewhere specified or included	
	49	84789000	Parts, of machinery for preparing or making up tobacco, not elsewhere specified or included	
CRUDE OIL	50	27090000	Petroleum oils & oils obtained from bituminous minerals, crude	1. China National Chemical Import & Export Co. 2. China International United Petroleum & Chemicals Co. 3. China National United Oil Co. 4. Zhuhai Zhenrong Company
PROCESSED OIL	51	27100011	Motor gasoline & aviation gasoline	
	52	27100013	Naphtha	
	53	27100023	Aviation kerosene	
	54	27100024	Lamp-kerosene	
	55	27100031	Light diesel oil	
	56	27100033	Fuel oil No.5 to No.7 (National Code)	
	57	27100039	Diesel oils & preparations thereof and other fuel oils, nes	

[3] Coverage is limited to cellulose diacetate filament tow used in the production of cigarettes.

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
CHEMICAL FERTILIZER	58	31021000	Urea, whether or not in aqueous solution	1. China National Chemical Import & Export Co. 2. China National Agricultural Means of Production Group Co.
	59	31022100	Ammonium sulphate	
	60	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	
	61	31023000	Ammonium nitrate, whether or not in aqueous solution	
	62	31024000	Mixtures of ammonium nitrate with calcium carbonate or other inorganic non-fertilizing substances	
	63	31025000	Sodium nitrate	
	64	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	
	65	31027000	Calcium cyanamide	
	66	31028000	Mixtures of urea & ammonium nitrate in aqueous or ammoniacal solution	
	67	31029000	Mineral or chemical fertilizers, nitrogenous , nes, incl. mixtures not specified in the foregoing subheadings	
	68	31031000	Superphosphates	
	69	31032000	Basic slag	
	70	31039000	Mineral or chemical fertilizers, phosphatic, nes	
	71	31041000	Carnallite, sylvite & other crude natural potassium salts	
	72	31042000	Potassium chloride	
	73	31043000	Potassium sulphate	
	74	31049000	Mineral or chemical fertilizers, potassic, nes	
	75	31051000	Goods of chapter 31 in tables or similar forms or in packages of a gross weight ≤10kg	
	76	31052000	Mineral or chemical fertilizers containing the three fertilizing elements nitrogen, phosphorus & potassium	
	77	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	
	78	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate) and mixtures thereof with diammonium hydrogenorthophosphate (diammonium phosphate)	
	79	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	
	80	31055900	Mineral or chemical fertilizers containing the two fertilizing elements nitrogen & phosphorus, nes	
	81	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	
	82	31059000	Mineral or chemical fertilizers, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
COTTON	83	52010000	Cotton, not carded or combed	1. China National Textiles Import & Export Co. 2. Beijing Jiuda Textiles Group Co. 3. Tianjing Textiles Industry Supply and Marketing Co. 4. Shanghai Textiles Raw Materials Co.
	84	52030000	Cotton, carded or combed	

Product & HS 2000	Volume to non-state traders on accession[2)]	Annual growth in non-state trade volume[3)]
Oil--processed[1)] (HS 27.10)	4 million tonnes	15 %
Oil--crude (HS 27.09)	7.2 million tonnes	15 %

(1) Excludes LPG, which falls under HS 27 11, and has not been notified by China as subject to state trading. The present import quota (16.58 million tonnes rising by 15% per year) will be removed on 1 January 2004.

(2) Imports to be effected pursuant to the provisions of the WTO Agreement on Import Licensing Procedures.

(3) This growth rate shall be applied for a period of 10 years following accession, after which time it shall be reviewed with interested Members. Pending conclusion of the review talks, the volume available to non-state importers on that date shall be increased annually in line with the average growth in overall imports of the product concerned over the preceding 10 year period.

However, for processed oil, a review shall be carried out with interested Members by 2004 to establish whether the growth rate should be adjusted in the light of the evolution of trade volumes.

ANNEX 2A2

PRODUCTS SUBJECT TO STATE TRADING (EXPORT)

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
TEA	1	09021010	Flavoured green tea (not fermented) in immediate packings of a content ⩽3kg	China National Native Products and Animal By-Products Import & Export Co
	2	09021090	Unflavoured green tea (not fermented) in immediate packings of a content ⩽3kg	
	3	09022010	Flavoured green tea (not fermented) in immediate packings of a content >3kg	
	4	09022090	Unflavoured green tea(not fermented) in immediate packings of a content >3kg	
RICE	5	10061010	Rice in husk (paddy or rough) seed	1. China National Cereals Oil and Foodstuffs Import & Export Co. 2. Jilin Grain Import & Export Co. Ltd.
	6	10061090	Rice in husk (paddy or rough), excl. for seeding	
	7	10062000	Husked (brown) rice	
	8	10063000	Semi-milled or wholly milled rice, whether or not polished or glazed	
	9	10064000	Broken rice	
CORN	10	10051000	Maize (corn) seed	
	11	10059000	Maize (corn), excl. for seeding	
	12	11042300	Other worked grains of maize (corn) (for example, hulled, pearled, sliced or kibbled)	
SOY BEAN	13	12010010	Seed of soya beans	
	14	12010091	Yellow soya beans, not for seeding, whether or not broken	
	15	12010092	Black soya beans, not for seeding, whether or not broken	
	16	12010093	Green soya beans, not for seeding, whether or not broken	
	17	12010099	Soya beans, nes, not for seeding, whether or not broken	
TUNGSTEN ORE	18	26110000	Tungsten ores & concentrates	1. China National Metals and Minerals Import & Export Co. 2. China National Non-ferrous Import & Export Co. 3. China Rare Earth and Metal Group Co. 4. China National Chemical Import & Export Co.
	19	26209010	Ash & residues containing mainly tungsten & compound thereof	
	20	26209090	Ash & residues containing metals & compound thereof, nes	
AMMONIUM PARATUNG-STATES	21	28418010	Ammonium paratungstate	
	22	28418040	Ammonium metatungstates	
TUNGSTATE PRODUCTS	23	28259011	Tungstic acid	
	24	28259012	Tungsten trioxides	
	25	28259019	Tungsten oxides and hydroxides, nes	
	26	28418020	Sodium tungstate	
	27	28418030	Calcium tungstate	
	28	28499020	Carbides of tungsten, whether or not chemically refined	
	29	81011000	Tungsten powders	
	30	81019100	Tungsten unwrought (incl. bars and rods simply sintered); tungsten waste and scrap	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
COAL	31	27011100	Anthracite, not agglomerated, whether or not pulverized	1. China National Coal Industry Import & Export Co. 2. China National Metals and Minerals Import & Export Co. 3. Shanxi Coal Import & Export Group Co. 4. Shenhua Group Ltd.
	32	27011210	Bituminous coking coal, not agglomerated, whether or not pulverized	
	33	27011290	Other bituminous coal, other than coking coal, not agglomerated, whether or not pulverized	
	34	27011900	Coal nes, not agglomerated, whether or not pulverized	
	35	27021000	Lignite, not agglomerated, whether or not pulverized	
CRUDE OIL	36	27090000	Petroleum oils & oils obtained from bituminous minerals, crude	1. China National Chemical Import & Export Co.; 2. China International United Petroleum & Chemicals Co. 3. China National United Oil Co.
PROCESSED OIL	37	27100011	Motor gasoline & aviation gasoline	
	38	27100013	Naphtha	
	39	27100019	Gasoline distillages, nes & preparations thereof	
	40	27100023	Aviation kerosene	
	41	27100024	Lamp-kerosene	
	42	27100029	Kerosene distillages, nes & preparations thereof	
	43	27100031	Light diesel oil	
	44	27100033	Fuel oil No.5 to No.7 (National Code)	
	45	27100039	Diesel oils & preparations thereof and other fuel oils, nes	
	46	27100053	Lubricating greases	
	47	27100054	Lubricating oils	
	48	27100059	Heavy oils & preparations thereof, nes	
	49	27111100	Natural gas, liquefied	
SILK	50	50010010	Mulberry feeding silk-worm cocoons	China National Silk Import & Export Co. China National Silk Import & Export Co.
	51	50010090	Silk-worn cocoons suitable for reeling (excl. Mulberry feeding silk-worm cocoons)	
	52	50020011	Plant reeled (Steam filature silk),not thrown	
	53	50020012	Steam filature silk ,home reeled, not thrown	
	54	50020013	Steam filature silk, doupion, not thrown	
	55	50020019	Steam filature raw silk (excl. Plant reeled, home reeled, doupion), not thrown	
	56	50020020	Tussah raw silk, not thrown	
	57	50020090	Raw silk, nes, not thrown	
	58	50031000	Silk waste (including cocoons unsuitable for reeling, yarn waste and garneted stock), not carded or combed	
	59	50039000	Silk waste (including cocoons unsuitable for reeling, yarn waste and garneted stock), carded or combed	
	60	50040000	Silk yarn (excl. spun from silk waste), not put up for retail sale	
	61	50050010	Yarn spun from noil, not put up for retail sale	
	62	50050090	Yarn spun from other silk waste (excl. Yarn spun from noil), not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
UN-BLEACHED SILK	63	50071010	Unbleached (unscoured or scoured) or bleached woven fabrics of noil silk	
	64	50072011	Unbleached (unscoured or scoured) or bleached woven fabrics, containing 85% or more by weight of mulberry silk	
	65	50072021	Unbleached (unscoured or scoured) or bleached woven fabrics of tussah silk, containing 85% or more by weight of tussah silk	
	66	50072031	Unbleached (unscoured or scoured) or bleached woven fabrics of spun silk, containing 85% or more by weight of tussah silk	
COTTON	67	52010000	Cotton, not carded or combed	1. China National Textiles Import & Export Co. 2. Qingdao Textiles United Import & Export Co. 3. Beijing No.2 Cotton Mill 4. Beijing No.3 Cotton Mill 5. Tianjin No.1 Cotton Mill 6. Shanghai Shenda Co. Ltd 7. Shanghai Huashen Textiles and Dying Co. (Group) 8. Dalian Huanqiu Textiles Group Co. 9. Shijiazhuang Changshan Textiles Group 10. Luoyang Cotton Mill, Henan Province
	68	52030000	Cotton, carded or combed	
COTTON YARN, containing 85% or more by weight of cotton	69	52041100	Cotton sewing thread, cotton by weight ⩾ 85%,not put up for retail sale	
	70	52051100	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring ⩽14 metric number, not put up for retail sale	
	71	52051200	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring, >14 metric number but ⩽43 metric number, not put up for retail sale	
	72	52051300	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring >43metric number but ⩽ 52metric number, not put up for retail sale	
	73	52051400	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring >52metric number but ⩽ 80metric number, not put up for retail sale	
	74	52051500	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring >80metric number, not put up for retail sale	
	75	52052100	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring ⩽14metric number, not put up for retail sale	
	76	52052200	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >14metric number but ⩽ 43metric number, not put up for retail sale	
	77	52052300	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >43metric number but ⩽ 52metric number, not put up for retail sale	
	78	52052400	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >52metric number but ⩽ 80metric number, not put up for retail sale	
	79	52052600	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >80metric number but ⩽ 94metric number, not put up for retail sale	
	80	52053100	Uncombed multiple or cabled cotton yarn, cotton by weight ⩾85%, measuring ⩽14metric number	
	81	52053200	Uncombed multiple or cabled cotton yarn, cotton by weight ⩾85%, measuring >14metric number but ⩽43metric number, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	82	52053300	Uncombed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >43metric number but ≤52metric number, not put up for retail sale	
	83	52053400	Uncombed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >52metric number but ≤80metric number, not put up for retail sale	
	84	52053500	Uncombed cabled cotton yarn, cotton by weight ≥85%, measuring >80metric number, not put up for retail sale	
	85	52054100	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring ≤14metric number, not put up for retail sale	
	86	52054200	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >14metric number but ≤43metric number, not put up for retail sale	
	87	52054300	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >43metric number but ≤52metric number, not put up for retail sale	
	88	52054400	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >52metric number but ≤80metric number, not put up for retail sale	
	89	52054600	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >80metric number but ≤94metric number, not put up for retail sale	
	90	52071000	Cotton yarn (excl. sewing), put up for retail sale, cotton by weight ≥85%	
COTTON YARN, containing less than 85% by weight of cotton	91	52041900	Cotton sewing thread, cotton by weight <85%, not put up for retail sale	11. Songyue Textiles Industry Group, Henan Province 12. Dezhou Cotton Mill, 13. Wuxi No.1 Cotton Mill 14. Puxin Textiles Mill, Hubei Province 15. Northwest No.1 Cotton Mill 16. Chengdu Jiuxing Textiles Group Co. 17. Suzhou Sulun Textiles Joint Company (Group) 18. Northwest No.7 Cotton Mill 19. Xiangmian Group Co., Hubei Province 20. Handan Lihua Textiles Group Co.
	92	52061100	Uncombed single cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	93	52061200	Uncombed single cotton yarn, cotton by weight <85%, measuring >14metric number but ≤ 43metric number, not put up for retail sale	
	94	52061300	Uncombed single cotton yarn, cotton by weight <85%, measuring >43metric number but ≤ 52metric number, not put up for retail sale	
	95	52061400	Uncombed single cotton yarn, cotton by weight <85%, measuring >52metric number but ≤ 80metric number, not put up for retail sale	
	96	52061500	Uncombed single cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	
	97	52062100	Combed single cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	98	52062200	Combed single cotton yarn, cotton by weight <85%, measuring >14metric number but ≤ 43metric number, not put up for retail sale	
	99	52062300	Combed single cotton yarn, cotton by weight <85%, measuring >43metric number but ≤ 52metric number, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	100	52062400	Combed single cotton yarn, cotton by weight <85%, measuring >52metric number but ≤ 80metric number, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	101	52062500	Combed single cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	
	102	52063100	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	103	52063200	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >14metric number but ≤43metric number, not put up for retail sale	
	104	52063300	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >43metric number but ≤52metric number, not put up for retail sale	
	105	52063400	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >52metric number but ≤80metric number, not put up for retail sale	
	106	52063500	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	
	107	52064100	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	108	52064200	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >14metric number but ≤43metric number, not put up for retail sale	
	109	52064300	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >43metric number but ≤52metric number, not put up for retail sale	
	110	52064400	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >52metric number but ≤80metric number, not put up for retail sale	
	111	52064500	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	
	112	52079000	Cotton yarn (excl. sewing), put up for retail sale, cotton by weight <85%	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
WOVEN FABRICS OF COTTON, containing 85% or more by weight of cotton	113	52081100	Unbleached plain cotton weave, cotton by weight ⩾85%,a weight not exceeding 100g/m2	21. Xinjiang Textiles Industry Co. (Group) 22. Anqing Textiles Mill 23. Jinan No.2 Cotton Mill 24. Tianjin No.2 Cotton Mill 25. Jinhua Textiles Mill, Shanxi Province 26. Jinwei Group Co., Zhejiang Province 27. Northwest No.5 Cotton Mill 28. Baoding No.1 Cotton Mill 29. Liaoyang Textiles Mill 30. Changchun textiles Mill 31. Huaxin Cotton Mill, Henan Province 32. Baotou Textiles Mill 33. Ninbo Hefeng textiles Group Co. 34. Northwest No.4 Cotton Mill 35. Xinjiang Shihezi Bayi Cotton Mill
	114	52081200	Unbleached plain cotton weave, cotton by weight ⩾85%,a weight exceeding 100g/m2 but not exceeding 200g/m2	
	115	52081300	Unbleached 3 or 4-thread twill, cotton by weight ⩾85%, a weight not exceeding 200g/m2	
	116	52081900	Unbleached woven cotton fabrics, nes, cotton by weight ⩾85%, a weight not exceeding 200g/m2	
	117	52091100	Unbleached plain cotton weave, cotton by weight ⩾85%, a weight exceeding 200g/m2	
	118	52091200	Unbleached 3 or 4-thread twill, cotton by weight ⩾85%, a weight exceeding 200g/m2	
	119	52091900	Unbleached cotton fabrics, cotton by weight ⩾85%, a weight exceeding 200g/m2, nes	
WOVEN FABRICS OF COTTON, containing less than 85% by weight of cotton	120	52101100	Unbleached plain cotton weave, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight not exceeding 200g/m2	
	121	52101200	Unbleached 3 or 4-thread twill, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight not exceeding 200g/m2	
	122	52101900	Unbleached woven cotton fabrics, nes, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight not exceeding 200g/m2	
	123	52111100	Unbleached plain cotton weave, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight exceeding 200g/m2	
	124	52111200	Unbleached 3 or 4-thread twill, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight exceeding 200g/m2	
	125	52111900	Unbleached woven cotton fabrics, nes, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight exceeding 200g/m2	
ANTIMONY ORES	126	26171010	Crude antimony	1. China National Metals and Minerals Import & Export Co. 2. China National Non-ferrous Import & Export Co. 3. China Rare Earth and Metal Group Co.
	127	26171090	Antimony ores & concentrates, excl. crude	
ANTIMONY OXIDE	128	28258000	Antimony oxides	
ANTIMONY PRODUCTS	129	81100020	Antimony unwrought	
	130	81100030	Antimony waste and scrap; Antimony powders	
	131	81100090	Antimony and articles thereof, nes	
SILVER	132	71061000	Silver in powder	1. China Banknote Printing and Minting Corporation 2. China Copper Lead Zinc Group
	133	71069100	Silver (incl. Silver plated with gold or platinum) in unwrought forms	
	134	71069200	Silver (incl. Silver plated with gold or platinum) in semi-manufactured forms nes	

ANNEX 2B

PRODUCTS SUBJECT TO DESIGNATED TRADING

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
NATURAL RUBBER	1	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	Liberalized within 3 years after accession.
	2	40012100	Smoked sheets of natural rubber	
	3	40012200	Technically specified natural rubber, in primary forms or in plates, sheets or strip	
	4	40012900	Natural rubber, in primary forms or in plates, sheets or strip, nes	
TIMBER	5	44020000	Wood charcoal (incl. shell or nut charcoal), whether or not agglomerated	Liberalized within 3 years after accession.
	6	44031000	Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, treated with paint, stains, creosote or other preservatives	
	7	44032000	Coniferous wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	8	44034910	Teak wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	9	44034990	Specified tropical wood in the rough, nes, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	10	44039100	Oak (Quercus spp.) wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	11	44039200	Beech (Fagus spp.) wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	12	44039910	Nan mu (Phoebe) wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	13	44039920	Camphor wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	14	44039930	Rosewood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	15	44039940	Kiri (Paulownia) wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	16	44039990	Wood, nes, in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	17	44041000	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked; chipwood and the like, coniferous	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	18	44042000	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked; chipwood and the like, non-coniferous	
	19	44050000	Wood wool; wood flour	
	20	44061000	Railway or tramway sleepers (cross-ties) of wood, not impregnated	
	21	44069000	Railway or tramway sleepers (cross-ties) of wood, impregnated	
	22	44071000	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, conifers	
	23	44072400	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Virola, Mahogany (Swietenia spp.), Imbuia and Balsa	
	24	44072500	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Dark Red Meranti, Light Red Meranti and Meranti Bakau	
	25	44072600	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, White Lauan, White Meranti, White Seraya, Yellow Meranti and Alan	
	26	44072910	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm,Teak wood	
	27	44072990	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, specified tropical woods nes	
	28	44079100	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Oak (Quercus spp.) wood	
	29	44079200	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Beech (Fagus spp.) wood	
	30	44079910	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Nan mu, Camphor wood or Rosewood	
	31	44079920	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Paulownia wood	
	32	44079990	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, wood nes	
PLYWOOD	33	44121300	Plywood consisting solely of sheets of wood, each ply not exceeding 6mm thickness, with at least one outer ply of tropical wood specified	Liberalized within 3 years after accession.
	34	44121400	Plywood consisting solely of sheets of wood, each ply not exceeding 6mm thickness, with at least one outer ply of non-coniferous wood	
	35	44121900	Plywood consisting solely of sheets of wood, each ply not exceeding 6mm thickness, nes	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
WOOL	36	51011100	Greasy shorn wool, not carded or combed	Liberalized within 3 years after accession.
	37	51011900	Greasy wool (excl. shorn), not carded or combed	
	38	51012100	Degreased shorn wool, not carbonised, not carded or combed	
	39	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	
	40	51013000	Carbonized wool, not carded or combed	
	41	51031010	Noils of wool, excluding garnetted stock	
	42	51051000	Carded wool	
	43	51052100	Combed wool in fragments	
	44	51052900	Wool tops & combed wool (excl. Combed wool in fragments)	
ACRYLIC	45	54023910	Synthetic filament textured yarn of polypropylene, not for retail sale	Liberalized within 3 years after accession.
	46	54023990	Synthetic filament textured yarn, nes, not for retail sale	
	47	54024910	Single synthetic yarn of polypropylene, with ≤50 turns/m, not for retail sale	
	48	54024920	Single synthetic yarn of polyurethane, with ≤50 turns/m, not for retail sale	
	49	54024990	Single synthetic yarn, nes, with ≤50 turns/m, not for retail sale	
	50	54025910	Single filament yarn of polypropylene, with >50 turns/m, not for retail sale	
	51	54025990	Single synthetic filament yarn, nes, with >50 turns/m, not for retail sale	
	52	54026910	Multiple or cabled yarn of polypropylene not for retail sale	
	53	54026920	Multiple or cabled yarn of polyurethane, not for retail sale	
	54	54026990	Multiple or cabled yarn of synthetic filament, nes, not for retail sale	
	55	55013000	Synthetic filament tow of acrylic or modacrylic	
	56	55033000	Synthetic staple fibres, of acrylic or modacrylic, not carded, combed or otherwise processed for spinning	
	57	55063000	Synthetic staple fibres of acrylic or modacrylic, carded, combed or otherwise processed for spinning	
	58	55093100	Single yarn, with ≥85% acrylic or modacrylic staple fibres, not put up for retail sale	
	59	55093200	Multiple or cabled yarn, ≥85% acrylic/modacrylic staple fibres, not put up for retail sale	
	60	55096100	Yarn, <85% acrylic or modacrylic staple fibres, mixed mainly or solely with wool or fine animal hair, not put up for retail sale	
	61	55096200	Yarn, <85% acrylic or modacrylic staple fibres, mixed mainly or solely with cotton, not put up for retail sale	
	62	55096900	Yarn, <85% acrylic or modacrylic staple fibres, nes, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
STEEL	63	72081000	Iron or non-alloy steel in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, with patterns in relief	Liberalized within 3 years after accession.
	64	72082500	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, pickled, of a thickness of 4.75mm or more	
	65	72082600	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, pickled, of a thickness of 3mm or more but less than 4.75mm	
	66	72082700	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, pickled, of a thickness of less than 3mm	
	67	72083600	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 10mm or more	
	68	72083700	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 4.75mm or more but less than 10mm	
	69	72083800	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 3mm or more but less than 4.75mm	
	70	72083900	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of less than 3mm	
	71	72084000	Flat-rolled products of iron or non-alloy steel not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, with patterns in relief	
	72	72085100	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 10mm or more	
	73	72085200	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 4.75mm or more but less than 10mm	
	74	72085300	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 3mm or more but less than 4.75mm	
	75	72085400	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of less than 3mm	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	76	72089000	Flat-rolled products of iron or non-alloy steel, not clad or plated or coated, of a width of 600mm or more, hot-rolled, nes	
	77	72091500	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 3mm or more	
	78	72091600	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness exceeding 1mm but less than 3mm	
	79	72091700	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 0.5mm or more but not exceeding 1mm	
	80	72091800	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of less than 0.5mm	
	81	72092500	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 3mm or more	
	82	72092600	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness exceeding 1mm but less than 3mm	
	83	72092700	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 0.5mm or more but not exceeding 1mm	
	84	72092800	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of less than 0.5mm	
	85	72099000	Flat-rolled products of iron or non-alloy steel, not clad or plated or coated, of a width of 600mm or more, cold-rolled, nes	
	86	72101100	Flat-rolled products of iron or non-alloy steel, plated or coated with tin, of a width of 600mm or more, of a thickness of 0.5mm or more	
	87	72101200	Flat-rolled products of iron or non-alloy steel, plated or coated with tin, of a width of 600mm or more, of a thickness of less than 0.5mm	
	88	72102000	Flat-rolled products of iron or non-alloy steel, plated or coated with lead, of a width of 600mm or more, including terneplate	
	89	72103000	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, electrolytically plated or coated with zinc	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	90	72104100	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, corrugated, plated or coated with zinc nes	
	91	72104900	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated with zinc, nes	
	92	72105000	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated with chromium oxides or with chromium and chromium oxides	
	93	72106100	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated with aluminium-zinc alloys	
	94	72106900	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated with aluminium, nes	
	95	72107000	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, painted or plated with plastics	
	96	72109000	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated, nes	
	97	72111300	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, rolled on four faces or in a closed box pass, 150mm <width >600mm, and a thickness ⩾4mm, without patterns in relief, not further worked than hot-rolled	
	98	72111400	Flat-rolled products of iron or non-alloy steel, not further worked than hot-rolled, not clad or plated or coated, of a width of less than 600mm, of a thickness of 4.75mm or more, nes	
	99	72111900	Flat-rolled products of iron or non-alloy steel, not further worked than hot-rolled, not clad or plated or coated, of a width of less than 600mm, nes	
	100	72112300	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, not further worked than cold-rolled, containing by weight less than 0.25% of carbon	
	101	72112900	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, not further worked than cold-rolled, containing by weight not less than 0.25% of carbon	
	102	72119000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, nes	
	103	72121000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, plated or coated with tin	
	104	72122000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, electrolytically plated or coated with zinc	
	105	72123000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, plated or coated with zinc, nes	
	106	72124000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, painted or plated or coated with plastics	
	107	72125000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, plated or coated, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	108	72126000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, clad	
	109	72131000	Bars & rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel, containing indentations & ribs & grooves & other deformations produced during the rolling process	
	110	72132000	Bars & rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel, of free cutting steel	
	111	72139100	Bars & rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel, of circular cross-section measuring less than 14 mm in diameter, nes	
	112	72139900	Bars & rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel, nes	
	113	72141000	Bars & rods of iron or non-alloy steel, not further worked than forged, nes	
	114	72142000	Bars & rods of iron or non-alloy steel, not further worked than forged or hot-rolled or hot-drawn or hot-extruded, containing indentations & ribs & grooves & other deformations produced during the rolling process or twisted after rolling, nes	
	115	**72143000**	**Bars & rods of iron or non-alloy steel, not further worked than forged or hot-rolled or hot-drawn or hot-extruded (incl. twisted after rolling), of free cutting steel, nes**	
	116	**72149100**	**Bars & rods of iron or non-alloy steel, not further worked than forged or hot-rolled or hot-drawn or hot-extruded (incl. twisted after rolling), of rectangular (excl. square) cross-section, nes**	
	117	**72149900**	**Bars & rods of iron or non-alloy steel, not further worked than forged or hot-rolled or hot-drawn or hot-extruded (incl. twisted after rolling), nes**	
	118	**72151000**	**Bars & rods of free cutting steel, not further worked than cold- formed or cold-finished, nes**	
	119	**72155000**	**Bars & rods of iron or non-alloy steel, not further worked than cold- formed or cold-finished, nes**	
	120	**72159000**	**Bars & rods of iron or non-alloy steel, nes**	
	121	**72161010**	**H sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height less than 80mm**	
	122	**72161090**	**U &I sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height less than 80mm**	
	123	**72162100**	**L sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height less than 80mm**	
	124	**72162200**	**T sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height less than 80mm**	
	125	**72163100**	**U sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more**	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	126	**72163200**	**I sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more**	
	127	**72163300**	**H sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more**	
	128	**72164010**	**L sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more**	
	129	**72164020**	**T sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more**	
	130	**72165010**	**Z sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded**	
	131	**72165090**	**Angles & shapes & sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, nes**	
	132	**72166100**	**Angles & shapes & sections of iron or non-alloy steel, not further worked than cold-rolled or cold-drawn or cold-extruded, obtained from flat-rolled products**	
	133	**72166900**	**Angles & shapes & sections of iron or non-alloy steel, not further worked than cold-rolled or cold-drawn or cold-extruded, nes**	
	134	**72169100**	**Angles & shapes & sections of iron or non-alloy steel, cold-rolled or cold-drawn or cold-extruded, obtained from flat-rolled products, nes**	
	135	**72169900**	**Angles & shapes & sections of iron or non-alloy steel, cold-rolled or cold-drawn or cold-extruded, nes**	
	136	**72171000**	**Wire of iron or non-alloy steel, not plated or coated, whether or not polished**	
	137	72172000	Wire of iron or non-alloy steel, plated or coated with zinc	
	138	72173000	Wire of iron or non-alloy steel, plated or coated with other base metals	
	139	72179000	Wire of iron or non-alloy steel, nes	
	140	72181000	Ingots & other primary forms of stainless steel	
	141	72189100	Semi-finished products of stainless steel, of rectangular (other than square) cross-section	
	142	72189900	Semi-finished products of stainless steel, nes	
	143	72191100	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, in coils, of a thickness exceeding 10mm	
	144	72191200	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, in coils, of a thickness of 4.75mm or more but less than 10mm	
	145	72191300	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, in coils, of a thickness of 3mm or more but less than 4.75mm	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	146	72191400	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, in coils, of a thickness of less than 3mm	
	147	72192100	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, not in coils, of a thickness exceeding 10mm	
	148	72192200	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, not in coils, of a thickness of 4.75mm or more but less than 10mm	
	149	72192300	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, not in coils, of a thickness of 3mm or more but less than 4.75mm	
	150	72192400	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, not in coils, of a thickness of less than 3mm	
	151	**72193100**	**Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 4.75mm or more**	
	152	**72193200**	**Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 3mm or more but less than 4.75mm**	
	153	**72193300**	**Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness exceeding 1mm but less than 3mm**	
	154	**72193400**	**Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 0.5mm or more but not exceeding 1mm**	
	155	**72193500**	**Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of less than 0.5mm**	
	156	**72199000**	**Flat-rolled products of stainless steel, of a width of 600mm or more, nes**	
	157	**72201100**	**Flat-rolled products of stainless steel, of a width of less than 600mm, not further worked than hot-rolled, of a thickness of 4.75mm or more**	
	158	**72201200**	**Flat-rolled products of stainless steel, of a width of less than 600mm, not further worked than hot-rolled, of a thickness of less than 4.75mm**	
	159	**72202000**	**Flat-rolled products of stainless steel, of a width of less than 600mm, not further worked than cold-rolled**	
	160	**72209000**	**Flat-rolled products of stainless steel, of a width of less than 600mm, nes**	
	161	**72210000**	**Bars & rods of stainless steel, hot-rolled, in irregularly wound coils**	
	162	**72221100**	**Bars & rods of stainless steel, not further worked than hot-rolled or hot-drawn or extruded, of circular cross-section, nes**	
	163	72221900	Bars & rods of stainless steel, not further worked than hot-rolled or hot-drawn or extruded, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	164	72222000	Bars & rods of stainless steel, not further worked than cold- formed or cold-finished	
	165	72223000	Bars & rods of stainless steel, nes	
	166	72224000	Angles, shapes & sections, stainless steel	
	167	72230000	Wire of stainless steel	
	168	72241000	Ingots & other primary forms of alloy steel, other than stainless	
	169	72249010	Raw casting forging stocks, individual piece weight of 10T or more, of alloy steel, other than stainless	
	170	72249090	Semi-finished products of alloy steel other than stainless, nes	
	171	72251100	Flat rolled products of Si-electrical steel, width≥ 600mm, grain-oriented	
	172	72251900	Flat rolled products of silicon-electrical steel, width≥ 600mm, nes	
	173	72252000	Flat rolled products of high speed steel, width≥600mm	
	174	72253000	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), in coils, not further worked than hot-rolled, width≥600mm	
	175	72254000	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), not further worked than hot-rolled, width≥600mm, nes	
	176	72255000	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), not further worked than cold-rolled, width≥600mm	
	177	72259100	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), nes, width≥ 600mm, electrolytically coated with zinc	
	178	72259200	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), nes, width≥ 600mm, otherwise coated with zinc	
	179	72259900	Flat rolled products, of alloy steel, width≥600mm, nes	
	180	72261100	Flat rolled products of silicon -electrical steel, width <600mm grain-oriented	
	181	72261900	Flat rolled products of silicon -electrical steel, width <600mm, nes	
	182	72262000	Flat rolled products of high speed steel, width <600mm	
	183	72269100	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), not further worked than hot-rolled, width <600mm	
	184	72269200	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), not further worked than cold-rolled, width <600mm	
	185	72269300	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), nes, width <600mm, electrolytically coated with zinc	
	186	72269400	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), nes, width <600mm, otherwise coated with zinc	
	187	72269900	Flat rolled products, of alloy steel, width <600mm, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	188	72271000	Bars & rods, of high speed steel, hot-rolled, in irregularly wound coils	
	189	72272000	Bars & rods, of silico-manganese steel, hot-rolled, in irregular wound coils	
	190	72279000	Bars & rods, of alloy steel, hot-rolled, in irregularly wound coils, nes	
	191	72281000	Bars & rods of high speed steel, nes	
	192	72282000	Bars & rods of silico-manganese steel, nes	
	193	72283000	Bars & rods of alloy steel other than stainless, not further worked than hot-rolled or hot-drawn or extruded, nes	
	194	72284000	Bars & rods of alloy steel other than stainless, not further worked than forged	
	195	72285000	Bars & rods of alloy steel other than stainless, not further worked than cold formed or finished	
	196	**72286000**	**Bars & rods of alloy steel other than stainless, nes**	
	197	**72287010**	**Shapes of crawler tread of alloy steel other than stainless**	
	198	**72287090**	**Angles, shapes & sections of alloy steel other than stainless, nes**	
	199	**72288000**	**Bars & rods, hollow drill, of alloy or non-alloy steel**	
	200	**72291000**	**Wire of high speed steel**	
	201	**72292000**	**Wire of silico-manganese steel**	
	202	**72299000**	**Wire of alloy steel, nes**	
	203	**73011000**	**Sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements**	
	204	**73012000**	**Angles, shapes & sections, welded, of iron or steel**	
	205	**73021000**	**Rails, of iron or steel**	
	206	**73022000**	**Sleepers (cross-ties), of iron or steel**	
	207	73023000	Switch blades & crossing frogs & point rods & other crossing pieces, of iron or steel	
	208	73024000	Fish plates & sole plates, of iron or steel	
	209	73029000	Rail or tramway construction material of iron or steel, nes	
	210	73030010	Tube, pipes of cast iron, of circular cross-section, inside diameter.⩾500mm	
	211	73030090	Tubes, pipes & hollow profiles of cast iron, nes	
	212	73041000	Pipes, line, of iron (other than cast) or steel, seamless, of a kind used for oil or gas pipelines	
	213	73042100	Drill pipe, of iron (other than cast) or steel, seamless, for use in drilling for oil or gas	
	214	73042900	Casings, tubing pipe of iron (other than cast) or steel, seamless, for use in drilling for oil or gas	
	215	73043110	Boiler tubes & pipes, of iron (other than cast) or steel, seamless, of circular cross-section, cold drown or rolled	
	216	73043120	Geological casing & drill pipe, of iron (other than cast) or steel, seamless, of circular cross-section, cold drown or rolled	
	217	73043190	Tubes & pipe, of iron (other than cast) or steel, seamless, of circular cross-section, cold drown or rolled, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	218	73043910	Boiler tubes & pipes, of iron (other than cast) or steel, seamless, of circular cross-section, not cold drown or rolled	
	219	73043920	Geological casing & drill pipe, of iron (other than cast) or steel, seamless, of circular cross-section, not cold drown or rolled	
	220	73043990	Tubes & pipe, of iron (other than cast) or steel, seamless, of circular cross-section, not cold drown or rolled, nes	
	221	73044190	Tubes, pipe, of stainless steel, seamless, of circular cross-section, cold drown or rolled, nes	
	222	73044910	Boiler tubes & pipes, of stainless steel, seamless, of circular cross-section, not cold drown or rolled	
	223	73044990	Tubes & pipe, of stainless steel, seamless, of circular cross-section, cold drown or rolled, nes	
	224	73045110	Boiler tube & pipe, of alloy steel other than stainless, seamless, of circular cross-section, cold drown or rolled	
	225	73045120	Geological casing & drill pipe, of alloy steel other than stainless, seamless, of circular cross-section, cold drown or rolled	
	226	73045190	Tubes & pipe, of alloy steel other than stainless, seamless, of circular cross-section, cold drown or rolled, nes	
	227	73045910	Boiler tube & pipe, of alloy steel other than stainless, seamless, of circular cross-section, not cold drown or rolled	
	228	73045920	Geological casing & drill pipe, of alloy steel other than stainless, seamless, of circular cross-section, not cold drown or rolled	
	229	73045990	Tubes & pipe, of alloy steel other than stainless, seamless, of circular cross-section, not cold drown or rolled, nes	
	230	73049000	Tubes, pipe & hollow profiles, of iron (other than cast) or steel, seamless, nes	
	231	73051100	Line pipes for oil or gas pipelines, of iron or steel, of circular cross-section, external diameter >406.4mm, longitudinally submerged arc welded	
	232	73051200	Line pipes for oil or gas pipelines, of iron or steel, of circular cross-section, external diameter >406.4mm, longitudinally welded nes	
	233	73051900	Line pipes for oil or gas pipelines, of iron or steel, of circular cross-section, external diameter >406.4mm, nes	
	234	73052000	Casings used in drilling for oil or gas, of iron or steel, of circular cross-section, external diameter >406.4mm, nes	
	235	73053100	Tubes & pipe, of iron or steel, longitudinally welded, of circular cross-section, external diameter >406.4mm, nes	
	236	73053900	Tubes & pipe, of iron or steel, welded (excl. longitudinally welded), , external diameter >406.4mm	
	237	73059000	Tubes & pipe, of iron or steel, riveted or similarly closed, external diameter >406.4mm, nes	
	238	73061000	Line pipes for oil or gas pipelines, of iron or steel, welded or open seam or riveted or similarly closed, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	239	73062000	Casings used in drilling for oil or gas, of iron or steel, welded or open seam or riveted or similarly closed, nes	
	240	73063000	Tubes & pipes, of iron and non-alloy steel, welded, of circular cross-section, nes	
	241	73064000	Tubes & pipes, of stainless steel, welded, of circular cross-section, nes	
	242	73065000	Tubes & pipes, of alloy steel other than stainless, welded, of circular cross-section, nes	
	243	73066000	Tubes, pipe & hollow profiles, of iron or steel, welded, of non-circular cross-section, nes	
	244	73069000	Tubes, pipe & hollow profiles, of iron or steel, welded or open seam or riveted or similarly closed, nes	
	245	73121000	Stranded wire & ropes & cables, of iron or steel, not electrically insulated	

ANNEX 3

NON-TARIFF MEASURES SUBJECT TO PHASED ELIMINATION

Table One
Products Subject to Import Licence, Import Quota and Import Tendering

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
1	17011100	Raw cane sugar, in solid form, not containing added flavouring or colouring matter	L	Q		upon accession	
2	17011200	Raw beet sugar, in solid form, not containing added flavouring or colouring matter	L	Q		upon accession	
3	17019910	Granulated sugar	L	Q		upon accession	
4	17019920	Superfine sugar	L	Q		upon accession	
5	24011010	Flue-cured tobacco, not stemmed/stripped	L	Q		upon accession	
6	24011090	Tobacco other than flue-cured, not stemmed/stripped	L	Q		upon accession	
7	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	L	Q		upon accession	
8	24012090	Tobacco other than flue-cured, partly or wholly stemmed/stripped	L	Q		upon accession	
9	24013000	Tobacco refuse	L	Q		upon accession	
10	24029000	Cigars, cheroots, cigarillos and cigarettes, of tobacco substitutes	L	Q		upon accession	
11	24039100	Homogenized or "reconstituted" tobacco	L	Q		upon accession	
12	27100011	Motor gasoline & aviation gasoline	L	Q		2004	1
13	**27100013**	**Naphtha**	L	Q		2004	1
14	**27100019**	**Gasoline distillages, nes & preparations thereof**	L	Q		2004	1
15	27100023	Aviation kerosene	L	Q		2004	1
16	27100024	Lamp-kerosene	L	Q		2004	1
17	27100031	Light diesel oil	L	Q		2004	1
18	27100033	Fuel oil No.5 to No.7 (National Code)	L	Q		2004	1
19	27100039	Diesel oils & preparations thereof and other fuel oils, nes	L	Q		2004	1
20	28371110	Sodium cyanide	L	Q		2002	2
21	31021000	Urea, whether or not in aqueous solution	L	Q		upon accession	
22	31022100	Ammonium sulphate	L	Q		2002	3
23	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	L	Q		2002	3
24	31023000	Ammonium nitrate, whether or not in aqueous solution	L	Q		2002	3
25	31024000	Mixtures of ammonium nitrate with calcium carbonate or other inorganic non-fertilizing substances	L	Q		2002	3
26	31025000	Sodium nitrate	L	Q		upon accession	
27	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	L	Q		upon accession	
28	31027000	Calcium cyanamide	L	Q		upon accession	
29	31028000	Mixtures of urea & ammonium nitrate in aqueous or ammoniacal solution	L	Q		2002	3
30	31029000	Mineral or chemical fertilizers, nitrogenous , nes, incl. mixtures not specified in the foregoing subheadings	L	Q		2002	3
31	31031000	Superphosphates	L	Q		2002	3

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
32	31032000	Basic slag	L	Q		2002	3
33	31039000	Mineral or chemical fertilizers, phosphatic, nes	L	Q		2002	3
34	31041000	Carnallite, sylvite & other crude natural potassium salts	L	Q		upon accession	
35	31042000	Potassium chloride	L	Q		upon accession	
36	31043000	Potassium sulphate	L	Q		2002	3
37	31049000	Mineral or chemical fertilizers, potassic, nes	L	Q		upon accession	
38	31051000	Goods of chapter 31 in tables or similar forms or in packages of a gross weight ⩽10kg	L	Q		2002	3
39	31052000	Mineral or chemical fertilizers containing the three fertilizing elements nitrogen, phosphorus & potassium	L	Q		upon accession	
40	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	L	Q		upon accession	
41	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate) and mixtures thereof with diammonium hydrogenorthophosphate (diammonium phosphate)	L	Q		2002	3
42	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	L	Q		2002	3
43	31055900	Mineral or chemical fertilizers containing the two fertilizing elements nitrogen & phosphorus, nes	L	Q		2002	3
44	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	L	Q		2002	3
45	31059000	Mineral or chemical fertilizers, nes	L	Q		2002	3
46	39076011	Polyethylene terephthalate in slices or chips, high viscosity	L	Q		upon accession	
47	39076019	Polyethylene terephthalate in slices or chips, nes	L	Q		upon accession	
48	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	L	Q		2004	4
49	40012100	Smoked sheets of natural rubber	L	Q		2004	4
50	40012200	Technically specified natural rubber, in primary forms or in plates, sheets or strip	L	Q		2004	4
51	40012900	Natural rubber, in primary forms or in plates, sheets or strip, nes	L	Q		2004	4
52	40111000	New pneumatic tyres, of rubber of a kind used on motor cars	L	Q		2004	5
53	40112000	New pneumatic tyres, of rubber of a kind used on buses or lorries	L	Q		2004	5
54	40119100	New pneumatic tyres, of rubber, nes, of herring-bone or similar tread	L	Q		2002	5
55	40121010	Retreaded tyres of rubber used on automobiles	L	Q		2002	5
56	40122010	Used pneumatic tyres of rubber used on automobiles	L	Q		2002	5
57	40129020	Solid/cushion rubber tyres, etc, used on automobiles	L	Q		upon accession	
58	40131000	Inner tubes, of rubber of a kind used on motor cars, buses or lorries	L	Q		upon accession	
59	51011100	Greasy shorn wool, not carded or combed	L	Q		upon accession	
60	51011900	Greasy wool (excl. shorn), not carded or combed	L	Q		upon accession	
61	51012100	Degreased shorn wool, not carbonised, not carded or combed	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
62	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	L	Q		upon accession	
63	51013000	Carbonized wool, not carded or combed	L	Q		upon accession	
64	51031010	Noils of wool, excluding garnetted stock	L	Q		upon accession	
65	51051000	Carded wool	L	Q		upon accession	
66	51052100	Combed wool in fragments	L	Q		upon accession	
67	51052900	Wool tops & combed wool (excl. Combed wool in fragments)	L	Q		upon accession	
68	52010000	Cotton, not carded or combed	L	Q		upon accession	
69	52030000	Cotton, carded or combed	L	Q		upon accession	
70	54022000	High tenacity yarn of polyesters	L	Q		upon accession	
71	54023310	Elastic filament of polyesters, not for retail sale	L	Q		upon accession	
72	54023390	Textured yarn of polyesters, nes, not for retail sale	L	Q		upon accession	
73	54023990	Synthetic filament textured yarn, nes, not for retail sale	L	Q		upon accession	
74	54024200	Single yarn of partially oriented polyesters, with ≤50 turns/m, not for retail sale	L	Q		upon accession	
75	54024300	Single yarn of polyesters, nes, with ≤50turns/m, not for retail sale	L	Q		upon accession	
76	54024990	Single synthetic yarn, nes, with ≤50 turns/m, not for retail sale	L	Q		upon accession	
77	54025200	Single yarn of polyesters, with >50 turns/m, not for retail sale	L	Q		upon accession	
78	54025990	Single synthetic filament yarn, nes, with >50 turns/m, not for retail sale	L	Q		upon accession	
79	54026200	Multiple or cabled yarn of polyesters, not for retail sale	L	Q		upon accession	
80	54026990	Multiple or cabled yarn of synthetic filament, nes, not for retail sale	L	Q		upon accession	
81	54033310	Single yarn of cellulose diacetate, not for retail sale	L	Q		upon accession	
82	54041000	Synthetic monofilament of ≥67 decitex, or more and of which no cross-sectional dimension exceeds 1mm	L	Q		upon accession	
83	55012000	Synthetic filament tow of polyesters	L	Q		upon accession	
84	55013000	Synthetic filament tow of acrylic or modacrylic	L	Q		upon accession	
85	55020010	Cellulose diacetate filament tow	L	Q		upon accession	
86	55032000	Synthetic staple fibres, of polyesters, not carded, combed or otherwise processed for spinning	L	Q		upon accession	
87	55033000	Synthetic staple fibres, of acrylic or modacrylic, not carded, combed or otherwise processed for spinning	L	Q		upon accession	
88	55062000	Synthetic staple fibres, of polyesters, carded, combed or otherwise processed for spinning	L	Q		upon accession	
89	55063000	Synthetic staple fibres of acrylic or modacrylic, carded, combed or otherwise processed for spinning	L	Q		upon accession	
90	55092100	Single yarn, with ≥85% polyester staple fibres, not put up for retail sale	L	Q		upon accession	
91	55092200	Multiple or cabled yarn, with ≥85% polyester staple fibres, not put up for retail sale	L	Q		upon accession	
92	55093100	Single yarn, with ≥85% acrylic or modacrylic staple fibres, not put up for retail sale	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
93	55093200	Multiple or cabled yarn, ≥85% acrylic/modacrylic staple fibres, not put up for retail sale	L	Q		upon accession	
94	55095100	Yarn, <85% polyester staple fibres, mixed mainly or solely with artificial staple fibres, not put up for retail sale	L	Q		upon accession	
95	55095200	Yarn, <85% polyester staple fibres, mixed mainly or solely with wool/fine animal hair, not put up for retail sale	L	Q		upon accession	
96	55095300	Yarn, <85% polyester staple fibres, mixed mainly or solely with cotton, not put up for retail sale	L	Q		upon accession	
97	55095900	Yarn, <85% polyester staple fibres, nes, not put up for retail sale	L	Q		upon accession	
98	55096100	Yarn, <85% acrylic or modacrylic staple fibres, mixed mainly or solely with wool or fine animal hair, not put up for retail sale	L	Q		upon accession	
99	55096200	Yarn, <85% acrylic or modacrylic staple fibres, mixed mainly or solely with cotton, not put up for retail sale	L	Q		upon accession	
100	55096900	Yarn, <85% acrylic or modacrylic staple fibres, nes, not put up for retail sale	L	Q		upon accession	
101	84073100	Reciprocation piston engines of a kind used for the prolusion of vehicles of Chapter 87, with a cylinder capacity not exceeding 50cc	L	Q		2003	6
102	84073200	Reciprocation piston engines of a kind used for the prolusion of vehicles of Chapter 87, with a cylinder capacity exceeding 50cc but not exceeding 250cc	L	Q		2003	6
103	84073300	Reciprocation piston engines of a kind used for the prolusion of vehicles of Chapter 87, with a cylinder capacity exceeding 250cc but not exceeding 1000cc	L	Q		2003	6
104	84079090	Spark-ignition reciprocation or rotary internal combustion piston engines not elsewhere specified or included	L	Q		2003	7
105	84082010	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines) for the prolusion of vehicles of Chapter 87, with an output 132.39KW (180H.P.)or more	L	Q		2003	7
106	84082090	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines) for the prolusion of vehicles of Chapter 87, with an output less than 132.39KW (180H.P.)	L	Q		2003	7
107	84089092	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines) not elsewhere specified or included with an output exceeding 14KW but less than 132.39KW(180H.P.)			T	2004	
108	84143011	Compressors for refrigerators or freezers driven by a motor, of a motor power not exceeding 0.4KW	L	Q		upon accession	
109	84143012	Compressors for refrigerators or freezers driven	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		by a motor, of a motor power exceeding 0.4KW but not exceeding 5KW					
110	84143013	Compressors for air conditioning machinery driven by a motor, of a motor power exceeding 0.4KW but not exceeding 5KW	L	Q		upon accession	
111	84143019	Compressors of a kind used in refrigerating equipment driven by a motor, not elsewhere specified or included	L	Q		upon accession	
112	84143090	Compressors of a kind used in refrigerating equipment driven by a non-motor	L	Q		upon accession	
113	84145930	Centrifugal ventilation fans			T	upon accession	
114	84151000	Window or wall types air conditioning machinery, self-contained	L	Q		2002	8
115	84152000	Air conditioning machinery used for persons in motor vehicles	L	Q		2002	7
116	84158110	Air conditioning machinery incorporating a refrigerating unit and a valve for reversal of the cooling/heat cycle, of a refrigerating effect not exceeding 4000 Kcal per hour	L	Q		upon accession	
117	84158210	Air conditioning machinery incorporating a refrigerating unit, of a refrigerating effect not exceeding 4000 Kcal per hour, nes	L	Q		upon accession	
118	84181010	Combined refrigerator-freezers fitted with separate external doors, of a capacity exceeding 500L	L	Q		upon accession	
119	84181020	Combined refrigerator-freezers fitted with separate external doors, of a capacity exceeding 200L but not exceeding 500L	L	Q		upon accession	
120	84181030	Combined refrigerator-freezers fitted with separate external doors, of a capacity not exceeding 200L	L	Q		upon accession	
121	84182110	Household-compression-type refrigerators, of a capacity exceeding 150L	L	Q		upon accession	
122	84182120	Household-compression-type refrigerators, of a capacity exceeding 50 l but not exceeding 150L	L	Q		upon accession	
123	84182130	Household-compression-type refrigerators, of a capacity not exceeding 50L	L	Q		upon accession	
124	84182200	Household-absorption-type refrigerators, electrical	L	Q		upon accession	
125	84183010	Chest-type freezers of a refrigerating temperature of –40°C or lower, capacity not exceeding 800L	L	Q		upon accession	
126	84183021	Chest-type freezers of a refrigerating temperature higher than –40°C, capacity exceeding 500L but not exceeding 800L	L	Q		upon accession	
127	84183029	Chest-type freezers of a refrigerating temperature higher than –40° C, capacity not exceeding 500L	L	Q		upon accession	
128	84184010	Upright-type freezers of a refrigerating temperature of –40° C or lower, capacity not exceeding 900L	L	Q		upon accession	
129	84184021	Upright-type freezers of a refrigerating temperature higher than –40° C, capacity exceeding 500L but not exceeding 900L	L	Q		upon accession	
130	84184029	Upright-type freezers of a refrigerating	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		temperature higher than –40° C, capacity not exceeding 500L					
131	84185000	Refrigerating or freezing chests, cabinets, display counters, show-cases and similar refrigerating or freezing furniture, nes	L	Q		upon accession	
132	84254990	Hoists of a kind used for raising vehicles, not elsewhere specified or included			T	upon accession	
133	84261910	Overhead traveling Ship loading cranes			T	upon accession	
134	84261921	Overhead traveling Grab ship unloading cranes			T	upon accession	
135	84261929	Other Overhead traveling ship unloading cranes			T	upon accession	
136	84263000	Portal or pedestal jib cranes			T	upon accession	
137	84264110	Wheel-mounted cranes			T	upon accession	
138	84264190	Self-propelled machinery on tyres fitted with a crane, not elsewhere specified or included			T	upon accession	
139	84281010	Lifts and skip hoists designed for the transport of persons			T	2002	
140	84284000	Escalators and moving walkways			T	upon accession	
141	84291110	Track laying self-propelled bulldozers and angledozers with an engine of an output exceeding 235.36kW(320H.P.)			T	2004	
142	84294011	Self-propelled vibration-type road rollers, of a deadweight of 18t or more			T	2002	
143	84294019	Self-propelled road rollers, not elsewhere specified or included			T	2004	
144	84305020	Mining power shovels, self-propelled			T	upon accession	
145	84381000	Bakery machinery and machinery for the manufacture of macaroni, spaghetti or similar products			T	upon accession	
146	84391000	Machinery for making pulp of fibrous cellulosic material			T	2002	
147	84392000	Machinery for making paper or paperboard			T	2002	
148	84393000	Machinery for finishing paper or paperboard			T	2002	
149	84413090	Machinery for making cartons, boxes, cases, tubes, drums or similar containers in paper pulp, paper or paperboard, other than by moulding, not elsewhere specified or included			T	upon accession	
150	84414000	Machinery for moulding articles in paper pulp, paper or paperboard			T	upon accession	
151	84431910	Sheet fed offset printing machinery,			T	2004	
152	84431990	Offset printing machinery not elsewhere specified or included			T	2004	
153	84435912	Platen screen press printing machinery			T	upon accession	
154	84451110	Carding machinery, for cotton type fibres			T	upon accession	
155	84451120	Carding machinery, for wool type fibres			T	upon accession	
156	84451200	Combing machinery for textile fibres			T	upon accession	
157	84452020	Break spinning machinery (Rotor spinning frames)	L	Q		upon accession	
158	84454010	Automatic bobbin winders			T	upon accession	
159	84459010	Warping machinery for textile fibres			T	upon accession	
160	84463020	Rapier looms for weaving fabrics of a width exceeding 30cm			T	upon accession	
161	84463030	Carrier looms for weaving fabrics of width			T	upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		exceeding 30 cm					
162	84501200	Washing machinery with built-in centrifugal drier, dry linen capacity not exceeding 10kg, including machinery which both wash and dry	L	Q		upon accession	
163	84501900	Washing machinery, dry linen capacity not exceeding 10kg, not elsewhere specified or included, including machinery which both wash and dry	L	Q		upon accession	
164	84522110	Automatic sewing machinery, flat-seam type, other than book-sewing machinery of heading 84.40			T	upon accession	
165	84522190	Automatic sewing machinery, other than flat-seam type & book-sewing machinery of heading 84.40			T	upon accession	
166	84542010	Fining equipments, outside of converters, used in metallurgy or in metal foundry			T	upon accession	
167	84543010	Cold chamber die-casting machinery			T	upon accession	
168	84563010	Machine-tools for working any material by removal of material, numerically controlled, operated by electro-discharge processes			T	2004	
169	84569910	Cutting machinery of plasma arc, for working any material by removal of material			T	2004	
170	84569990	Machine-tools for working any material by removal of material, operated by electro-chemical, electron beam, ionic-beam processes, not elsewhere specified or included			T	2004	
171	84571010	Machining centers, vertical type, for working metal			T	2004	
172	84571020	Machining centers, horizontal type, for working metal			T	2004	
173	84571030	Machining centers, plano type, for working metal			T	2004	
174	84571090	Machining centers, not elsewhere specified or included, for working metal			T	2004	
175	84581100	Horizontal lathes (including turning centers) for removing metal, numerically controlled			T	2004	
176	84621090	Non-numerically controlled Forging or die-stamping machinery (including presses) and hammers for working metal			T	2002	
177	84659600	Splitting, slicing, paring machinery for working wood, cork, bone, hard rubber, hard plastics or similar hard materials			T	upon accession	
178	84714991	Processing machinery for distributed control systems, presented in the form of systems			T	2004	
179	84742010	Crushing, grinding machinery for earth stone, ores or other mineral substances in solid (incl. power or paste) form, toothing roller type			T	upon accession	
180	84742090	Crushing, grinding machinery for earth stone, ores or other mineral substances in solid (incl. power or paste) form, other than toothing roller type			T	upon accession	
181	84743100	Concrete or mortar mixers			T	2004	
182	84775900	Machinery for moulding or otherwise forming, for working rubber or plastics or for the manufacture of products from these materials, not elsewhere specified or included			T	2002	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
183	84781000	Machinery for preparing or making up tobacco, not elsewhere specified or included			T	2002	
184	84789000	Parts, of machinery for preparing or making up tobacco, not elsewhere specified or included			T	upon accession	
185	84791021	Machinery for spreading bituminous concrete			T	2002	
186	84791022	Stabilizer spreading machinery			T	2002	
187	84804100	Injection or compression types moulds for metal or metal carbides			T	2002	
188	84807100	Injection or compression types moulds for rubber or plastics			T	2002	
189	84834020	Planet decelerators			T	upon accession	
190	85042320	Liquid dielectric transformers, having a power handling capacity of 400MVA or more			T	2004	
191	85172100	Facsimile machinery			T	2002	
192	85175090	Apparatus for carrier-current line systems, not elsewhere specified or included			T	upon accession	
193	85184000	Audio-frequency electric amplifiers			T	2002	
194	85199910	Compact disc players for sound reproducing, not incorporating a sound recording device	L	Q		upon accession	
195	85203210	Digital audio cassette-tape recorders incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
196	85203290	Digital audio magnetic tape recorders incorporating sound reproducing apparatus, other than cassette-tape, not elsewhere specified or included	L	Q		upon accession	
197	85203300	Cassette-tape recorders incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
198	85203910	Open-reel tape recorders incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
199	85203990	Magnetic tape recorders incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
200	85209000	Magnetic tape recorders not incorporating sound reproducing apparatus; other sound recording apparatus, whether or not incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
201	85211011	Magnetic video tape recorders, broadcast quality, whether or not incorporating a video tuner	L	Q		2002	9
202	85211019	Magnetic video tape recorders, whether or not incorporating a video tuner, not elsewhere specified or included	L	Q		2002	9
203	85211020	Magnetic video tape reproducers, whether or not incorporating a video tuner	L	Q		2002	9
204	85219010	Laser video compact disk player, whether or not incorporating a video tuner	L	Q		2002	10
205	85219090	Video recording or reproducing apparatus, whether or not incorporating a video tuner, not elsewhere specified or included	L	Q		2002	10

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
206	85229021	Transport mechanisms of cassette magnetic tape recorders or reproducers, whether or not incorporating a magnetic head	L	Q		2002	11
207	85229030	Parts and accessories suitable for use solely or principally with the video recording or reproducing apparatus, not elsewhere specified or included	L	Q		2002	9
208	85252011	Satellite earth station for television, whether or not incorporating sound recording or reproducing apparatus			T	2004	
209	85252019	Satellite earth station other than for television, whether or not incorporating sound recording or reproducing apparatus			T	upon accession	
210	85252022	Radio telephone handsets, including vehicle installed, whether or not incorporating sound recording or reproducing apparatus			T	2002	
211	85252029	Mobile communication equipment incorporating reception apparatus, whether or not incorporating sound recording or reproducing apparatus, not elsewhere specified or included			T	2002	
212	85252092	Mobile communication base station, whether or not incorporating sound recording or reproducing apparatus			T	2002	
213	85252093	Wireless subscriber communicating equipments, whether or not incorporating sound recording or reproducing apparatus			T	2002	
214	85173013	Digital program-controlled mobile communication switching systems			T	2002	
215	85173091	Analogical mobile communication switching systems			T	2002	
216	85253010	Television cameras, for special purposes	L	Q		2002	9
217	85253091	Television cameras not for special purposes, broadcast quality	L	Q		2002	9
218	85253099	Television cameras, not elsewhere specified or included	L	Q		2002	9
219	85254010	Still image video cameras and other video camera recorder, for special purposes	L	Q		2002	9
220	85254020	Household video camera recorders	L	Q		2002	9
221	85254030	Still image video cameras with digital image storage	L	Q		2002	9
222	85254090	Still image video cameras and other video camera recorders, not elsewhere specified or included	L	Q		2002	9
223	85271200	Pocket-size radio cassette-players capable of operating without an external source of power, including apparatus capable of receiving also radio-telephony or radio-telegraphy, whether or not combined with a clock in the same housing	L	Q		upon accession	
224	85271300	Radio-broadcast receivers combined with sound recording or reproducing apparatus capable of operating without an external source of power, including apparatus capable of receiving also radio-telephony or radio-telegraphy, nes	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
225	85271900	Radio-broadcast receivers capable of operating without external power, whether or not combined with a clock in the same housing, nes	L	Q		upon accession	
226	85272100	Radio-broadcast receivers combined with sound recording or reproducing apparatus not capable of operating with an external source of power, of a kind used in motor vehicles, including apparatus capable of receiving also radio-telephony or radio-telegraphy	L	Q		upon accession	
227	85272900	Radio-broadcast receivers not capable of operating with an external source of power, of a kind used in motor vehicles, including apparatus capable of receiving also radio-telephony or radio-telegraphy, nes	L	Q		upon accession	
228	85273100	Radio-broadcast receivers combined with sound recording or reproducing apparatus not capable of operating with an external source of power, including apparatus capable of receiving also radio-telephony or radio-telegraphy, nes	L	Q		upon accession	
229	85273200	Radio-broadcast receivers not combined with sound recording or reproducing apparatus but combined with a clock, nes, including apparatus capable of receiving also radio-telephony or radio-telegraphy	L	Q		upon accession	
230	85273900	Radio-broadcast receivers not capable of operating with an external source of power, including apparatus capable of receiving also radio-telephony or radio-telegraphy, not elsewhere specified or included	L	Q		upon accession	
231	85279010	Radio paging receivers			T	2002	
232	85281210	Colour satellite television receivers, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus			T	2004	
233	85281291	Colour television receivers, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus, with a diagonal measurement of the screen not exceeding 42cm	L	Q		upon accession	
234	85281292	Colour television receivers, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus, with a diagonal measurement of the screen exceeding 42cm but not exceeding 52cm	L	Q		upon accession	
235	85281293	Colour television receivers, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus, with a diagonal measurement of the screen exceeding 52cm	L	Q		2002	12
236	85282100	Colour video monitors	L	Q		2002	12
237	85283010	Colour video projectors	L	Q		2002	12
238	85291020	Aerials and aerial reflectors of all kinds and parts			T	2002	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		suitable for use therewith, for radio-broadcast receivers and their combinations or television receivers					
239	85291090	Aerials and aerial reflectors of all kinds and parts suitable for use therewith, for apparatus of headings 85.25 to 85.28, not elsewhere specified or included			T	2004	
240	85299091	High frequency tuners, suitable for use solely or principally with television receivers			T	2004	
241	85311090	Burglar or fire alarms & similar apparatus, not elsewhere specified or included			T	2002	
242	85352900	Automatic circuit breakers, for voltage exceeding 72.5 KV,			T	2004	
243	85401100	Cathode-ray television picture tubes, including video monitor tubes, color	L	Q		2002	12
244	85404000	Color data/graphic display tubes, with a phosphor dot screen pitch smaller than 0.4mm	L	Q		2002	12
245	85445910	Electric cable (including co-axial cable), without connectors, for voltage exceeding 80V but not exceeding 1000 V			T	upon accession	
246	85447000	Optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors			T	upon accession	
247	86040099	Railway or tramway maintenance or service vehicles, whether or not self-propelled, not elsewhere specified or included			T	upon accession	
248	87012000	Road tractors for semi-trailers, other than tractors of heading 87.09	L	Q		2004	7
249	87019000	Tractors not elsewhere specified or included, other than tractors of heading 87.09			T	upon accession	
250	87021020	Motor vehicles for the transport of ten or more persons (including the driver), with compression-ignition internal combustion piston engine (diesel or semi-diesel), for transport of passengers at aerodrome	L	Q		2004	7
251	87021091	Motor vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), with 30 seats or more (including the driver)	L	Q		2004	7
252	87021092	Motor vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), with 20 seats or more, but not exceeding 29 seats (including the driver)	L	Q		2005	7
253	87021093	Motor vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), with 10 seats or more, but not exceeding 19 seats (including the driver)	L	Q		2005	7
254	87029010	Motor vehicles not elsewhere specified or included, with 30 seats or more (including the driver)	L	Q		2004	7
255	87029020	Motor vehicles not elsewhere specified or included, with 20 seats or more, but not exceeding	L	Q		2005	7

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		29 seats (including the driver)					
256	87029030	Motor vehicles not elsewhere specified or included, with 10 seats or more, but not exceeding 19 seats (including the driver)	L	Q		2005	7
257	87031000	Vehicles specially designed for traveling on snow; golf cars and similar vehicles	L	Q		upon accession	
258	87032130	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity not exceeding 1000cc	L	Q		2005	7
259	87032190	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity not exceeding 1000cc	L	Q		2005	7
260	87032230	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1000cc but not exceeding 1500cc	L	Q		2005	7
261	87032240	Cross-country cars (4WD), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1000cc but not exceeding 1500cc	L	Q		2005	7
262	87032250	Station wagons (with 9 seats or less), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1000cc but not exceeding 1500cc	L	Q		2005	7
263	87032290	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1000cc but not exceeding 1500cc	L	Q		2005	7
264	87032314	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
265	87032315	Cross-country cars (4WD), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
266	87032316	Station wagons (with 9 seats or less), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
267	87032319	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
268	87032334	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 2500cc but not exceeding 3000cc	L	Q		2005	7
269	87032335	Cross-country cars (4WD), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 2500cc but not exceeding 3000cc	L	Q		2005	7
270	87032336	Station wagons (with 9 seats or less), with spark-	L	Q		2005	7

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 2500cc but not exceeding 3000cc					
271	87032339	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 2500cc but not exceeding 3000cc	L	Q		2005	7
272	87032430	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 3000cc	L	Q		2005	7
273	87032440	Cross-country cars (4WD), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 3000cc	L	Q		2005	7
274	87032450	Station wagons (with 9 seats or less), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 3000cc	L	Q		2005	7
275	87032490	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 3000cc	L	Q		2005	7
276	87033130	Saloon cars, with compression-ignition internal combustion piston engine (diesel or semi-diesel) of a cylinder capacity not exceeding 1500cc	L	Q		2005	7
277	87033140	Cross-country cars (4WD), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity not exceeding 1500cc	L	Q		2005	7
278	87033150	Station wagons (with 9 seats or less), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity not exceeding 1500cc	L	Q		2005	7
279	87033190	Vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity not exceeding 1500cc	L	Q		2005	7
280	87033230	Saloon cars, with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
281	87033240	Cross-country cars (4WD), with compression-ignition internal combustion reciprocating piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
282	87033250	Station wagons (with 9 seats or less), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
283	87033290	Vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
284	87033330	Saloon cars, with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 2500cc	L	Q		2005	7
285	87033340	Cross-country cars (4WD), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 2500cc	L	Q		2005	7
286	87033350	Station wagons (with 9 seats or less), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 2500cc	L	Q		2005	7
287	87033390	Vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 2500cc	L	Q		2005	7
288	87039000	Motor cars and other motor vehicles principally designed for the transport of persons, not elsewhere specified or included, including station wagons and racing cars	L	Q		2005	7
289	87041030	Electromobile dumpers for the transport of goods, designed for off-highway use			T	2004	
290	87042100	Motor vehicles for the transport of goods, with compression-ignition internal combustion piston engine (diesel or semi-diesel), gross vehicle weight not exceeding 5 tons, excl. dumpers for off-highway use	L	Q		2004	7
291	87042230	Motor vehicles for the transport of goods, with compression-ignition internal combustion piston engine (diesel or semi-diesel), gross vehicle weight exceeding 5 tons but not exceeding 14 tons, excl. dumpers for off-highway use	L	Q		2004	7
292	87042240	Motor vehicles for the transport of goods, with compression-ignition internal combustion piston engine (diesel or semi-diesel), gross vehicle weight exceeding 14 tons but not exceeding 20 tons, excl. dumpers for off-highway use	L	Q		2004	7
293	87042300	Motor vehicles for the transport of goods, with compression-ignition internal combustion piston engine (diesel or semi-diesel), gross vehicle weight exceeding 20 tons, excl. dumpers for off-highway use	L	Q		2004	7
294	87043100	Motor vehicles for the transport of goods, with spark-ignition internal combustion reciprocating piston engine, gross vehicle weight not exceeding 5 tons, excl. dumpers for off-highway use	L	Q		2004	7
295	87043230	Motor vehicles for the transport of goods, with spark-ignition internal combustion reciprocating piston engine, gross vehicle weight exceeding 5 tons but not exceeding 8 tons, excl. dumpers for off-highway use	L	Q		2002	7
296	87043240	Motor vehicles for the transport of goods, with spark-ignition internal combustion reciprocating piston engine, gross vehicle weight exceeding 8 tons, excl. dumpers for off-highway use	L	Q		2002	7

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
297	87049000	Motor vehicles for the transport of goods, not elsewhere specified or included	L	Q		2002	7
298	87051021	All-road crane lorries, of maximum lifting capacity not exceeding 50 tons	L	Q		2004	13
299	87051022	All-road crane lorries, of maximum lifting capacity exceeding 50 tons but not exceeding 100 tons	L	Q		2004	13
300	87051023	All-road crane lorries, of maximum lifting capacity exceeding 100 tons	L	Q		2004	13
301	87051091	Crane lorries not elsewhere specified or included, of maximum lifting capacity not exceeding 50 tons	L	Q		2004	13
302	87051092	Crane lorries not elsewhere specified or included, of maximum lifting capacity exceeding 50 tons but not exceeding 100 tons	L	Q		2004	13
303	87051093	Crane lorries not elsewhere specified or included, of maximum lifting capacity exceeding 100 tons	L	Q		2004	13
304	87052000	Mobile drilling derricks	L	Q		2002	7
305	87053010	Fire fighting vehicles, mounted with scaling ladder	L	Q		2002	7
306	87053090	Fire fighting vehicles, not elsewhere specified or included	L	Q		2002	7
307	87054000	Concrete-mixer lorries	L	Q		2002	7
308	87059020	Mobile radiological units	L	Q		2002	7
309	87059030	Mobile environmental monitoring units	L	Q		2002	7
310	87059040	Mobile clinics	L	Q		2002	7
311	87059051	Airplane charging vehicles (frequency= 400Hz)	L	Q		2002	7
312	87059059	Mobile electric generator sets, not elsewhere specified or included	L	Q		2002	7
313	87059060	Mobile vehicles for aircraft refueling, air-conditioners or deicing	L	Q		2002	7
314	87059070	Snow sweep vehicles for cleansing streets airfield runways	L	Q		2002	7
315	87059080	Petroleum well logging trucks, fracturing unit trucks and mixing sand trucks	L	Q		2002	7
316	87059090	Special purpose motor vehicles, not elsewhere specified or included, other than those principally designed for the transport if persons or goods	L	Q		2002	7
317	87060040	Chassis fitted with engines for crane lorries	L	Q		2004	13
318	87071000	Bodies for the vehicles of heading 87.03	L	Q		2004	7
319	87111000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of a cylinder capacity not exceeding 50cc	L	Q		2004	6
320	87112000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of a cylinder capacity exceeding 50cc but not exceeding 250cc	L	Q		2004	6
321	87113010	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of cylinder capacity exceeding 250cc but not exceeding 400cc	L	Q		2004	6
322	87113020	Motorcycles (including mopeds) and cycles fitted	L	Q		2004	6

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		with an auxiliary motor, with reciprocating internal combustion piston engine, of cylinder capacity exceeding 400cc but not exceeding 500cc					
323	87114000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of cylinder capacity exceeding 500cc but not exceeding 800cc	L	Q		2004	6
324	87115000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of cylinder capacity exceeding 800cc	L	Q		2004	6
325	87119000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, not elsewhere specified or included; side-cars	L	Q		2004	6
326	87141900	Parts and accessories of motorcycle (including moped), excl. saddles	L	Q		2004	6
327	89012011	Finished oil tankers, loading not exceeding 100000t			T	2004	
328	89012012	Finished oil tankers, loading exceeding 100000t, not exceeding 300000t			T	2004	
329	89012013	Finished oil tankers, loading exceeding 300000t			T	2004	
330	89012021	Crude oil tankers, loading not exceeding 150000t			T	2004	
331	89012022	Crude oil tankers, loading exceeding 150000t, not exceeding 300000t			T	2004	
332	89012023	Crude oil tankers, loading exceeding 300000t			T	2004	
333	89012031	Liquified petroleum gas carriers, volume with 20000m3 or less			T	2004	
334	89012032	Liquified petroleum gas carriers, volume exceeding 20000m3			T	2004	
335	89012041	Liquified natural gas carriers, volume not exceeding 20000m3			T	2004	
336	89012042	Liquified natural gas carriers, volume exceeding 20000m3			T	2004	
337	89012090	Tankers, not elsewhere specified or included			T	2004	
338	89013000	Refrigerated vessels other than those of subheading 8901.20			T	upon accession	
339	89019021	Motor container vessels, capable loading standard containers with 6000 or less			T	2004	
340	89019022	Motor container vessels, capable loading standard containers more than 6000			T	2004	
341	89019031	Motor Ro-Ro carriers, loading not exceeding 2000t			T	2004	
342	89019032	Motor Ro-Ro carriers, loading exceeding 2000t			T	2004	
343	89019041	Motor bulk carriers, loading not exceeding 150000t			T	2004	
344	89019042	Motor bulk carriers, loading exceeding 150000t, not exceeding 300000t			T	2004	
345	89019043	Motor bulk carriers, loading exceeding 300000t			T	2004	
346	89019050	Multi-purposes motor vessels			T	2004	
347	89019080	Motor vessels for the transport of goods and motor vessels for the transport of both persons and goods, not elsewhere specified or included			T	2004	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
348	89020010	Fishing vessels, factory ships and other vessels for processing or preserving fishery products, motorized			T	upon accession	
349	89040000	Tugs and pusher craft			T	2004	
350	89051000	Dredgers			T	2004	
351	90061010	Electronic colour scanners used for preparing printing plates or cylinders	L	Q		upon accession	
352	90065100	Cameras with a through-the-lens viewfinder (single lens reflex (SLR)), for roll film of a width not exceeding 35mm	L	Q		2003	14
353	90065200	Cameras for roll film of a width less than 35mm, not elsewhere specified or included	L	Q		2003	14
354	90065300	Cameras for roll film of a width of 35mm, not elsewhere specified or included	L	Q		2003	14
355	90065900	Cameras not elsewhere specified or included	L	Q		2003	14
356	90083010	Orthographical image projectors, other than cinematographic			T	upon accession	
357	90121000	Microscopes other than optical microscopes; and diffraction apparatus	L	Q		upon accession	
358	90158000	Surveying, hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses, not elsewhere specified or included			T	upon accession	
359	90181210	B-ultrasonic diagNotic equipment			T	upon accession	
360	90181291	Chromoscope ultrasonic diagNotic equipment			T	upon accession	
361	90184910	Dentists' chairs incorporating dental equipment			T	upon accession	
362	90189090	Instruments and appliances used in Medical, surgical or veterinary sciences, not elsewhere specified or included			T	upon accession	
363	90221300	X-ray apparatus for dental use			T	upon accession	
364	90221400	X-ray apparatus for medical, surgical or veterinary uses, not elsewhere specified or included			T	upon accession	
365	90221990	X-ray apparatus, not elsewhere specified or included, other than for medical use			T	upon accession	
366	90222100	Apparatus based on the use of alpha, beta or gamma radiations, including radiography or radio rapy apparatus, for medical surgical, dental or veterinary			T	upon accession	
367	90278090	Instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like, measuring or checking quantities of heat, sound or light; Instruments and apparatus for physical or chemical analysis, nes			T	upon accession	
368	90301000	Instruments and apparatus for measuring or detecting ionizing radiations			T	upon accession	
369	90304010	Frequency meters, digital, of test frequency less than 12.4GHz			T	upon accession	
370	90318010	Optical telecommunication and optical fibre performance testing instruments			T	upon accession	
371	90311000	Machines for balancing mechanical parts			T	2004	
372	91011100	Electrically operated wrist-watches, with mechanical display only, whether or not	L	Q		2003	15

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		incorporating a stop-watch facility, with case of precious metal or of metal clad with precious metal					
373	91012100	Non-electrically operated wrist-watches, automatic winding, whether or not incorporating a stop-watch facility, with case of precious metal or of metal clad with precious metal	L	Q		2003	15
374	91012900	Non-electrically operated wrist-watches, not elsewhere specified and included, whether or not incorporating a stop-watch facility, with case of precious metal or of metal clad with precious metal	L	Q		2003	15
375	91021100	Electrically operated wrist-watches, with mechanical display only, whether or not incorporating a stop-watch facility, other than those of heading 91.01	L	Q		2003	15
376	91022100	Non-electrically operated wrist-watches, automatic winding, whether or not incorporating a stop-watch facility, other than those of heading 91.01	L	Q		2003	15
377	91022900	Non-electrically operated wrist-watches, not elsewhere specified and included, whether or not incorporating a stop-watch facility, other than those of heading 91.01	L	Q		2003	15

Notes:

1. "L" stands for "import licence";
"Q" stands for "import quota"; and
"T" stands for "specific import tendering requirements for machinery and electronic products".

2. The NTMs will be eliminated as of 1 January of each calendar year as specified in the column of Phasing-out Period.

3. The products covered by the Agreement on Trade in Civil Aircraft are not subject to any NTMs specified herein.

Table Two
Product Quota
(Initial Quota Volume/Value and Annual Growth Rate)

Quota Category		Product Coverage (Serial No in Table One)	Unit	Initial Quota Volume/Value	Annual Growth Rate
1	Processed oil	12-19	Million Metric Tons	16.58	15%
2	Sodium cyanide	20	Million Metric Tons	0.018	15%
3	Chemical fertilizer	22-25, 29-33, 36, 38, 41-45	Million Metric Tons	8.9	15%
4	Natural rubber	48-51	Million Metric Tons	0.429	15%
5	Tires of rubber used on automobiles	52-56	Million Pieces	0.81	15%
6	Motorcycles and key parts	101-103, 319-326	US$ Million	286	15%
7	Automobiles and key parts	104-106, 115, 248, 250-256, 258-288, 290-297, 304-316, 318	US$ Million	6000	15%
8	Air conditioners and compressors	114	US$ Million	286	15%
9	Recording apparatus and key parts	201-203, 207, 216-222	US$ Million	293	15%
10	Magnetic sound and video recording apparatus	204, 205	US$ Million	38	15%
11	Recorders and transport mechanisms	206	US$ Million	387	15%
12	Color TV set and TV tuners	235-237, 243, 244	US$ Million	325	15%
13	Crane lorries and chassis	298-303, 317	US$ Million	88	15%
14	Cameras	352-355	US$ Million	14	15%
15	Wrist watches	372-377	US$ Million	33	15%

Table Three

Products Subject to Import Licence Only

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Phasing-out Period
1	10011000	Durum wheat	L	upon accession
2	10019010	Seed of wheat & maslin, excl. durum wheat	L	upon accession
3	10019090	Wheat & maslin, excl. for seeding and durum wheat	L	upon accession
4	10059000	Maize (corn), excl. for seeding	L	upon accession
5	10061010	Rice in husk (paddy or rough) seed	L	upon accession
6	10061090	Rice in husk (paddy or rough), excl. for seeding	L	upon accession
7	10062000	Husked (brown) rice	L	upon accession
8	10063000	Semi-milled or wholly milled rice, whether or not polished or glazed	L	upon accession
9	10064000	Broken rice	L	upon accession
10	15071000	Crude soya-bean oil, whether or not degummed, but not chemically modified	L	upon accession
11	15079000	Soya-bean oil and its fractions, refined, but not chemically modified	L	upon accession
12	15081000	Crude ground-nut oil, but not chemically modified	L	upon accession
13	15089000	Ground-nut oil and its fractions, refined, but not chemically modified	L	upon accession
14	15111000	Crude palm oil, but not chemically modified	L	upon accession
15	15119000	Palm oil and its fractions, refined, but not chemically modified	L	upon accession
16	15121100	Crude sunflower-seed or safflower oil, but not chemically modified	L	upon accession
17	15122100	Crude cotton-seed oil, whether or not gossypol has been moved, but not chemically modified	L	upon accession
18	15122900	Cotton-seed oil and its fractions, refined, but not chemically modified	L	upon accession
19	15141010	Crude rape, colza oil, but not chemically modified	L	upon accession
20	15141090	Crude mustard oil, but not chemically modified	L	upon accession
21	15149000	Rape, colza or mustard oil and fractions thereof, refined, but not chemically modified	L	upon accession
22	15152100	Crude maize (corn) oil, but not chemically modified	L	upon accession
23	15155000	Sesame oil and its fractions, whether or not refined, but not chemically modified	L	upon accession
24	22051000	Vermouth & other wine of fresh grapes flavoured with plants or aromatic substance, in containers holding ≤2L	L	upon accession
25	22059000	Vermouth & other wine of fresh grapes, flavoured with plants or aromatic substance, in containers holding >2L	L	upon accession
26	22071000	Undenatured ethyl alcohol of an alcoholic strength by volume ≥80%	L	upon accession
27	22082000	Spirits from distilling grape wine or marc	L	upon accession
28	22083000	Whiskeys	L	upon accession
29	22084000	Rum & tafia	L	upon accession
30	22085000	Gin & Geneva	L	upon accession
31	22087000	Liqueurs and cordials	L	upon accession
32	22089000	Undenaturated ethyl alcohol of an alcoholic strength by volume < 80%; spirituous beverages, nes	L	upon accession
33	37013090	Photographic plates, in the flat, sensitized, unexposed, of any material other than paper, paperboard or textiles, any side exceeding 255mm, nes	L	upon accession
34	37019100	Photographic plates and film for colour photography, in the flat, sensitized, unexposed, of any material other than paper, paperboard or textiles, any side ≤ 255mm	L	upon accession
35	37023100	Photographic film rolls, unexposed, without perforations, for colour photography , of any material other than paper, paperboard or	L	upon accession

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Phasing-out Period
		textiles, width ≤105mm		
36	37024100	Film rolls, for colour photography, unexposed, without perforations, of any material other than paper, paperboard or textiles , width >610mm, length >200m	L	upon accession
37	37024390	Film rolls, unexposed, without perforations, width >610mm, length ≤200m, of any material other than paper, paperboard or textiles, nes	L	upon accession
38	37024490	Film rolls , unexposed, without perforations, 105mm< width ≤ 610mm, of any material other than paper, paperboard or textiles, nes	L	upon accession
39	37025100	Film rolls for colour photography, unexposed, width ≤16mm,& length ≤14m, of any material other than paper, paperboard or textiles nes	L	upon accession
40	37025200	Film rolls for colour photography, unexposed, width ≤16mm, length >14m, of any material other than paper, paperboard or textiles, nes	L	upon accession
41	37025410	Film rolls for colour photography other than for slides, unexposed, width =35mm and length ≤2m, of any material other than paper, paperboard or textiles	L	upon accession
42	37025490	Film rolls for colour photography other than for slides, unexposed, 16 mm<width <35 mm, 2 m<length ≤30m, of any material other than paper, paperboard or textiles	L	upon accession
43	37025590	Colour film rolls for colour photography, unexposed, 16mm<width ≤35mm, length >30m, excl. cinematographic film	L	upon accession
44	37025690	Film in rolls for colour photography, unexposed, width >35mm, of any material other than paper, paperboard or textiles , excl. cinematographic film	L	upon accession
45	37029100	Film rolls of neutral colour , unexposed, width ≤16mm, length ≤ 14m, of any material other than paper, paperboard or textiles	L	upon accession
46	37031010	Photographic paper & paperboard in rolls, sensitized, unexposed, width >610mm	L	upon accession
47	37032010	Photographic paper and paperboard for colour photography, sensitized, unexposed, not in rolls or width ≤610mm	L	upon accession

ANNEX 4

PRODUCTS AND SERVICES SUBJECT TO PRICE CONTROLS

Products Subject to State Pricing

NO	PRODUCTS	HS NO	DESCRIPTION OF PRODUCTS
1	TOBACCO	24011010	Flue-cured tobacco, not stemmed/stripped
		24011090	**Tobacco other than flue-cured, not stemmed/stripped**
		24012010	Flue-cured tobacco, partly or wholly stemmed/stripped
		24012090	**Tobacco other than flue-cured, partly or wholly stemmed/stripped**
2	EDIBLE SALT	25010010	Salt, whether or not in aqueous solution or containing added anticaking or free-flowing agents
3	NATURAL GAS	27112100	Natural gas in gaseous state
4	PHARMA-CEUTICALS	**30011000**	**Glands & other organs, dried, whether or not powdered**
		30012000	**Extracts of glands or other organs or of their secretions**
		30019010	**Heparin & its salts**
		30019090	**Substances of human or animal origin, for therapeutic or prophylactic uses, nes**
		30021000	**Antisera & other blood fractions & modified immunological products, whether or not obtained by means of biotechnological processes**
		30022000	Vaccines for human medicine
		30023000	Vaccines for veterinary medicine
		30029010	**Saxitoxin**
		30029020	**Ricitoxin**
		30029090	**Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic uses; other toxins, cultures of micro-organisms (excl. yeasts) and similar products, nes**
		30041011	**Medicaments containing ampicillin, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale**
		30041012	**Medicaments containing amoxycillin, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale**
		30041013	**Medicaments containing penicillins V, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale**
		30041019	**Medicaments containing penicillins , nes, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale**
		30041090	**Medicaments containing penicillins or derivatives thereof nes, or streptomycins or their derivatives, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale**
		30042011	**Medicaments containing cefotaxime, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale**
		30042012	**Medicaments containing ceftazidime, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale**
		30042013	**Medicaments containing cefoxitin, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale**
		30042014	**Medicaments containing ceftezole, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale**

NO	PRODUCTS	HS NO	DESCRIPTION OF PRODUCTS
		30042015	Medicaments containing cefaclor, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042016	Medicaments containing cefuroxime, consisting of mixed or unmixed products for therapeutic or prophylactic uses,put up in measured doses or in forms of packing for retail sale
		30042017	Medicaments containing ceftriaxone, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042018	Medicaments containing cefoperazone, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042019	Medicaments containing other cephamycines, consisting of mixed or unmixed products for therapeutic or prophylactic uses,put up in measured doses or in forms of packing for retail sale, nes
		30042090	Medicaments containing other antibiotics, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30043100	Medicaments containing insulin, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30043200	Medicaments containing of adrenal cortical hormones, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30043900	Medicaments containing other hormones, consisting of mixed or unmixed products for therapeutic or prophylactic uses,put up in measured does or in forms of packing for retail sale, nes
		30044010	Medicaments containing quinine or its salts, but not containing antibiotics or products of heading 29.37, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30044090	Medicaments containing alkaloids or their derivatives, but not containing hormones or other products of heading 29.37 or antibiotics, consisting of mixed or unmixed products put up in measured does or in forms of packing for retail sale, nes
		30045000	Other medicaments containing vitamins or other products of 29.36, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30049010	Medicaments containing sulfa drugs, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30049020	Medicaments containing biphenyl dicarbxybte, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30049053	Bai Yao, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30049059	Medicaments of Chinese type, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30049090	Medicaments of products for therapeutic, prophylactic or diagnostic uses, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes

NO	PRODUCTS	HS NO	DESCRIPTION OF PRODUCTS
		30051010	**Adhesive plasters, mpregnated or coated with pharmaceutical substances or put up in forms of packing for retail sale for medical, surgical, dental or veterinary purposes**
		30062000	Blood-grouping reagents
		30063000	**Opacifying preparations for X-ray examinations; diagnostic reagents designed to be administered to the patient**
		30066000	Chemical contraceptive preparations based on hormones or spermicides
		40141000	Sheath contraceptives
5	**EXPLO-SIVES FOR CIVIL USE**	**36020010**	**Ammonium nitrate explosives (excl. propellent powders)**
		36020090	**Prepared explosives (excl. propellent powders), nes**
		36030000	**Safety fuses; detonating fuses; detonating caps; igniters; electric detonators**

Note:

Teaching materials for students and military equipment are also subject to state pricing.

Products Subject to Government Guidance Pricing

NO	PRODUCTS	HS NO	DESCRIPTION OF PRODUCTS
1	GRAIN	10011000	Durum wheat
		10019010	Seed of wheat & maslin, excl. durum wheat
		10019090	Wheat & maslin, excl. for seeding and durum wheat
		10051000	Maize (corn) seed
		10059000	Maize (corn), excl. for seeding
		10061010	Rice in husk (paddy or rough) seed
		10061090	Rice in husk (paddy or rough), excl. for seeding
		10062000	Husked (brown) rice
		10063000	Semi-milled or wholly milled rice, whether or not polished or glazed
		12010010	Seed of soybeans
		12010091	Yellow soybeans, not for seeding, whether or not broken
		12010092	Black soybeans, not for seeding, whether or not broken
		12010093	Green soybeans, not for seeding, whether or not broken
		12010099	Soybeans, nes, not for seeding, whether or not broken
2	VEGETABLE OIL	15071000	Crude soybean oil, whether or not degummed, but not chemically modified
		15079000	Soya-bean oil and its fractions, refined, but not chemically modified
		15141010	Crude rape, colza oil, but not chemically modified
		15141090	Crude mustard oil, but not chemically modified
3	**SUGAR**	**17011100**	**Raw cane sugar, in solid form, not containing added flavouring or colouring matter**
		17011200	**Raw beet sugar, in solid form, not containing added flavouring or colouring matter**
4	PROCESSED OIL	27100011	Motor gasoline & aviation gasoline
		27100013	**Naphtha**
		27100023	Aviation kerosene
		27100024	Lamp-kerosene
		27100031	Light diesel oil
		27100033	Fuel oil No.5 to No.7 (National Code)
		27100039	Diesel oils & preparations thereof and other feul oils, nes
5	FERTILIZER	31021000	Urea, whether or not in aqueous solution
		31023000	**Ammonium nitrate,whether or not in aqueous solution**
		31029000	**Mineral or chemical fertilizers, nitrogenous , nes,incl. mixtures not specified in the foregoing subheadings**
		31031000	**Superphosphates**
		31042000	**Potassium chloride**
		31043000	**Potassium sulphate**
		31049000	**Mineral or chemical fertilizers, potassic, nes**
		31052000	**Mineral or chemical fertilizers containing the three fertilizing elements nitrogen, phosphorus & potassium**
		31053000	**Diammonium hydrogenorthophosphate (diammonium phosphate)**
		31054000	**Ammonium dihydrogenorthophosphate (monoammonium phosphate) and mixtures thereof with diammonium hydrogenorthophosphate (diammonium phosphate)**
		31055900	**Mineral or chemical fertilizers containing the two fertilizing elements nitrogen & phosphorus, nes**
		31056000	**Mineral or chemical fertilizers with phosphorus & potassium, nes**
		31059000	**Mineral or chemical fertilizers, nes**
6	SILKWORM COCOONS	50010010	Mulberry feeding silk-worm cocoons
		50010090	Other silk-worn cocoons suitable for reeling
7	COTTON	52010000	Cotton, not carded or combed
		52030000	**Cotton, carded or combed**

Public Utilities Subject to Government Pricing

NO	CPC	PUBLIC UTILITIES
1	1720	Price of gas for civil use.
2	1800	Price of tap water.
3	1710	Price of electricity.
4	1730	Price of heating power.
5	1800	Price of water supplied by irrigation works.

Service Sectors Subject to Government Pricing

NO	CPC	SERVICE	NOTES
1	7511 7512 7521 7522	**Postal** and telecommunication services charges	Including postal services charges, national and trans-provincial telecommunication services charges.
2	964	Entrance fee for tour sites	Referring to significant historical relics and natural landscape under protection.
3	921 922 923	Education services charges	

Service Sectors Subject to Government Guidance Pricing

NO	CPC	SERVICE	NOTES
1	7214 745** **7461** 731 **732** 7111 7112 743 7131 7139	Transport services charges	Including rail transport of both passenger and freight, air transport of freight, port services, and pipeline transport.
2	861 862 8671 8672	Professional services charges	Including architectural and engineering services, legal services, **accounting services,** assets assessment services**, authentication, arbitration, notarization and inspection.**
3	621	Charges for commission agents' services	**Including** commission for trademark, advertisement **taxation and bidding** agents.
4	81339**	Charges for settlement, clearing and transmission services of banks	**Including** settlement, clearing and transmission services of the RMB, **transaction fees and seat charges of national securities exchanges, as well as seat charges for China Foreign Exchange Center**
5	82101	Selling price and renting fee of residential apartments	
6	931	Health related services	

Notes:

1. CPC classification is added to the service sectors subject to state pricing in this Annex in accordance with the GATT document MTN.GNS/W/120, 10 July 1991, which provided services sectoral classification for the purpose of services negotiations during the Uruguay Round.

2. The government pricing in the service sectors which are listed in China's Schedule of Specific Commitments shall be applied in a manner consistent with Article 6 of GATS and the Reference Paper on Basic Telecommunication.

ANNEX 6

PRODUCTS SUBJECT TO EXPORT DUTY

NO	HS NO	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE(%)
1	03019210	Live eels fry	20.0
2	05061000	Ossein and bones treated with acid	40.0
3	05069010	Powder and waste of bones	40.0
4	05069090	Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinized, excl. Ossein and bones treated with acid	40.0
5	26070000	Lead ores & concentrates	30.0
6	26080000	Zinc ores & concentrates	30.0
7	26090000	Tin ores & concentrates	50.0
8	26110000	Tungsten ores & concentrates	20.0
9	26159000	Niobium, tantalum & vanadium ores & concentrates	30.0
10	26171010	Crude antimony	20.0
11	28047010	Yellow phosphorus (white phosphorus)	20.0
12	28047090	Phosphorus, nes	20.0
13	28269000	Fluorosilicates and fluoroaluminates and complex fluorine salts, nes	30.0
14	29022000	Benzene	40.0
15	41031010	Slabs of goats, fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared, whether or not dehaired or split	20.0
16	72011000	Non-alloy pig iron containing by weigh<0.5% of phosphorus in pigs, blocks or other primary forms	20.0
17	72012000	Non-alloy pig iron containing by weight >0.5% of phosphorus in pigs, blocks or other primary forms	20.0
18	72015000	Alloy pig iron and spiegeleisen, in pigs, blocks or other primary forms	20.0
19	72021100	Ferro-manganese, containing by weight more than 2% of carbon	20.0
20	72021900	Ferro-manganese, nes	20.0
21	72022100	Ferro-silicon, containing by weight more than 55% of silicon	25.0
22	72022900	Ferro-silicon, nes	25.0
23	72023000	Ferro-silico-manganese	20.0
24	72024100	Ferro-chromium containing by weight more than 4% of carbon	40.0
25	72024900	Ferro-chromium, nes	40.0
26	72041000	Waste & scrap, of cast iron	40.0
27	72042100	Waste & scrap, of stainless steel	40.0
28	72042900	Waste & scrap of alloy steel, other than stainless steel	40.0
29	72043000	Waste & scrap, of tinned iron or steel	40.0
30	72044100	Ferrous waste & scrap, nes, from turnings, shavings, chips, milling waste, sawdust, filings, trimmings and stampings, whether or not in bundles	40.0
31	72044900	Ferrous waste & scrap of iron or steel, nes	40.0
32	72045000	Remelting scrap ingots of iron or steel	40.0
33	74020000	Copper unrefined; copper anodes for electrolytic refining	30.0
34	74031100	Cathodes & sections of cathodes, of refined copper, unwrought	30.0
35	74031200	Wire bars, of refined copper, unwrought	30.0
36	74031300	Billets, of refined copper, unwrought	30.0
37	74031900	Refined copper, unwrought, nes	30.0
38	74032100	Copper-zinc base alloys (brass), unwrought	30.0
39	74032200	Copper -tin base alloys (bronze), unwrought	30.0

NO	HS NO	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE(%)
40	74032300	Copper - nickel base alloys (cupronickel) or copper-nickel-zinc base alloys (silver), unwrought	30.0
41	74032900	Copper alloys, unwrought (other than master alloys of heading 74.05)	30.0
42	74040000	Waste & scrap, of copper or copper alloys	30.0
43	74071000	Bars, rods & profiles of refined copper	30.0
44	74072100	Bars, rods & profiles, of copper-zinc base alloys	30.0
45	74072200	Bars, rods & profiles, of copper - nickel base alloys or copper-nickel-zinc base alloys	30.0
46	74072900	Bars, rods & profiles, of copper alloy nes	30.0
47	74081100	Wire of refined copper, of which the maximum cross-sectional dimension >6mm	30.0
48	74081900	Wire of refined copper, of which the maximum cross-sectional dimension ≤6mm	30.0
49	74082100	Wire of copper-zinc base alloys	30.0
50	74082200	Wire of copper - nickel base alloys or copper-nickel-zinc base alloy	30.0
51	74082900	Wire, of copper alloy nes	30.0
52	74091100	Plate, sheet & strip, thickness >0.15mm, of refined copper, in coil	30.0
53	74091900	Plate, sheet & strip, thickness >0.15mm, of refined copper, not in coil	30.0
54	74092100	Plate, sheet & strip, thickness >0.15mm, of copper-zinc base alloys, in coil	30.0
55	74092900	Plate, sheet & strip, thickness >0.15mm, of copper-zinc base alloys, not in coil	30.0
56	74093100	Plate, sheet & strip, thickness >0.15mm, of copper-tin base alloys, in coil	30.0
57	74093900	Plate, sheet & strip, thickness >0.15mm, of copper-tin base alloys, not in coil	30.0
58	74094000	Plate, sheet & strip, thickness >0.15mm, of copper - nickel base alloys or copper-nickel-zinc base alloy	30.0
59	74099000	Plate, sheet & strip, thickness >0.15mm, of copper alloy nes	30.0
60	75021000	Unwrought nickel, not alloyed	40.0
61	75022000	Unwrought nickel alloys	40.0
62	75089010	Electroplating anodes of nickel	40.0
63	76011000	Unwrought aluminium, not alloyed	30.0
64	76012000	Unwrought aluminium alloys	30.0
65	76020000	Aluminium waste & scrap	30.0
66	76041000	Bars, rods & profiles of aluminium, not alloyed	20.0
67	76042100	Hollow profiles of aluminium alloys	20.0
68	76042900	Bars, rods & profiles (excl. hollow profiles), of aluminium alloys	20.0
69	76051100	Wire of aluminium ,not alloyed, with the maximum cross-sectional dimension >7mm	20.0
70	76051900	Wire of aluminium, not alloyed, with the maximum cross-sectional dimension ≤7mm	20.0
71	76052100	Wire of aluminium alloys, with the maximum cross sectional dimension >7mm	20.0
72	76052900	Wire of aluminium alloys, with the maximum cross sectional dimension ≤7mm	20.0
73	76061120	Plates & sheets & strip, rectangular (incl. square), of aluminium, not alloyed, 0.30mm ≤ thickness ≤0.36mm	20.0
74	76061190	Plates & sheets & strip, rectangular (incl. square), of aluminium, not alloyed, 0.30mm > thickness >0.2mm	20.0
75	76061220	Plates & sheets & strip, rectangular (incl. square), of aluminium alloys, 0.2mm<thickness <0.28mm	20.0

NO	HS NO	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE(%)
76	76061230	Plates & sheets & strip, rectangular (incl. square), of aluminium alloys, 0.28mm ≤ thickness ≤0.35mm	20.0
77	76061240	Plates & sheets & strip, rectangular (incl. square), of aluminium alloys, 0.35mm<thickness	20.0
78	76069100	Plates & sheets & strip, of aluminium, not alloyed, thickness >0.2mm, nes	20.0
79	76069200	Plates & sheets & strip, of aluminium alloys, thickness >0.2mm, nes	20.0
80	79011100	Unwrought zinc, not alloyed, containing by weight ≥99.99% of zinc	20.0
81	79011200	Unwrought zinc, not alloyed, containing by weight<99.99% of zinc	20.0
82	79012000	Unwrought zinc alloys	20.0
83	81100020	Antimony unwrought	20.0
84	81100030	Antimony waste and scrap; Antimony powders	20.0

Note:

China confirmed that the tariff levels included in this Annex are maximum levels which will not be exceeded. China confirmed furthermore that it would not increase the presently applied rates, except under exceptional circumstances. If such circumstances occurred, China would consult with affected members prior to increasing applied tariffs with a view to finding a mutually acceptable solution.

ANNEX 7

RESERVATIONS BY WTO MEMBERS

Argentina: restrictions maintained on imports from China

Argentina intends to maintain restrictions on certain products originating in China, such as textiles and clothing, footwear not used for sporting activities and toys, after the accession of China, as follows:

PRODUCT	HS CODE
Textiles and Clothing	51.11; 51.12; 51.13; 52.08; 52.09; 52.10; 52.11; 52.12; 53.09; 53.10; 53.11; 54.07; 54.08; 55.12; 55.13; 55.14; 55.15; 55.16; 56.02; 56.03; 57.01; 57.02; 57.03; 57.04; 57.05; 58.01; 58.02; 58.03; 58.04; 58.05; 58.06; 58.07; 58.08; 58.09; 58.10; 58.11; 59.03; 60.01; 60.02; 61.01; 61.02; 61.03; 61.04; 61.05; 61.06; 61.07; 61.08; 61.09; 61.10; 61.11; 61.12; 61.13; 61.14; 61.15; 61.16; 61.17; 62.01; 62.02; 62.03; 62.04; 62.05; 62.06; 62.07; 62.08; 62.09; 62.10; 62.11; 62.12; 62.13; 62.14; 62.15; 62.16; 62.17; 63.01; 63.02; 63.03; 63.04; 63.05; 63.06; 63.07; 63.08; 63.09; 63.10
Footwear not used for sporting activities	64.01; 64.02; 64.03; 64.04; 64.05
Toys	95.02; 95.03

Quotas (Resolution 862/1999): to be eliminated by 31 July 2002.

Specific duties: phasing out will be in line with the following methodology:

1. The base level of specific duties will be that in force at the time of the accession of China and the *ad valorem* equivalent of each specific duty applied to each tariff position.

2. The transition period will be five years from the date of accession of China, after which a 35% *ad valorem* duty will apply.

3. Duties in excess of 35% will be phased out as follows:

   — **First year**: a 10% reduction of the amount in excess of 35%
   — **Second year**: a 20% reduction
   — **Third year**: a 40% reduction
   — **Fourth year**: a 60% reduction
   — **Fifth year**: an 80% reduction
   — **Sixth year:** As of 1 January of the sixth year, the ceiling of the 35% *ad valorem* equivalent to the minimum specific import duties (DIEMs) will apply.

European Communities: phasing-out timetable of industrial (non-textile) quotas

Product	HS/CN Code	2001	2002	2003	2004	2005
Footwear falling within HS/CN codes	ex 6402 99 [1]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6403 51 6403 59	5% increase	10% increase	15% increase	15% increase	proposed removal
	ex 6403 91[2] ex 6403 99[2]	5% increase	5% increase	10% increase	15% increase	proposed removal
	ex 6404 11[2]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6404 19 10	5% increase	5% increase	10% increase	15% increase	proposed removal
Tableware, kitchenware of porcelain or china	6911 10	15% increase	15% increase	15% increase	15% increase	proposed removal
Ceramic tableware or kitchenware	6912 00	15% increase	15% increase	15% increase	15% increase	proposed removal

[Note that previous quotas on glassware and toys were completely lifted in 1998]

[1] Excluding footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

[2] Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bats or the like, with a non-injected sole;

(b) footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

Hungary: quantitative restrictions maintained on imports from China

Hungary undertakes to phase out these restrictions by the year 2005. The restraint levels are based on the import data of the year 1999. The annual quota growth and the carry over and carry forward rates in the case of textiles and clothing products are included in the notification.

Product	HS	Import from China in 1999	Increase of quotas in per cent				
			2001	2002	2003	2004	2005
Footwear falling within HS codes	6401	71 000 pairs	5	5	10	15	proposed removal
	6402	10 625 000 pairs	5	5	10	15	proposed removal
	6403	600 000 pairs	5	5	10	15	proposed removal
	6404	4 450 000 pairs	5	5	10	15	proposed removal
	6405	2 140 000 pairs	5	5	10	15	proposed removal
Overwear Flexibility rates: 10% of which carry forward shall not represent more than 5%	4203, ex 4303, ex 4304, 6101, 6102, 6103, 6104, 6106, 6110, 6112, 6113, 6114, 6201, 6202, 6203, 6204, 6206, 6210, 6211	15 900 000 $	6	6	6	6	proposed removal
Other clothing and ready-made clothing products Flexibility rates: 10% of which carry forward shall not represent more than 5%	ex 4303, ex 4304, 6117, 6213, 6214, 6215, 6301, 6302, 6304, 6306, 6307, 9404	4 570 000 $	6	6	6	6	proposed removal

Poland: anti-dumping measures and safeguard measures

Poland intends to continue the application of the below mentioned measures after China's accession.

1. Anti-dumping duties:

PCN 9613 10 00 0 (pocket lighters, gas fuelled, non-fillable)

PCN 9613 20 90 0 (pocket lighters, gas fuelled refillable, with other ignition system)

The bringing of these measures into conformity with the WTO Agreement[3] will be effected by the end of 2002.

2. Safeguard measures:

PCN 6402 (other footwear with outer soles and uppers of rubber or plastics).

PCN 6403 (footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather).

PCN 6404 (footwear with outer soles of rubber, plastics, leather or composition leather and upper of textile materials).

PCN 6405 (other footwear)

PCN 8516 40 10 0 (electric smoothing irons, steam smoothing)

PCN 8516 40 90 0 (electric smoothing irons, other)

The phasing out of these measures will be effected by the end of 2004.

Slovak Republic: quantitative restrictions maintained on imports from China

The Slovak Republic has concluded the bilaterals talks with China over the quantitative restrictions on imports of footwear falling within HS/CN Code 6401, 6402, 6403, 6404 and 6405.

Phasing-out Timetable on Footwear Quotas by the Slovak Republic

HS/CN Code	2001	2002	2003	2004	2005
6401 to 6405	15% increase	15% increase	15% increase	15% increase	proposed removal

[3] The WTO Agreement as defined in the Draft Protocol on the Accession of China, Section 1, para. 2.

Turkey: quantitative restrictions for non-textile products maintained on imports from China

Turkey maintains quantitative restrictions on goods specified below.

	CN CODE	DESCRIPTION OF GOODS	Quota (2000)
(1)	6402.99	Footwear	110 000 Pairs
	6403.51) 6403.59)	Footwear	26 826 Pairs
(1) (1)	6403.91) 6403.99)	Footwear	185 742 Pairs
(2)	6404.11.00.00.00	Footwear	754 350 Pairs
	6404.19.10.00.11) 6404.19.10.00.12) 6404.19.10.00.13)	Footwear	472 300 Pairs
	6911.10	Tableware, kitchenware of porcelain or china	15 225 kg
	6912.00	Ceramic tableware or kitchenware, other than of porcelain or china	45 675 kg

(1) Excluding footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

(2) Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of spikes, springs, stops, clips, bats or the like, with a non-injected sole,

(b) footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layered moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

The phasing-out timetable on these restrictions remains to be negotiated between China and Turkey.

WORLD TRADE ORGANIZATION

RESTRICTED

WT/ACC/SPEC/CHN/1/Rev.8/Corr.2
14 September 2001

(01-4325)

Working Party on the Accession of China

DRAFT REPORT OF THE WORKING PARTY

ON THE ACCESSION OF CHINA

Corrigendum

This second corrigendum to Rev.8 of the Draft Report provides additional corrections to – and in some cases modifies – those corrections set out in the first corrigendum, dated 10 September 2001.

Draft Report of the Working Party

Paragraph 79, lines 2 and 3: delete "measures covered under Section 2(D)(1) of the Draft Protocol" and replace with "the implementation of laws, regulations, judicial decisions and administrative rulings of general application referred to in Article X:1 of the GATT 1994, Article VI of the GATS and the relevant provisions of the TRIPS Agreement".

Paragraph 101, third line: revert to original text, ignoring correction provided in the first corrigendum.

Paragraph 111, second line: revert to original text, ignoring correction provided in the first corrigendum.

Paragraph 129, eighteenth line: change "paragraph 2(C)2" to "Section 2(C)2".

Paragraph 130: delete and replace with the following reorganized paragraph, ignoring reordering provided in the first corrigendum.

"130. The representative of China stated that China would allocate quotas in accordance with the following criteria and procedures which would be published in advance and would be applied in conformity with WTO requirements, including the Agreement on Import Licensing Procedures. In applying these criteria, China would consider the need to allow for equitable participation by producers from WTO Members and take into account the need to maximize the potential for quota fill.

(a) (i) If the relevant quota quantity exceeded total requests for quota allocations, all requests would be approved.

(ii) In other cases, the criteria for allocation would be as follows:

Historical performance of applicants where relevant (in cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, amounted to less than 75 per cent of the relevant quota, it would be necessary to take into account other criteria *inter alia* as set forth below);

- Production or processing capacity, in the case of intermediate products and raw materials;

- Experience and ability in producing, importing, marketing, or servicing in international markets, in the case of finished products or products destined for wholesale or retail distribution;

(b) (i) In cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, exceeded 75 per cent of the relevant quota, applicants that had not previously been allocated quota would be allocated 10 per cent of the total quota in the first year and the majority of any quota growth in any subsequent year.

(ii) In other cases :

- In the first year, 25 per cent of the total quota would be allocated to applicants that had not previously been allocated quota; however, an applicant that had imported under a quota on the relevant products in the year prior to China's accession would not receive a decrease in the absolute amount of its quota allocation;

- In the second year, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership equal to or less than 50 per cent;

- In the third and fourth year, if relevant, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership greater than 50 per cent.

(c) In all cases, a quota-holder receiving an initial allocation that had fully utilized or contracted for its quota allocation would, upon application, receive an allocation in the following year for a quantity no less than the quantity imported in the previous year. A quota-holder that did not import its full allocation would receive a proportional reduction in its quota allocation in the subsequent year unless the quantity was returned for reallocation by1 September.

The Working Party took note of these commitments."

Paragraph 159, sixth line: delete "not produced by them".

Paragraph 237 *bis*. *[check with Renzo]*

Paragraph 250, at the end of paragraph: add "Other laws, regulations and measures relating to the implementation of the TRIPS Agreement had been or would be notified to the WTO and would be made available upon request."

Paragraph 274, fifth line: after "conditions", add ", on the understanding that this requirement could be waived in the case of a national emergency or other circumstances of extreme urgency or in cases of public non-commercial use and subject to the other provisions of subparagraph (b) of Article 31". Ignore changes contained in first corrigendum.

Draft Protocol

Section 15, third line: change "sub-paragraph (b)" to "subparagraph (b)".

Protocol Annexes

Annex 1A, Section III.1(b): change "Section 2(A), Article 5" to "Section 2(A), paragraph 4".

Annex 1A, Section IV.8(a): *[awaiting confirmation of Secretariat change from China]*

WORLD TRADE ORGANIZATION

RESTRICTED

WT/ACC/SPEC/CHN/1/Rev.8/Corr.3
19 September 2001

(01-4467)

Working Party on the Accession of China

DRAFT REPORT OF THE WORKING PARTY ON THE ACCESSION OF CHINA

Corrigendum

Draft Report

Paragraph 58: delete second sentence and replace with "Government pricing and guidance pricing covered auditing services."; delete last sentence and replace with "Primary, secondary and higher education services were subject to government pricing." Ignore correction provided in the first corrigendum.

Draft Protocol

Preamble, first line: change "General Council" to "Ministerial Conference".

Protocol Annexes

Annex 1A:

- Section IV:7(k): delete and replace with "information on whether, one year after accession, all conformity assessment bodies and agencies are authorized to undertake conformity assessment for both imported and domestic products and are following the conditions outlined in Section 13, subparagraph 4(a) of the Draft Protocol".

- Section IV:8(a): revert to original text, ignoring correction provided in the first corrigendum.

Annex 2A: replace existing text with revised version, attached.

Annex 7: replace existing text with revised version, attached.

ANNEX 2A2

PRODUCTS SUBJECT TO STATE TRADING (EXPORT)

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
TEA	1	09021010	Flavoured green tea (not fermented) in immediate packings of a content ⩽3kg	China National Native Products and Animal By-Products Import & Export Co.
	2	09021090	Unflavoured green tea (not fermented) in immediate packings of a content ⩽3kg	
	3	09022010	Flavoured green tea (not fermented) in immediate packings of a content >3kg	
	4	09022090	Unflavoured green tea(not fermented) in immediate packings of a content >3kg	
RICE	5	10061010	Rice in husk (paddy or rough) seed	1. China National Cereals Oil and Foodstuffs Import & Export Co. 2. Jilin Grain Import & Export Co. Ltd.
	6	10061090	Rice in husk (paddy or rough), excl. for seeding	
	7	10062000	Husked (brown) rice	
	8	10063000	Semi-milled or wholly milled rice, whether or not polished or glazed	
	9	10064000	Broken rice	
CORN	10	10051000	Maize (corn) seed	
	11	10059000	Maize (corn), excl. for seeding	
	12	11042300	Other worked grains of maize (corn) (for example, hulled, pearled, sliced or kibbled)	
SOY BEAN	13	12010010	Seed of soya beans	
	14	12010091	Yellow soya beans, not for seeding, whether or not broken	
	15	12010092	Black soya beans, not for seeding, whether or not broken	
	16	12010093	Green soya beans, not for seeding, whether or not broken	
	17	12010099	Soya beans, nes, not for seeding, whether or not broken	
TUNGSTEN ORE	18	26110000	Tungsten ores & concentrates	1. China National Metals and Minerals Import & Export Co. 2. China National Non-ferrous Import & Export Co. 3. China Rare Earth and Metal Group Co. 4. China National Chemical Import & Export Co.
	19	26209010	Ash & residues containing mainly tungsten & compound thereof	
	20	26209090	Ash & residues containing metals & compound thereof, nes	
AMMONIUM PARATUNG-STATES	21	28418010	Ammonium paratungstate	
	22	28418040	Ammonium metatungstates	
TUNGSTATE PRODUCTS	23	28259011	Tungstic acid	
	24	28259012	Tungsten trioxides	
	25	28259019	Tungsten oxides and hydroxides, nes	
	26	28418020	Sodium tungstate	
	27	28418030	Calcium tungstate	
	28	28499020	Carbides of tungsten, whether or not chemically refined	
	29	81011000	Tungsten powders	
	30	81019100	Tungsten unwrought (incl. bars and rods simply sintered); tungsten waste and scrap	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
COAL	31	27011100	Anthracite, not agglomerated, whether or not pulverized	1. China National Coal Industry Import & Export Co. 2. China National Metals and Minerals Import & Export Co. 3. Shanxi Coal Import & Export Group Co. 4. Shenhua Group Ltd.
	32	27011210	Bituminous coking coal, not agglomerated, whether or not pulverized	
	33	27011290	Other bituminous coal, other than coking coal, not agglomerated, whether or not pulverized	
	34	27011900	Coal nes, not agglomerated, whether or not pulverized	
	35	27021000	Lignite, not agglomerated, whether or not pulverized	
CRUDE OIL	36	27090000	Petroleum oils & oils obtained from bituminous minerals, crude	1. China National Chemical Import & Export Co. 2. China International United Petroleum & Chemicals Co. 3. China National United Oil Co.
PROCESSED OIL	37	27100011	Motor gasoline & aviation gasoline	
	38	27100013	Naphtha	
	39	27100019	Gasoline distillages, nes & preparations thereof	
	40	27100023	Aviation kerosene	
	41	27100024	Lamp-kerosene	
	42	27100029	Kerosene distillages, nes & preparations thereof	
	43	27100031	Light diesel oil	
	44	27100033	Fuel oil No.5 to No.7 (National Code)	
	45	27100039	Diesel oils & preparations thereof and other fuel oils, nes	
	46	27100053	Lubricating greases	
	47	27100054	Lubricating oils	
	48	27100059	Heavy oils & preparations thereof, nes	
	49	27111100	Natural gas, liquefied	
SILK	50	50010010	Mulberry feeding silk-worm cocoons	China National Silk Import & Export Co.
	51	50010090	Silk-worn cocoons suitable for reeling (excl. Mulberry feeding silk-worm cocoons)	
	52	50020011	Plant reeled (Steam filature silk),not thrown	
	53	50020012	Steam filature silk ,home reeled, not thrown	
	54	50020013	Steam filature silk, doupion, not thrown	
	55	50020019	Steam filature raw silk (excl. Plant reeled, home reeled, doupion), not thrown	
	56	50020020	Tussah raw silk, not thrown	
	57	50020090	Raw silk, nes, not thrown	
	58	50031000	Silk waste (including cocoons unsuitable for reeling, yarn waste and garneted stock), not carded or combed	
	59	50039000	Silk waste (including cocoons unsuitable for reeling, yarn waste and garneted stock), carded or combed	
	60	50040000	Silk yarn (excl. spun from silk waste), not put up for retail sale	
	61	50050010	Yarn spun from noil, not put up for retail sale	
	62	50050090	Yarn spun from other silk waste (excl. Yarn spun from noil), not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
UN-BLEACHED SILK	63	50071010	Unbleached (unscoured or scoured) or bleached woven fabrics of noil silk	
	64	50072011	Unbleached (unscoured or scoured) or bleached woven fabrics, containing 85% or more by weight of mulberry silk	
	65	50072021	Unbleached (unscoured or scoured) or bleached woven fabrics of tussah silk, containing 85% or more by weight of tussah silk	
	66	50072031	Unbleached (unscoured or scoured) or bleached woven fabrics of spun silk, containing 85% or more by weight of tussah silk	
COTTON	67	52010000	Cotton, not carded or combed	1. China National Textiles Import & Export Co. 2. Qingdao Textiles United Import & Export Co. 3. Beijing No.2 Cotton Mill 4. Beijing No.3 Cotton Mill 5. Tianjin No.1 Cotton Mill 6. Shanghai Shenda Co. Ltd 7. Shanghai Huashen Textiles and Dying Co. (Group) 8. Dalian Huanqiu Textiles Group Co. 9. Shijiazhuang Changshan Textiles Group 10. Luoyang Cotton Mill, Henan Province
	68	52030000	Cotton, carded or combed	
COTTON YARN, containing 85% or more by weight of cotton (see footnote at the end of this annex)	69	52041100	Cotton sewing thread, cotton by weight ⩾ 85%,not put up for retail sale	
	70	52051100	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring ⩽14 metric number, not put up for retail sale	
	71	52051200	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring, >14 metric number but ⩽43 metric number, not put up for retail sale	
	72	52051300	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring >43metric number but ⩽ 52metric number, not put up for retail sale	
	73	52051400	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring >52metric number but ⩽ 80metric number, not put up for retail sale	
	74	52051500	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring >80metric number, not put up for retail sale	
	75	52052100	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring ⩽14metric number, not put up for retail sale	
	76	52052200	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >14metric number but ⩽ 43metric number, not put up for retail sale	
	77	52052300	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >43metric number but ⩽ 52metric number, not put up for retail sale	
	78	52052400	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >52metric number but ⩽ 80metric number, not put up for retail sale	
	79	52052600	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >80metric number but ⩽ 94metric number, not put up for retail sale	
	80	52053100	Uncombed multiple or cabled cotton yarn, cotton by weight ⩾85%, measuring ⩽14metric number	
	81	52053200	Uncombed multiple or cabled cotton yarn, cotton by weight ⩾85%, measuring >14metric number but ⩽43metric number, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	82	52053300	Uncombed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >43metric number but ≤52metric number, not put up for retail sale	
	83	52053400	Uncombed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >52metric number but ≤80metric number, not put up for retail sale	
	84	52053500	Uncombed cabled cotton yarn, cotton by weight ≥85%, measuring >80metric number, not put up for retail sale	
	85	52054100	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring ≤14metric number, not put up for retail sale	
	86	52054200	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >14metric number but ≤43metric number, not put up for retail sale	
	87	52054300	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >43metric number but ≤52metric number, not put up for retail sale	
	88	52054400	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >52metric number but ≤80metric number, not put up for retail sale	
	89	52054600	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >80metric number but ≤94metric number, not put up for retail sale	
	90	52071000	Cotton yarn (excl. sewing), put up for retail sale, cotton by weight ≥85%	
COTTON YARN, containing less than 85% by weight of cotton (see footnote at the end of this annex)	91	52041900	Cotton sewing thread, cotton by weight <85%, not put up for retail sale	11. Songyue Textiles Industry Group, Henan Province 12. Dezhou Cotton Mill 13. Wuxi No.1 Cotton Mill 14. Puxin Textiles Mill, Hubei Province 15. Northwest No.1 Cotton Mill 16. Chengdu Jiuxing Textiles Group Co. 17. Suzhou Sulun Textiles Joint Company (Group) 18. Northwest No.7 Cotton Mill 19. Xiangmian Group Co., Hubei Province 20. Handan Lihua Textiles Group Co.
	92	52061100	Uncombed single cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	93	52061200	Uncombed single cotton yarn, cotton by weight <85%, measuring >14metric number but ≤ 43metric number, not put up for retail sale	
	94	52061300	Uncombed single cotton yarn, cotton by weight <85%, measuring >43metric number but ≤ 52metric number, not put up for retail sale	
	95	52061400	Uncombed single cotton yarn, cotton by weight <85%, measuring >52metric number but ≤ 80metric number, not put up for retail sale	
	96	52061500	Uncombed single cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	
	97	52062100	Combed single cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	98	52062200	Combed single cotton yarn, cotton by weight <85%, measuring >14metric number but ≤ 43metric number, not put up for retail sale	
	99	52062300	Combed single cotton yarn, cotton by weight <85%, measuring >43metric number but ≤ 52metric number, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	100	52062400	Combed single cotton yarn, cotton by weight <85%, measuring >52metric number but ≤ 80metric number, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	101	52062500	Combed single cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	
	102	52063100	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	103	52063200	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >14metric number but ≤43metric number, not put up for retail sale	
	104	52063300	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >43metric number but ≤52metric number, not put up for retail sale	21. Xinjiang Textiles Industry Co. (Group)
	105	52063400	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >52metric number but ≤80metric number, not put up for retail sale	22. Anqing Textiles Mill
	106	52063500	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	23. Jinan No.2 Cotton Mill 24. Tianjin No.2 Cotton Mill
	107	52064100	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	25. Jinhua Textiles Mill, Shanxi Province
	108	52064200	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >14metric number but ≤43metric number, not put up for retail sale	26. Jinwei Group Co., Zhejiang Province
	109	52064300	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >43metric number but ≤52metric number, not put up for retail sale	27. Northwest No.5 Cotton Mill 28. Baoding No.1 Cotton Mill
	110	52064400	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >52metric number but ≤80metric number, not put up for retail sale	29. Liaoyang Textiles Mill 30. Changchun Textiles Mill
	111	52064500	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	31. Huaxin Cotton Mill, Henan Province
	112	52079000	Cotton yarn (excl. sewing), put up for retail sale, cotton by weight <85%	32. Baotou Textiles Mill
WOVEN FABRICS OF COTTON, containing 85% or more by weight of cotton (see footnote at the end of this annex)	113	52081100	Unbleached plain cotton weave, cotton by weight ≥85%,a weight not exceeding 100g/m2	33. Ninbo Hefeng Textiles Group Co.
	114	52081200	Unbleached plain cotton weave, cotton by weight ≥85%,a weight exceeding 100g/m2 but not exceeding 200g/m2	34. Northwest No.4 Cotton Mill
	115	52081300	Unbleached 3 or 4-thread twill, cotton by weight ≥85%, a weight not exceeding 200g/m2	35. Xinjiang Shihezi Bayi Cotton Mill
	116	52081900	Unbleached woven cotton fabrics, nes, cotton by weight ≥85%, a weight not exceeding 200g/m2	
	117	52091100	Unbleached plain cotton weave, cotton by weight ≥85%, a weight exceeding 200g/m2	
	118	52091200	Unbleached 3 or 4-thread twill, cotton by weight ≥85%, a weight exceeding 200g/m2	
	119	52091900	Unbleached cotton fabrics, cotton by weight ≥ 85%, a weight exceeding 200g/m2, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
WOVEN FABRICS OF COTTON, containing less than 85% by weight of cotton (see footnote at the end of this annex)	120	52101100	Unbleached plain cotton weave, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight not exceeding 200g/m2	
	121	52101200	Unbleached 3 or 4-thread twill, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight not exceeding 200g/m2	
	122	52101900	Unbleached woven cotton fabrics, nes, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight not exceeding 200g/m2	
	123	52111100	Unbleached plain cotton weave, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight exceeding 200g/m2	
	124	52111200	Unbleached 3 or 4-thread twill, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight exceeding 200g/m2	
	125	52111900	Unbleached woven cotton fabrics, nes, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight exceeding 200g/m2	
ANTIMONY ORES	126	26171010	Crude antimony	1. China National Metals and Minerals Import & Export Co.
	127	26171090	Antimony ores & concentrates, excl. crude	
ANTIMONY OXIDE	128	28258000	Antimony oxides	
ANTIMONY PRODUCTS	129	81100020	Antimony unwrought	2. China National Non-ferrous Import & Export Co.
	130	81100030	Antimony waste and scrap; Antimony powders	
	131	81100090	Antimony and articles thereof, nes	3. China Rare Earth and Metal Group Co.
SILVER	132	71061000	Silver in powder	1. China Banknote Printing and Minting Corporation
	133	71069100	Silver (incl. Silver plated with gold or platinum) in unwrought forms	
	134	71069200	Silver (incl. Silver plated with gold or platinum) in semi-manufactured forms nes	2. China Copper Lead Zinc Group

Each of the 35 State Trading Enterprises listed under products "Cotton Yarn, containing 85% or more by weight of cotton", "Cotton Yarn, containing less than 85% by weight of cotton", "Woven Fabrics of Cotton, containing 85% or more by weight of cotton", "Woven Fabrics of Cotton, containing less than 85% by weight of cotton", may trade in Product Numbers 69 through 125.

ANNEX 7

RESERVATIONS BY WTO MEMBERS

Argentina: restrictions maintained on imports from China

Argentina intends to maintain restrictions on certain products originating in China, such as textiles and clothing, footwear not used for sporting activities and toys, after the accession of China, as follows:

PRODUCT	HS CODE
Textiles and Clothing	51.11; 51.12; 51.13; 52.08; 52.09; 52.10; 52.11; 52.12; 53.09; 53.10; 53.11; 54.07; 54.08; 55.12; 55.13; 55.14; 55.15; 55.16; 56.02; 56.03; 57.01; 57.02; 57.03; 57.04; 57.05; 58.01; 58.02; 58.03; 58.04; 58.05; 58.06; 58.07; 58.08; 58.09; 58.10; 58.11; 59.03; 60.01; 60.02; 61.01; 61.02; 61.03; 61.04; 61.05; 61.06; 61.07; 61.08; 61.09; 61.10; 61.11; 61.12; 61.13; 61.14; 61.15; 61.16; 61.17; 62.01; 62.02; 62.03; 62.04; 62.05; 62.06; 62.07; 62.08; 62.09; 62.10; 62.11; 62.12; 62.13; 62.14; 62.15; 62.16; 62.17; 63.01; 63.02; 63.03; 63.04; 63.05; 63.06; 63.07; 63.08; 63.09; 63.10
Footwear not used for sporting activities	64.01; 64.02; 64.03; 64.04; 64.05
Toys	95.02; 95.03

Quotas (Resolution 862/1999): to be eliminated by 31 July 2002.

Specific duties: phasing out will be in line with the following methodology:

1. The base level of specific duties will be that in force at the time of the accession of China and the *ad valorem* equivalent of each specific duty applied to each tariff position.

2. The transition period will be five years from the date of accession of China, after which a 35% *ad valorem* duty will apply.

3. Duties in excess of 35% will be phased out as follows:

   — **First year**: a 10% reduction of the amount in excess of 35%
   — **Second year**: a 20% reduction
   — **Third year**: a 40% reduction
   — **Fourth year**: a 60% reduction
   — **Fifth year**: an 80% reduction
   — **Sixth year:** As of 1 January of the sixth year, the ceiling of the 35% *ad valorem* equivalent to the minimum specific import duties (DIEMs) will apply.

European Communities: phasing-out timetable of industrial (non-textile) quotas on imports from China

Product	HS/CN Code	2001	2002	2003	2004	2005
Footwear falling within HS/CN codes	ex 6402 99 [1]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6403 51 6403 59	5% increase	10% increase	15% increase	15% increase	proposed removal
	ex 6403 91[2] ex 6403 99[2]	5% increase	5% increase	10% increase	15% increase	proposed removal
	ex 6404 11[2]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6404 19 10	5% increase	5% increase	10% increase	15% increase	proposed removal
Tableware, kitchenware of porcelain or china	6911 10	15% increase	15% increase	15% increase	15% increase	proposed removal
Ceramic tableware or kitchenware	6912 00	15% increase	15% increase	15% increase	15% increase	proposed removal

[1] Excluding footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

[2] Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bats or the like, with a non-injected sole;

(b) footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

Hungary: quantitative restrictions maintained on imports from China

Hungary undertakes to phase out these restrictions by the year 2005. The restraint levels are based on the import data of the year 1999. The annual quota growth and the carry over and carry forward rates in the case of textiles and clothing products are included in the notification.

Product	HS	Import from China in 1999	Increase of quotas in per cent				
			2001	2002	2003	2004	2005
Footwear falling within HS codes	6401	71 000 pairs	5	5	10	15	proposed removal
	6402	10 625 000 pairs	5	5	10	15	proposed removal
	6403	600 000 pairs	5	5	10	15	proposed removal
	6404	4 450 000 pairs	5	5	10	15	proposed removal
	6405	2 140 000 pairs	5	5	10	15	proposed removal
Overwear Flexibility rates: 10% of which carry forward shall not represent more than 5%	4203, ex 4303, ex 4304, 6101, 6102, 6103, 6104, 6106, 6110, 6112, 6113, 6114, 6201, 6202, 6203, 6204, 6206, 6210, 6211	15 900 000 $	6	6	6	6	proposed removal
Other clothing and ready-made clothing products Flexibility rates: 10% of which carry forward shall not represent more than 5%	ex 4303, ex 4304, 6117, 6213, 6214, 6215, 6301, 6302, 6304, 6306, 6307, 9404	4 570 000 $	6	6	6	6	proposed removal

Mexico: anti-dumping measures maintained against imports from China

Notwithstanding any other provisions of this Draft Protocol, during six years after the accession of China, Mexico's existing measures listed below shall not be subject to the provisions of either the WTO Agreement or the anti-dumping provisions of this Draft Protocol.

PRODUCT	TARIFF CLASSIFFICATION
Bicycles	8712.00.01 8712.00.02 8712.00.03 8712.00.04 8712.00.99
Footwear and parts thereof	56 tariff lines covered under the headings 6401 6402 6403 6404 6405
Brass padlocks	8301.10.01
Baby carriages	8715.00.01
Door knob locks	8301.40.01
Malleable iron connections	7307.19.02 7307.19.03 7307.19.99 7307.99.99
Non-refillable pocket lighters, gas-fuelled	9613.10.01
Fluorite	2529.22.01

Furazolidone	2934.90.01
Tools	48 tariff lines under the headings 8201, 8203, 8204, 8205, 8206
Textiles (yarns and fabrics of artificial and synthetic fiber)	403 tariff lines under the headings 3005 5204, 5205, 5206, 5207, 5208, 5209, 5210, 5211, 5212, 5307, 5308, 5309, 5310, 5311 5401, 5402, 5404, 5407, 5408, 5501, 5506, 5508, 5509, 5510, 5511, 5512, 5513, 5514, 5515, 5516 5803, 5911
Toys	21 tariff lines under the headings 9501, 9502, 9503, 9504, 9505, 9506
Pencils	9609.10.01
Bicycle tires and inner tubes	4011.50.01 4013.20.01
Electrical machines, appliances and equipment and parts thereof	78 tariff lines under the headings 8501, 8502, 8503, 8504, 8506, 8507, 8509, 8511, 8512, 8513, 8515, 8516, 8517, 8518, 8519, 8520, 8523, 8525, 8527, 8529, 8531, 8532, 8533, 8536 8537, 8544
Parathion-methyl	3808.10.99
Clothing	415 tariff lines under the headings 6101, 6102, 6103, 6104, 6105, 6106, 6107, 6108, 6109, 6110, 6111, 6112, 6113, 6114, 6115, 6116, 6117, 6201, 6202, 6203, 6204, 6205, 6206, 6207, 6208, 6209, 6210, 6211, 6212, 6213, 6214, 6215, 6216, 6217 6301, 6302, 6303, 6304, 6305, 6306, 6307, 6308, 6309, 6310
Organic chemicals	258 tariff lines under the headings 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2909, 2910, 2911, 2912, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927
Ceramic and porcelain dishware and loose articles	6911.10.01 6912.00.01
Iron and steel valves	8481.20.01 8481.20.04 8481.20.99 8481.30.04 8481.30.99 8481.80.04 8481.80.18 8481.80.20 8481.80.24
Candles	3406.00.01

Poland: anti-dumping measures and safeguard measures maintained on imports from China

Poland intends to continue the application of the below mentioned measures after China's accession.

1. Anti-dumping duties:

PCN 9613 10 00 0 (pocket lighters, gas fuelled, non-fillable)

PCN 9613 20 90 0 (pocket lighters, gas fuelled refillable, with other ignition system)

The bringing of these measures into conformity with the WTO Agreement[3] will be effected by the end of 2002.

2. Safeguard measures:

PCN 6402 (other footwear with outer soles and uppers of rubber or plastics).

PCN 6403 (footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather).

PCN 6404 (footwear with outer soles of rubber, plastics, leather or composition leather and upper of textile materials).

PCN 6405 (other footwear)

PCN 8516 40 10 0 (electric smoothing irons, steam smoothing)

PCN 8516 40 90 0 (electric smoothing irons, other)

The phasing out of these measures will be effected by the end of 2004.

Slovak Republic: quantitative restrictions maintained on imports from China

The Slovak Republic has concluded the bilaterals talks with China over the quantitative restrictions on imports of footwear falling within HS/CN Code 6401, 6402, 6403, 6404 and 6405.

Phasing-out Timetable on Footwear Quotas by the Slovak Republic

HS/CN Code	2001	2002	2003	2004	2005
6401 to 6405	15% increase	15% increase	15% increase	15% increase	proposed removal

[3] The WTO Agreement as defined in the Draft Protocol on the Accession of China, Section 1, para. 2.

Turkey: quantitative restrictions for non-textile products maintained on imports from China

Turkey maintains quantitative restrictions on the goods specified below. Turkey undertakes to eliminate these restrictions by 1 January 2005.

	CN CODE	DESCRIPTION OF GOODS	Quota (2000)
(1)	6402.99	Footwear	110 000 Pairs
	6403.51) 6403.59)	Footwear	26 826 Pairs
(1) (1)	6403.91) 6403.99)	Footwear	185 742 Pairs
(2)	6404.11.00.00.00	Footwear	754 350 Pairs
	6404.19.10.00.11) 6404.19.10.00.12) 6404.19.10.00.13)	Footwear	472 300 Pairs
	6911.10	Tableware, kitchenware of porcelain or china	15 225 kg
	6912.00	Ceramic tableware or kitchenware, other than of porcelain or china	45 675 kg

(1) Excluding footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

(2) Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of spikes, springs, stops, clips, bats or the like, with a non-injected sole,

(b) footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layered moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

WORLD TRADE ORGANIZATION

RESTRICTED

WT/ACC/SPEC/CHN/1/Rev.8/Corr.4
19 September 2001

(01-4466)

Working Party on the Accession of China

DRAFT REPORT OF THE WORKING PARTY ON THE ACCESSION OF CHINA

Corrigendum

Note: ***This corrigendum is a consolidation of the final form of all changes agreed by the Working Party to Rev.8 of the Draft Report of the Working Party on the Accession of China (WT/ACC/SPEC/CHN/1/Rev.8).***

Draft Report of the Working Party

Paragraph 8, third line: change "special and preferential treatment" to "differential and more favourable treatment".

Paragraph 21, lines 2 and 11: change "GATT Article III" to "Article III of the GATT 1994".

Paragraph 23, second line: change "subnational" to "sub-national".

Paragraph 23, fifth indent ("Chemicals"), second line: change "Environmental Control Regulations for Initial Imports of Chemical Products and Imports and Exports of Toxic Chemical Products" to "Provisions on the Environmental Administration of Initial Imports of Chemical Products and Imports and Exports of Toxic Chemical Products".

Paragraph 38, third line: delete "and".

Paragraph 53, second line: change "the agencies concerned should apply to the competent pricing authorities for that purpose." to "the agencies or operators concerned should apply or propose to the competent pricing authorities for that purpose."; fourth line: change "Operators or competent agencies could, in the light of market changes and according to their purview of pricing, submit applications to the competent pricing authorities …" to "Competent agencies or operators could, in the light of market changes and according to relevant provisions of the Price Law, submit applications or proposals to the competent pricing authorities …".

Paragraph 58: delete second sentence and replace with "Government pricing and guidance pricing covered auditing services."; delete last sentence and replace with "Primary, secondary and higher education services were subject to government pricing."

Paragraph 65, lines 4 and 5: change "1992" to "1993" in both instances.

Paragraph 68, eighth line: add "Agreement" following "WTO".

Paragraph 79, lines 2 and 3: delete "measures covered under Section 2(D)(1) of the Draft Protocol" and replace with "the implementation of laws, regulations, judicial decisions and administrative rulings of general application referred to in Article X:1 of the GATT 1994, Article VI of the GATS and the relevant provisions of the TRIPS Agreement".

Paragraph 93, lines 2 and 3: change "China confirmed that it had" to "the representative of China confirmed that China had".

Paragraph 94, first line: change "China confirmed its commitment" to "the representative of China confirmed China's commitment".

Paragraph 96, last line: change "that" to "this".

Paragraph 103, second line: change "Customs" to "customs".

Paragraph 105, sixth line: change "Customs" to "General Customs Administration ('Customs')".

Paragraph 109 (k): change "China" to "the government".

Paragraph 113, fifth line: change "subnational" to "sub-national".

Paragraph 117, lines 5 and 6: change "China confirmed that it would" to "the representative of China confirmed that China would".

Paragraph 120, lines 3 and 8: delete the parentheses around the words "of the Draft Protocol" in both instances.

Paragraph 127, fourth line: change "Members" to "Those Members", and "concern" to "concerns".

Paragraph 129, eighteenth line: change "paragraph 2(C)2" to "Section 2(C)2".

Paragraph 130: delete and replace with the following reorganized paragraph.

"130. The representative of China stated that China would allocate quotas in accordance with the following criteria and procedures which would be published in advance and would be applied in conformity with WTO requirements, including the Agreement on Import Licensing Procedures. In applying these criteria, China would consider the need to allow for equitable participation by producers from WTO Members and take into account the need to maximize the potential for quota fill.

(a) (i) If the relevant quota quantity exceeded total requests for quota allocations, all requests would be approved.

(ii) In other cases, the criteria for allocation would be as follows:

Historical performance of applicants where relevant (in cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, amounted to less than 75 per cent of the relevant quota, it would be necessary to take into account other criteria *inter alia* as set forth below);

- Production or processing capacity, in the case of intermediate products and raw materials;

- Experience and ability in producing, importing, marketing, or servicing in international markets, in the case of finished products or products destined for wholesale or retail distribution;

(b) (i) In cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, exceeded 75 per cent of the relevant quota, applicants that had not previously been allocated quota would be allocated 10 per cent of the total quota in the first year and the majority of any quota growth in any subsequent year.

(ii) In other cases :

- In the first year, 25 per cent of the total quota would be allocated to applicants that had not previously been allocated quota; however, an applicant that had imported under a quota on the relevant products in the year prior to China's accession would not receive a decrease in the absolute amount of its quota allocation;

- In the second year, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership equal to or less than 50 per cent;

- In the third and fourth year, if relevant, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership greater than 50 per cent.

(c) In all cases, a quota-holder receiving an initial allocation that had fully utilized or contracted for its quota allocation would, upon application, receive an allocation in the following year for a quantity no less than the quantity imported in the previous year. A quota-holder that did not import its full allocation would receive a proportional reduction in its quota allocation in the subsequent year unless the quantity was returned for reallocation by 1 September.

The Working Party took note of these commitments."

Paragraph 139, first line: add "of the Working Party" following "members".

Paragraph 144, lines 2 and 4: change "System" to "Procedures" in both instances.

Paragraph 145: at the end of this paragraph, add "The Working Party took note of this commitment".

Paragraph 149, second line: change "paragraph (d)" to "subparagraph (d)".

Paragraph 151, seventh line: change "paragraph (a)(ii)" to "subparagraph (a)(ii)"; in subparagraph (d), last line, add "a" before "particular".

Paragraph 153, second line: change "Anti-subsidy" to "Countervailing Measures"; in subparagraph (b): merge the two separate paragraphs; in the title of subparagraph (d): add "the" before "State".

Paragraph 154: delete second sentence; fourth line: delete "He noted that, at present"

Paragraph 156, third line: change "duty-paying value" to "customs value".

Paragraph 159, sixth line: delete "not produced by them".

Paragraph 161, first line: add "of" before "products".

Paragraph 167, first line: change "Section 11.3" to "Section 10.3".

Paragraph 171, sixth line: change "Articles 27" to "Article 27".

Paragraph 173, lines 3 and 6: change "Annex 5A" to "Annexes 5A and 5B" in both instances.

Paragraph 188, second line: delete "the".

Paragraph 203, penultimate sentence: change "China would respect enterprises' freedom of contract" to "the freedom of contract of enterprises would be respected by China".

Paragraph 210: at the end of the paragraph, add "The Working Party took note of this commitment".

Paragraph 218, third line: change "Special Economic Zones" ('SEZs')" to "SEZs".

Paragraph 225, third line: add "The representative of" before "China".

Paragraph 226, lines 1 and 4: delete "Secretariat" in both instances.

Paragraph 231, fourth line: insert a comma between "response" and "China".

Paragraph 237 *bis*. Add new paragraph 237 *bis*. containing following text: "Some members of the Working Party noted that although WT/ACC/CHN/38/Rev.3 did provide a basis for supporting the commitments in China's Schedule, this document still contained issues which required further methodological clarification relating to policy classification. The representative of China confirmed that this clarification would be addressed in the context of China's notification obligations under the Agreement on Agriculture. The Working Party took note of this commitment."

Paragraph 241, subparagraph (f): change the period at the end of the sentence into a semicolon, followed by "and".

Paragraph 245, subparagraphs (a) through (g): change the period at the end of each sentence to a semicolon; subparagraph (g): add "and" at the end of the sentence.

Paragraph 250, at the end of paragraph: add "Other laws, regulations and measures relating to the implementation of the TRIPS Agreement had been or would be notified to the WTO and would be made available upon request."

Paragraph 250: Table A: delete and replace with the following:

Table A: The Administrative Rules of China Concerning Intellectual Property Rights

The following three parts were the administrative rules regarding protection of intellectual property right, which were still in force in China. As an important part of China's IPR legal system, these rules had a great effect on IPR protection, enforcing the IPR law, etc. Part I List of Administrative Rules Regarding Protection of Patent Right Part II List of Administrative Rules Regarding Protection of Trademark Part III List of Administrative Rules Regarding Protection of Copyright
Part I List of Administrative Rules Regarding Protection of Patent Right (i) Methods on the Showing the Identification of Right of Priority to Applicant made by Patent Office of China (1 March 1988) (ii) Opinions of the Patent Office of China concerning the Implementation of the Regulations on Patent Commissioning (19 April 1991) (iii) Explanation of the Patent Office of China on Certain Matters Relating to the Commissioning Involving Foreign Interests (16 November 1987) (iv) Decree of Patent Office of China (No.26) (20 November 1989) (v) Decree of Patent Office of China (No.27) (21 December 1989) (vi) Decree of Patent Office of China (No.31) (14 March 1991)

(vii)	Procedures for Administrative Reconsideration of Patent Office of the People's Republic of China (for Trial Implementation) (21 December 1992)
(viii)	Methods of Handling the Patent Disputes by the Administrative Authorities for Patent Affairs (4 December 1989)
	Part II List of Administrative Rules Regarding Protection of Trademark
(i)	Circular on the Commodities Demanded to Use Registered Trademark made by the State Administration for Industry and Commerce (14 January 1988)
(ii)	Circular on the Prohibition from Registering the Other Person's Trademark Abroad without Being Authorized made by State Administration for Industry and Commerce and the Ministry of Foreign Economy and Trade (19 November 1990)
(iii)	Interim Provisions on Claims for Priority in Applying for Registration of Trademarks made by State Administration for Industry and Commerce (15 March 1983)
(iv)	Methods of the Application International Registration of Trademark of Madrid made by the State Administration for Industry and Commerce (2 March 1989)
(v)	Circular on the Stopping Using the Literal of "Xiang Bin" or "Champagne" in Varieties of Commodities of Alcohol made by the State Administration for Industry and Commerce (26 October 1989)
(vi)	Circular on Printing and distributing " the Rules regarding the Question of Using Trademark in Can Food for Export" (15 October 1991)
(vii)	Provisions on the Control over the Surrogate of Trademark
(viii)	Provisions on the Registration of and the Control over the Collective Trademark and Certified Trademark (issued on 30 December 1994, revised on 3 December 1998)
(ix)	Provisions on the Control over the Printing of Trademark (issued on 5 September 1996, revised on 3 December 1998)
	Part III List of Administrative Rules Regarding Protection of Copyright
(i)	Opinions of the National Copyright Administration on Questions Relating to Reprinting the Programs in Advance in Broadcast and Television (12 December 1987)
(ii)	Circular of the National Copyright Administration of Printing and Distribution "Report Relating to Appropriate Handling the Copyright Question in the Process of Culture Communication with Taiwan" and "Interim Provisions Relating to the Copyright Question of Pressing the Works Written by Taiwan Compatriots" (8 February 1988)
(iii)	Circular of National Copyright Administration regarding the Points for Attention of Transferring Copyright to Taiwan's Press Person (26 December 1987)
(iv)	Opinions of National Copyright Administration on Matters Relating to Local Work on Copyright Management (May 1988)

(v)	Circular of the National Copyright Administration concerning Procedures of Examining and Verifying the Copyright Trading Contract Between the Mainland and Hong Kong, Macao and Taiwan (2 November 1988)
(vi)	Opinions on Certain Matters of the National Copyright Administration concerning Handling Copyright Cases (27 December 1988)
(vii)	Circular of the National Copyright Administration concerning the Standard of Paying Author's Remuneration When the Press Reprint and Extract the Published Works at Present (27 August 1991)
(viii)	Interim Provisions of the Standard of Paying Author's Remuneration When the Press Reprint and Extract the Published Works with the Consent by Law (1 August 1993)
(ix)	Interim Provisions of the Standard of Paying Author's Remuneration When Perform the Published Works with the Consent by Law (1 August 1993)
(x)	Interim Provisions of the Standard of Paying Author's Remuneration When Record the Published Works with the Consent by Law (1 August 1993)
(xi)	Direction of the Chinese Center of Receiving and Transmitting Author's Remuneration concerning Receiving and Transmitting Remuneration About the Press Extract the Published Works
(xii)	Circular of the National Copyright Administration concerning Enforcing "the Memorandum of Understanding between the Government of the People's Republic of China and the Government of the United States of America on the Protection of Intellectual Property" (29 February 1992)
(xiii)	Urgent Circular concerning Strengthening Administration of Reproducing Compact Discs and Laser Discs (12 April 1994)
(xiv)	Circular of Enforcing "Urgent Circular concerning Strengthening Administration of Reproducing Compact Discs and Laser Discs" (12 May 1994)
(xv)	Cooperate Circular of the Ministry of Judicial and National Copyright Administration concerning Bringing Notary Office into Play in Dealing with the Infringing Copyright Cases (29 August 1994)
(xvi)	Measures of the Registration of Copyright of Computer Software (4 June 1992)
(xvii)	Guide to Classified Coding of Software in Computer Software's Registration
(xviii)	The Item and Standard of Registration Expenses of Computer Software (18 April 1992)

Paragraph 251, last sentence: change "this commitment" to "these commitments"; Table B: delete and replace with the following:

Table B: Revision of China's IPR Laws in Conformity with the TRIPS Agreement

The People's Republic of China had conducted an intensive work programme to examine and revise the IPR laws, administrative regulations and department rules relating to the implementation of the WTO Agreement and China's accession commitments. A list of China's IPR laws, administrative regulations and department rules to be revised and abolished was hereby notified to the Working Party. Part I of the list contained eight laws and regulations. Part II of the list contained four department rules to be revised or abolished for the same reason. This list included the names of laws, regulations and department rules, reasons for revision or abolishment, and dates of implementation.	
Part I Laws and Administrative Regulations	
Laws and Regulations	Date of Implementation
1. Copyright Law of the People's Republic of China	Upon accession
2. Regulations for the Implementation of the Copyright Law of the People's Republic of China	Upon accession
3. Regulations for the Protection of Computer Software	Upon accession
4. Trademark Law of the People's Republic of China	Upon accession
5. Detailed Rules for the Implementation of the Trademark Law of the People's Republic of China	Upon accession
6. Regulations of the People's Republic of China on the Protection of New Varieties of Plants	Effective as of 1 October 1997
7. Law of the People's Republic of China Against Unfair Competition	Effective as of 1 December 1993
8. Regulations on the Implementation of the Integrated Circuit Layout Design	To be effective as of 10 October 2001
Part II Department Rules	
Department Rules	Date of Implementation
1. Interim Rules on the Administration of Patents in Agriculture, Animal Husbandry and Fisheries	To be abolished upon accession
2. Notice on the Interim Regulation on the Protection of Copyright of Books and Magazines	To be abolished upon accession
3. Notice on the Issuance of the "Detailed Rules of Interim Regulations on the Protection of Copyright of Books and Magazines", "Publication Intention Contracts" and "Publication Contracts"	To be abolished upon accession
4. Interpretation of Article 15(4) of the "Interim Regulation on the Protection Copyright of Books and Magazines"	To be abolished upon accession

Paragraph 259, sixth line: change "right" to "rights".

Paragraph 268, fourth line: change "final text" to "draft".

Paragraph 271, last line: change "Article 51" to "Article 52".

Paragraph 274, fifth line: after "conditions", add ", on the understanding that this requirement could be waived in the case of a national emergency or other circumstances of extreme urgency or in cases of public non-commercial use and subject to the other provisions of subparagraph (b) of Article 31".

Paragraph 279, fourth line: add "Part II" before "of the TRIPS Agreement".

Paragraph 307(h), third line: change "company's name" to "company".

Paragraph 312, sixth sentence: delete this bracketed sentence and replace with the following unbracketed text: "He also confirmed that a branch and a sub-branch were an extension of the parent enterprise and not a separate legal entity and that China would permit internal branching accordingly on that basis, and in compliance with China's Schedule of Specific Commitments, including provisions on MFN treatment."

Paragraph 321, fourth line: change "as provided for in Annex 1 to the Draft Protocol" to "consistent with Section 18.1 and Annex 1A of the Draft Protocol".

Paragraph 333, fourth line: add "available" after "other measures".

Page 99: change subtitle "2. Government Procurement" to "4. Government Procurement".

Paragraph 341. Add references to the following additional commitment paragraphs: 145, 210, 237 *bis* and 264; make necessary adjustments to take into account new paragraph 237 bis.

Paragraph 342, seventh line: change "WT/ACC/SPEC/CHN/1/Rev.8/Add.1" to "WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1/Corr.1"; eighth line: change "WT/ACC/SPEC/CHN/1/Rev.8/Add.1" to "WT/ACC/SPEC/CHN/1/Rev.8/Add.2/Rev.1/Corr.1".

Draft Protocol

Preamble, first line: change "General Council" to "Ministerial Conference".

Preamble, paragraph 4: delete "to the WTO Agreement".

Section 1, paragraph 3: delete existing text and replace it with the following: "Except as otherwise provided for in this Draft Protocol, those obligations in the Multilateral Trade Agreements annexed to the WTO Agreement that are to be implemented over a period of time starting with entry into force of that Agreement shall be implemented by China as if it had accepted that Agreement on the date of its entry into force".

Section 5, paragraph 1, lines 4 and 9: change "Annex 2a" to "Annex 2A" and "Annex 2b" to "Annex 2B".

Section 7, paragraph 3, ninth line: add "or" before "performance".

Section 14, third line: change "accessopm" to "accession".

Section 15, subparagraph (c), second line: change "subparagraph (1)" to "subparagraph (a)"; third line: change "sub-paragraph (b)" to "subparagraph (b)".

Section 15, subparagraph (d), third line: change "contain" to "contains"; eighth line: change "sub-paragraph (a)" to "subparagraph (a)".

Section 16, paragraph 9: change "will" to "shall".

Section 17, third line: delete "at the HS 8-digit level".

Section 18, paragraph 1, third line: change "paragraph 18.4" to "paragraph 4"; paragraph 2, second line: change "paragraph 18.4" to "paragraph 4"; paragraph 2, fifth line: change "paragraph 18.1" to "paragraph 1"; paragraph 4, first line: change "paragraphs 18.1 and 18.2" to "paragraphs 1 and 2".

Annexes to the Draft Protocol

Annex 1A:
- Section III.1(b): change "Section 2(A), Article 5" to "Section 2(A), paragraph 4".
- Section IV.2(d): change "Section 7, Article 3" to "Section 7, paragraph 3".
- Section IV.7(k): delete and replace with "information on whether, one year after accession, all conformity assessment bodies and agencies are authorized to undertake conformity assessment for both imported and domestic products and are following the conditions outlined in Section 13, subparagraph 4(a) of the Draft Protocol".

Annex 1B: in third indent, change "cross-sectorial" to "cross-sectoral"; in last sentence, change "The Rule of Procedure o the WTO General Council" to "The Rules of Procedure of the WTO General Council".

Annex 2A1: replace existing text with revised version (attached).

Annex 2A2: replace existing text with revised version (attached).

Annex 2B: replace existing text with revised version (attached).

Annex 3: replace existing text with revised version (attached).

Annex 4: replace existing text with revised version (attached).

Annex 6: replace existing text with revised version (attached).

Annex 7: replace existing text with revised version (attached).

Annex 8: change document reference from "WT/ACC/SPEC/CHN/1/Rev.8/Add.1" to "WT/ACC/SPEC/CHN/1/Rev.8/Add.1/Rev.1 and Corr.1".

Annex 9: change document reference from "WT/ACC/SPEC/CHN/1/Rev.8/Add.2" to "WT/ACC/SPEC/CHN/1/Rev.8/Add.2/Rev.1 and Corr.1".

ANNEX 2A1

PRODUCTS SUBJECT TO STATE TRADING (IMPORT)

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
GRAIN	1	10011000	Durum wheat	China National Cereals, Oil & Foodstuff Import and Export Co.
	2	10019010	Seed of wheat & maslin, excl. durum wheat	
	3	10019090	Wheat & maslin, excl. for seeding and durum wheat	
	4	11010000	Wheat or maslin flour	
	5	11031100	Groats & meal of wheat	
	6	11032100	Pellets of wheat	
	7	10051000	Maize (corn) seed	
	8	10059000	Maize (corn), excl. for seeding	
	9	11022000	Maize (corn) flour	
	10	11031300	Groats & meal of maize (corn)	
	11	11042300	Other worked grains of maize (corn) (for example, hulled, pearled, sliced or kibbled)	
	12	10061010	Rice in husk (paddy or rough) seed	
	13	10061090	Rice in husk (paddy or rough), excl. for seeding	
	14	10062000	Husked (brown) rice	
	15	10063000	Semi-milled or wholly milled rice, whether or not polished or glazed	
	16	10064000	Broken rice	
	17	11023000	Rice flour	
	18	11031400	Groats & meal of rice	
VEGETABLE OIL	19	15071000	Crude soybean oil, whether or not degummed, but not chemically modified	1. China National Cereals, Oil & Foodstuff Import and Export Co. 2. China National Native Products and Animal By-products Import & Export Co. 3. China Resources Co. 4. China Nam Kwong National Import & Export Co. 5. China Liangfeng Cereals Import & Export Co. 6. China Cereals, Oil & Foodstuff Co.(Group)
	20	15079000	Soybean oil and its fractions, refined, but not chemically modified	
	21	15111000	Crude palm oil, but not chemically modified	
	22	15119000	Palm oil and its fractions, refined, but not chemically modified	
	23	15141010	Crude rape, colza oil, but not chemically modified	
	24	15141090	Crude mustard oil, but not chemically modified	
	25	15149000	Rape, colza or mustard oil and fractions thereof, refined, but not chemically modified	
SUGAR	26	17011100	Raw cane sugar, in solid form, not containing added flavouring or colouring matter	1. China National Cereals, Oil & Foodstuff Import and Export Co. 2. China Export Commodities Base Construction Co. 3. China Overseas Trade Co. 4. China Sugar & Wine Co. (Group) 5. China Commerce Foreign Trade Co.
	27	17011200	Raw beet sugar, in solid form, not containing added flavouring or colouring matter	
	28	17019100	Cane or beet sugar and chemically pure sucrose, in solid form, containing added flavouring or colouring	
	29	17019910	Granulated sugar	
	30	17019920	Superfine sugar	
	31	17019990	Cane or beet sugar and chemically pure sucrose, in solid form, not containing added flavouring or colouring matter, excl. granulated sugar, superfine sugar and raw sugar	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
TOBACCO	32	24011010	Flue-cured tobacco, not stemmed/stripped	China National Tobacco Import & Export Co.
	33	24011090	Tobacco other than flue-cured, not stemmed/stripped	
	34	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	
	35	24012090	Tobacco other than flue-cured, partly or wholly stemmed/stripped	
	36	24013000	Tobacco refuse	
	37	24021000	Cigars, cheroots & cigarillos, containing tobacco	
	38	24022000	Cigarettes containing tobacco	
	39	24029000	Cigars, cheroots, cigarillos and cigarettes, of tobacco substitutes	
	40	24031000	Smoking tobacco whether or not containing tobacco substitutes in any proportion	
	41	24039100	Homogenized or "reconstituted" tobacco	
	42	24039900	Manufactured tobacco and tobacco substitutes, nes; tobacco extracts and essences	
	43	48131000	Cigarette paper in the form of booklets or tubes	
	44	48132000	Cigarette paper in rolls of a width ≤5cm	
	45	48139000	Cigarette paper, nes	
	46	55020010	Cellulose diacetate filament tow[3]	
	47	56012210	Cigarette filter tips of man-made fibres	
	48	84781000	Machinery for preparing or making up tobacco, not elsewhere specified or included	
	49	84789000	Parts, of machinery for preparing or making up tobacco, not elsewhere specified or included	
CRUDE OIL	50	27090000	Petroleum oils & oils obtained from bituminous minerals, crude	1. China National Chemical Import & Export Co. 2. China International United Petroleum & Chemicals Co. 3. China National United Oil Co. 4. Zhuhai Zhenrong Company
PROCESSED OIL	51	27100011	Motor gasoline & aviation gasoline	
	52	27100013	Naphtha	
	53	27100023	Aviation kerosene	
	54	27100024	Lamp-kerosene	
	55	27100031	Light diesel oil	
	56	27100033	Fuel oil No.5 to No.7 (National Code)	
	57	27100039	Diesel oils & preparations thereof and other fuel oils, nes	

[3] Coverage is limited to cellulose diacetate filament tow used in the production of cigarettes.

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
CHEMICAL FERTILIZER	58	31021000	Urea, whether or not in aqueous solution	1. China National Chemical Import & Export Co. 2. China National Agricultural Means of Production Group Co.
	59	31022100	Ammonium sulphate	
	60	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	
	61	31023000	Ammonium nitrate, whether or not in aqueous solution	
	62	31024000	Mixtures of ammonium nitrate with calcium carbonate or other inorganic non-fertilizing substances	
	63	31025000	Sodium nitrate	
	64	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	
	65	31027000	Calcium cyanamide	
	66	31028000	Mixtures of urea & ammonium nitrate in aqueous or ammoniacal solution	
	67	31029000	Mineral or chemical fertilizers, nitrogenous , nes, incl. mixtures not specified in the foregoing subheadings	
	68	31031000	Superphosphates	
	69	31032000	Basic slag	
	70	31039000	Mineral or chemical fertilizers, phosphatic, nes	
	71	31041000	Carnallite, sylvite & other crude natural potassium salts	
	72	31042000	Potassium chloride	
	73	31043000	Potassium sulphate	
	74	31049000	Mineral or chemical fertilizers, potassic, nes	
	75	31051000	Goods of chapter 31 in tables or similar forms or in packages of a gross weight ≤10kg	
	76	31052000	Mineral or chemical fertilizers containing the three fertilizing elements nitrogen, phosphorus & potassium	
	77	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	
	78	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate) and mixtures thereof with diammonium hydrogenorthophosphate (diammonium phosphate)	
	79	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	
	80	31055900	Mineral or chemical fertilizers containing the two fertilizing elements nitrogen & phosphorus, nes	
	81	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	
	82	31059000	Mineral or chemical fertilizers, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
COTTON	83	52010000	Cotton, not carded or combed	1. China National Textiles Import & Export Co. 2. Beijing Jiuda Textiles Group Co. 3. Tianjing Textiles Industry Supply and Marketing Co. 4. Shanghai Textiles Raw Materials Co.
	84	52030000	Cotton, carded or combed	

Product & HS 2000	Volume to non-state traders on accession[2)]	Annual growth in non-state trade volume[3)]
Oil--processed[1)] (HS 27.10)	4 million tonnes	15 %
Oil--crude (HS 27.09)	7.2 million tonnes	15 %

(1) Excludes LPG, which falls under HS 27 11, and has not been notified by China as subject to state trading. The present import quota (16.58 million tonnes rising by 15% per year) will be removed on 1 January 2004.

(2) Imports to be effected pursuant to the provisions of the WTO Agreement on Import Licensing Procedures.

(3) This growth rate shall be applied for a period of 10 years following accession, after which time it shall be reviewed with interested Members. Pending conclusion of the review talks, the volume available to non-state importers on that date shall be increased annually in line with the average growth in overall imports of the product concerned over the preceding 10 year period.

However, for processed oil, a review shall be carried out with interested Members by 2004 to establish whether the growth rate should be adjusted in the light of the evolution of trade volumes.

ANNEX 2A2

PRODUCTS SUBJECT TO STATE TRADING (EXPORT)

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
TEA	1	09021010	Flavoured green tea (not fermented) in immediate packings of a content ⩽3kg	China National Native Products and Animal By-Products Import & Export Co.
	2	09021090	Unflavoured green tea (not fermented) in immediate packings of a content ⩽3kg	
	3	09022010	Flavoured green tea (not fermented) in immediate packings of a content >3kg	
	4	09022090	Unflavoured green tea(not fermented) in immediate packings of a content >3kg	
RICE	5	10061010	Rice in husk (paddy or rough) seed	1. China National Cereals Oil and Foodstuffs Import & Export Co. 2. Jilin Grain Import & Export Co. Ltd.
	6	10061090	Rice in husk (paddy or rough), excl. for seeding	
	7	10062000	Husked (brown) rice	
	8	10063000	Semi-milled or wholly milled rice, whether or not polished or glazed	
	9	10064000	Broken rice	
CORN	10	10051000	Maize (corn) seed	
	11	10059000	Maize (corn), excl. for seeding	
	12	11042300	Other worked grains of maize (corn) (for example, hulled, pearled, sliced or kibbled)	
SOY BEAN	13	12010010	Seed of soya beans	
	14	12010091	Yellow soya beans, not for seeding, whether or not broken	
	15	12010092	Black soya beans, not for seeding, whether or not broken	
	16	12010093	Green soya beans, not for seeding, whether or not broken	
	17	12010099	Soya beans, nes, not for seeding, whether or not broken	
TUNGSTEN ORE	18	26110000	Tungsten ores & concentrates	1. China National Metals and Minerals Import & Export Co. 2. China National Non-ferrous Import & Export Co. 3. China Rare Earth and Metal Group Co. 4. China National Chemical Import & Export Co.
	19	26209010	Ash & residues containing mainly tungsten & compound thereof	
	20	26209090	Ash & residues containing metals & compound thereof, nes	
AMMONIUM PARATUNG-STATES	21	28418010	Ammonium paratungstate	
	22	28418040	Ammonium metatungstates	
TUNGSTATE PRODUCTS	23	28259011	Tungstic acid	
	24	28259012	Tungsten trioxides	
	25	28259019	Tungsten oxides and hydroxides, nes	
	26	28418020	Sodium tungstate	
	27	28418030	Calcium tungstate	
	28	28499020	Carbides of tungsten, whether or not chemically refined	
	29	81011000	Tungsten powders	
	30	81019100	Tungsten unwrought (incl. bars and rods simply sintered); tungsten waste and scrap	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
COAL	31	27011100	Anthracite, not agglomerated, whether or not pulverized	1. China National Coal Industry Import & Export Co. 2. China National Metals and Minerals Import & Export Co. 3. Shanxi Coal Import & Export Group Co. 4. Shenhua Group Ltd.
	32	27011210	Bituminous coking coal, not agglomerated, whether or not pulverized	
	33	27011290	Other bituminous coal, other than coking coal, not agglomerated, whether or not pulverized	
	34	27011900	Coal nes, not agglomerated, whether or not pulverized	
	35	27021000	Lignite, not agglomerated, whether or not pulverized	
CRUDE OIL	36	27090000	Petroleum oils & oils obtained from bituminous minerals, crude	1. China National Chemical Import & Export Co. 2. China International United Petroleum & Chemicals Co. 3. China National United Oil Co.
PROCESSED OIL	37	27100011	Motor gasoline & aviation gasoline	
	38	27100013	Naphtha	
	39	27100019	Gasoline distillages, nes & preparations thereof	
	40	27100023	Aviation kerosene	
	41	27100024	Lamp-kerosene	
	42	27100029	Kerosene distillages, nes & preparations thereof	
	43	27100031	Light diesel oil	
	44	27100033	Fuel oil No.5 to No.7 (National Code)	
	45	27100039	Diesel oils & preparations thereof and other fuel oils, nes	
	46	27100053	Lubricating greases	
	47	27100054	Lubricating oils	
	48	27100059	Heavy oils & preparations thereof, nes	
	49	27111100	Natural gas, liquefied	
SILK	50	50010010	Mulberry feeding silk-worm cocoons	China National Silk Import & Export Co.
	51	50010090	Silk-worn cocoons suitable for reeling (excl. Mulberry feeding silk-worm cocoons)	
	52	50020011	Plant reeled (Steam filature silk),not thrown	
	53	50020012	Steam filature silk ,home reeled, not thrown	
	54	50020013	Steam filature silk, doupion, not thrown	
	55	50020019	Steam filature raw silk (excl. Plant reeled, home reeled, doupion), not thrown	
	56	50020020	Tussah raw silk, not thrown	
	57	50020090	Raw silk, nes, not thrown	
	58	50031000	Silk waste (including cocoons unsuitable for reeling, yarn waste and garneted stock), not carded or combed	
	59	50039000	Silk waste (including cocoons unsuitable for reeling, yarn waste and garneted stock), carded or combed	
	60	50040000	Silk yarn (excl. spun from silk waste), not put up for retail sale	
	61	50050010	Yarn spun from noil, not put up for retail sale	
	62	50050090	Yarn spun from other silk waste (excl. Yarn spun from noil), not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
UN-BLEACHED SILK	63	50071010	Unbleached (unscoured or scoured) or bleached woven fabrics of noil silk	
	64	50072011	Unbleached (unscoured or scoured) or bleached woven fabrics, containing 85% or more by weight of mulberry silk	
	65	50072021	Unbleached (unscoured or scoured) or bleached woven fabrics of tussah silk, containing 85% or more by weight of tussah silk	
	66	50072031	Unbleached (unscoured or scoured) or bleached woven fabrics of spun silk, containing 85% or more by weight of tussah silk	
COTTON	67	52010000	Cotton, not carded or combed	1. China National Textiles Import & Export Co. 2. Qingdao Textiles United Import & Export Co. 3. Beijing No.2 Cotton Mill 4. Beijing No.3 Cotton Mill 5. Tianjin No.1 Cotton Mill 6. Shanghai Shenda Co. Ltd 7. Shanghai Huashen Textiles and Dying Co. (Group) 8. Dalian Huanqiu Textiles Group Co. 9. Shijiazhuang Changshan Textiles Group 10. Luoyang Cotton Mill, Henan Province
	68	52030000	Cotton, carded or combed	
COTTON YARN, containing 85% or more by weight of cotton*	69	52041100	Cotton sewing thread, cotton by weight ⩾ 85%,not put up for retail sale	
	70	52051100	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring ⩽14 metric number, not put up for retail sale	
	71	52051200	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring, >14 metric number but ⩽43 metric number, not put up for retail sale	
	72	52051300	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring >43metric number but ⩽ 52metric number, not put up for retail sale	
	73	52051400	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring >52metric number but ⩽ 80metric number, not put up for retail sale	
	74	52051500	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring >80metric number, not put up for retail sale	
	75	52052100	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring ⩽14metric number, not put up for retail sale	
	76	52052200	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >14metric number but ⩽ 43metric number, not put up for retail sale	
	77	52052300	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >43metric number but ⩽ 52metric number, not put up for retail sale	
	78	52052400	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >52metric number but ⩽ 80metric number, not put up for retail sale	
	79	52052600	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >80metric number but ⩽ 94metric number, not put up for retail sale	
	80	52053100	Uncombed multiple or cabled cotton yarn, cotton by weight ⩾85%, measuring ⩽14metric number	
	81	52053200	Uncombed multiple or cabled cotton yarn, cotton by weight ⩾85%, measuring >14metric number but ⩽43metric number, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	82	52053300	Uncombed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >43metric number but ≤52metric number, not put up for retail sale	
	83	52053400	Uncombed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >52metric number but ≤80metric number, not put up for retail sale	
	84	52053500	Uncombed cabled cotton yarn, cotton by weight ≥85%, measuring >80metric number, not put up for retail sale	
	85	52054100	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring ≤14metric number, not put up for retail sale	
	86	52054200	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >14metric number but ≤43metric number, not put up for retail sale	
	87	52054300	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >43metric number but ≤52metric number, not put up for retail sale	
	88	52054400	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >52metric number but ≤80metric number, not put up for retail sale	
	89	52054600	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >80metric number but ≤94metric number, not put up for retail sale	
	90	52071000	Cotton yarn (excl. sewing), put up for retail sale, cotton by weight ≥85%	
COTTON YARN, containing less than 85% by weight of cotton*	91	52041900	Cotton sewing thread, cotton by weight <85%, not put up for retail sale	11. Songyue Textiles Industry Group, Henan Province 12. Dezhou Cotton Mill 13. Wuxi No.1 Cotton Mill 14. Puxin Textiles Mill, Hubei Province 15. Northwest No.1 Cotton Mill 16. Chengdu Jiuxing Textiles Group Co. 17. Suzhou Sulun Textiles Joint Company (Group) 18. Northwest No.7 Cotton Mill 19. Xiangmian Group Co., Hubei Province 20. Handan Lihua Textiles Group Co.
	92	52061100	Uncombed single cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	93	52061200	Uncombed single cotton yarn, cotton by weight <85%, measuring >14metric number but ≤ 43metric number, not put up for retail sale	
	94	52061300	Uncombed single cotton yarn, cotton by weight <85%, measuring >43metric number but ≤ 52metric number, not put up for retail sale	
	95	52061400	Uncombed single cotton yarn, cotton by weight <85%, measuring >52metric number but ≤ 80metric number, not put up for retail sale	
	96	52061500	Uncombed single cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	
	97	52062100	Combed single cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	98	52062200	Combed single cotton yarn, cotton by weight <85%, measuring >14metric number but ≤ 43metric number, not put up for retail sale	
	99	52062300	Combed single cotton yarn, cotton by weight <85%, measuring >43metric number but ≤ 52metric number, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	100	52062400	Combed single cotton yarn, cotton by weight <85%, measuring >52metric number but ≤ 80metric number, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	101	52062500	Combed single cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	
	102	52063100	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	103	52063200	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >14metric number but ≤43metric number, not put up for retail sale	
	104	52063300	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >43metric number but ≤52metric number, not put up for retail sale	21. Xinjiang Textiles Industry Co. (Group)
	105	52063400	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >52metric number but ≤80metric number, not put up for retail sale	22. Anqing Textiles Mill 23. Jinan No.2 Cotton Mill
	106	52063500	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	24. Tianjin No.2 Cotton Mill
	107	52064100	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	25. Jinhua Textiles Mill, Shanxi Province
	108	52064200	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >14metric number but ≤43metric number, not put up for retail sale	26. Jinwei Group Co., Zhejiang Province 27. Northwest No.5 Cotton Mill
	109	52064300	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >43metric number but ≤52metric number, not put up for retail sale	28. Baoding No.1 Cotton Mill 29. Liaoyang Textiles Mill
	110	52064400	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >52metric number but ≤80metric number, not put up for retail sale	30. Changchun Textiles Mill
	111	52064500	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	31. Huaxin Cotton Mill, Henan Province
	112	52079000	Cotton yarn (excl. sewing), put up for retail sale, cotton by weight <85%	32. Baotou Textiles Mill
WOVEN FABRICS OF COTTON, containing 85% or more by weight of cotton*	113	52081100	Unbleached plain cotton weave, cotton by weight ≥85%,a weight not exceeding 100g/m2	33. Ninbo Hefeng Textiles Group Co.
	114	52081200	Unbleached plain cotton weave, cotton by weight ≥85%,a weight exceeding 100g/m2 but not exceeding 200g/m2	34. Northwest No.4 Cotton Mill
	115	52081300	Unbleached 3 or 4-thread twill, cotton by weight ≥85%, a weight not exceeding 200g/m2	35. Xinjiang Shihezi Bayi Cotton Mill
	116	52081900	Unbleached woven cotton fabrics, nes, cotton by weight ≥85%, a weight not exceeding 200g/m2	
	117	52091100	Unbleached plain cotton weave, cotton by weight ≥85%, a weight exceeding 200g/m2	
	118	52091200	Unbleached 3 or 4-thread twill, cotton by weight ≥85%, a weight exceeding 200g/m2	
	119	52091900	Unbleached cotton fabrics, cotton by weight ≥ 85%, a weight exceeding 200g/m2, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
WOVEN FABRICS OF COTTON, containing less than 85% by weight of cotton*	120	52101100	Unbleached plain cotton weave, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight not exceeding 200g/m2	
	121	52101200	Unbleached 3 or 4-thread twill, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight not exceeding 200g/m2	
	122	52101900	Unbleached woven cotton fabrics, nes, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight not exceeding 200g/m2	
	123	52111100	Unbleached plain cotton weave, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight exceeding 200g/m2	
	124	52111200	Unbleached 3 or 4-thread twill, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight exceeding 200g/m2	
	125	52111900	Unbleached woven cotton fabrics, nes, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight exceeding 200g/m2	
ANTIMONY ORES	126	26171010	Crude antimony	1. China National Metals and Minerals Import & Export Co. 2. China National Non-ferrous Import & Export Co. 3. China Rare Earth and Metal Group Co.
	127	26171090	Antimony ores & concentrates, excl. crude	
ANTIMONY OXIDE	128	28258000	Antimony oxides	
ANTIMONY PRODUCTS	129	81100020	Antimony unwrought	
	130	81100030	Antimony waste and scrap; Antimony powders	
	131	81100090	Antimony and articles thereof, nes	
SILVER	132	71061000	Silver in powder	1. China Banknote Printing and Minting Corporation 2. China Copper Lead Zinc Group
	133	71069100	Silver (incl. Silver plated with gold or platinum) in unwrought forms	
	134	71069200	Silver (incl. Silver plated with gold or platinum) in semi-manufactured forms nes	

* Each of the 35 State Trading Enterprises listed under products "Cotton Yarn, containing 85% or more by weight of cotton", "Cotton Yarn, containing less than 85% by weight of cotton", "Woven Fabrics of Cotton, containing 85% or more by weight of cotton", "Woven Fabrics of Cotton, containing less than 85% by weight of cotton", may trade in Product Numbers 69 through 125.

ANNEX 2B

PRODUCTS SUBJECT TO DESIGNATED TRADING

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
NATURAL RUBBER	1	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	Liberalized within 3 years after accession.
	2	40012100	Smoked sheets of natural rubber	
	3	40012200	Technically specified natural rubber, in primary forms or in plates, sheets or strip	
	4	40012900	Natural rubber, in primary forms or in plates, sheets or strip, nes	
TIMBER	5	44020000	Wood charcoal (incl. shell or nut charcoal), whether or not agglomerated	Liberalized within 3 years after accession.
	6	44031000	Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, treated with paint, stains, creosote or other preservatives	
	7	44032000	Coniferous wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	8	44034910	Teak wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	9	44034990	Specified tropical wood in the rough, nes, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	10	44039100	Oak (Quercus spp.) wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	11	44039200	Beech (Fagus spp.) wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	12	44039910	Nan mu (Phoebe) wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	13	44039920	Camphor wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	14	44039930	Rosewood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	15	44039940	Kiri (Paulownia) wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	16	44039990	Wood, nes, in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	17	44041000	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked; chipwood and the like, coniferous	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	18	44042000	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked; chipwood and the like, non-coniferous	
	19	44050000	Wood wool; wood flour	
	20	44061000	Railway or tramway sleepers (cross-ties) of wood, not impregnated	
	21	44069000	Railway or tramway sleepers (cross-ties) of wood, impregnated	
	22	44071000	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, conifers	
	23	44072400	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Virola, Mahogany (Swietenia spp.), Imbuia and Balsa	
	24	44072500	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Dark Red Meranti, Light Red Meranti and Meranti Bakau	
	25	44072600	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, White Lauan, White Meranti, White Seraya, Yellow Meranti and Alan	
	26	44072910	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm,Teak wood	
	27	44072990	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, specified tropical woods nes	
	28	44079100	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Oak (Quercus spp.) wood	
	29	44079200	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Beech (Fagus spp.) wood	
	30	44079910	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Nan mu, Camphor wood or Rosewood	
	31	44079920	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Paulownia wood	
	32	44079990	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, wood nes	
PLYWOOD	33	44121300	Plywood consisting solely of sheets of wood, each ply not exceeding 6mm thickness, with at least one outer ply of tropical wood specified	Liberalized within 3 years after accession.
	34	44121400	Plywood consisting solely of sheets of wood, each ply not exceeding 6mm thickness, with at least one outer ply of non-coniferous wood	
	35	44121900	Plywood consisting solely of sheets of wood, each ply not exceeding 6mm thickness, nes	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
WOOL	36	51011100	Greasy shorn wool, not carded or combed	Liberalized within 3 years after accession.
	37	51011900	Greasy wool (excl. shorn), not carded or combed	
	38	51012100	Degreased shorn wool, not carbonised, not carded or combed	
	39	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	
	40	51013000	Carbonized wool, not carded or combed	
	41	51031010	Noils of wool, excluding garnetted stock	
	42	51051000	Carded wool	
	43	51052100	Combed wool in fragments	
	44	51052900	Wool tops & combed wool (excl. Combed wool in fragments)	
ACRYLIC	45	54023910	Synthetic filament textured yarn of polypropylene, not for retail sale	Liberalized within 3 years after accession.
	46	54023990	Synthetic filament textured yarn, nes, not for retail sale	
	47	54024910	Single synthetic yarn of polypropylene, with ≤50 turns/m, not for retail sale	
	48	54024920	Single synthetic yarn of polyurethane, with ≤50 turns/m, not for retail sale	
	49	54024990	Single synthetic yarn, nes, with ≤50 turns/m, not for retail sale	
	50	54025910	Single filament yarn of polypropylene, with >50 turns/m, not for retail sale	
	51	54025990	Single synthetic filament yarn, nes, with >50 turns/m, not for retail sale	
	52	54026910	Multiple or cabled yarn of polypropylene not for retail sale	
	53	54026920	Multiple or cabled yarn of polyurethane, not for retail sale	
	54	54026990	Multiple or cabled yarn of synthetic filament, nes, not for retail sale	
	55	55013000	Synthetic filament tow of acrylic or modacrylic	
	56	55033000	Synthetic staple fibres, of acrylic or modacrylic, not carded, combed or otherwise processed for spinning	
	57	55063000	Synthetic staple fibres of acrylic or modacrylic, carded, combed or otherwise processed for spinning	
	58	55093100	Single yarn, with ≥85% acrylic or modacrylic staple fibres, not put up for retail sale	
	59	55093200	Multiple or cabled yarn, ≥85% acrylic/modacrylic staple fibres, not put up for retail sale	
	60	55096100	Yarn, <85% acrylic or modacrylic staple fibres, mixed mainly or solely with wool or fine animal hair, not put up for retail sale	
	61	55096200	Yarn, <85% acrylic or modacrylic staple fibres, mixed mainly or solely with cotton, not put up for retail sale	
	62	55096900	Yarn, <85% acrylic or modacrylic staple fibres, nes, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
STEEL	63	72081000	Iron or non-alloy steel in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, with patterns in relief	Liberalized within 3 years after accession.
	64	72082500	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, pickled, of a thickness of 4.75mm or more	
	65	72082600	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, pickled, of a thickness of 3mm or more but less than 4.75mm	
	66	72082700	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, pickled, of a thickness of less than 3mm	
	67	72083600	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 10mm or more	
	68	72083700	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 4.75mm or more but less than 10mm	
	69	72083800	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 3mm or more but less than 4.75mm	
	70	72083900	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of less than 3mm	
	71	72084000	Flat-rolled products of iron or non-alloy steel not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, with patterns in relief	
	72	72085100	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 10mm or more	
	73	72085200	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 4.75mm or more but less than 10mm	
	74	72085300	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 3mm or more but less than 4.75mm	
	75	72085400	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of less than 3mm	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	76	72089000	Flat-rolled products of iron or non-alloy steel, not clad or plated or coated, of a width of 600mm or more, hot-rolled, nes	
	77	72091500	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 3mm or more	
	78	72091600	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness exceeding 1mm but less than 3mm	
	79	72091700	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 0.5mm or more but not exceeding 1mm	
	80	72091800	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of less than 0.5mm	
	81	72092500	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 3mm or more	
	82	72092600	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness exceeding 1mm but less than 3mm	
	83	72092700	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 0.5mm or more but not exceeding 1mm	
	84	72092800	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of less than 0.5mm	
	85	72099000	Flat-rolled products of iron or non-alloy steel, not clad or plated or coated, of a width of 600mm or more, cold-rolled, nes	
	86	72101100	Flat-rolled products of iron or non-alloy steel, plated or coated with tin, of a width of 600mm or more, of a thickness of 0.5mm or more	
	87	72101200	Flat-rolled products of iron or non-alloy steel, plated or coated with tin, of a width of 600mm or more, of a thickness of less than 0.5mm	
	88	72102000	Flat-rolled products of iron or non-alloy steel, plated or coated with lead, of a width of 600mm or more, including terneplate	
	89	72103000	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, electrolytically plated or coated with zinc	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	90	72104100	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, corrugated, plated or coated with zinc nes	
	91	72104900	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated with zinc, nes	
	92	72105000	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated with chromium oxides or with chromium and chromium oxides	
	93	72106100	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated with aluminium-zinc alloys	
	94	72106900	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated with aluminium, nes	
	95	72107000	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, painted or plated with plastics	
	96	72109000	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated, nes	
	97	72111300	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, rolled on four faces or in a closed box pass, 150mm <width >600mm, and a thickness ⩾4mm, without patterns in relief, not further worked than hot-rolled	
	98	72111400	Flat-rolled products of iron or non-alloy steel, not further worked than hot-rolled, not clad or plated or coated, of a width of less than 600mm, of a thickness of 4.75mm or more, nes	
	99	72111900	Flat-rolled products of iron or non-alloy steel, not further worked than hot-rolled, not clad or plated or coated, of a width of less than 600mm, nes	
	100	72112300	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, not further worked than cold-rolled, containing by weight less than 0.25% of carbon	
	101	72112900	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, not further worked than cold-rolled, containing by weight not less than 0.25% of carbon	
	102	72119000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, nes	
	103	72121000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, plated or coated with tin	
	104	72122000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, electrolytically plated or coated with zinc	
	105	72123000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, plated or coated with zinc, nes	
	106	72124000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, painted or plated or coated with plastics	
	107	72125000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, plated or coated, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	108	72126000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, clad	
	109	72131000	Bars & rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel, containing indentations & ribs & grooves & other deformations produced during the rolling process	
	110	72132000	Bars & rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel, of free cutting steel	
	111	72139100	Bars & rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel, of circular cross-section measuring less than 14 mm in diameter, nes	
	112	72139900	Bars & rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel, nes	
	113	72141000	Bars & rods of iron or non-alloy steel, not further worked than forged, nes	
	114	72142000	Bars & rods of iron or non-alloy steel, not further worked than forged or hot-rolled or hot-drawn or hot-extruded, containing indentations & ribs & grooves & other deformations produced during the rolling process or twisted after rolling, nes	
	115	72143000	Bars & rods of iron or non-alloy steel, not further worked than forged or hot-rolled or hot-drawn or hot-extruded (incl. twisted after rolling), of free cutting steel, nes	
	116	72149100	Bars & rods of iron or non-alloy steel, not further worked than forged or hot-rolled or hot-drawn or hot-extruded (incl. twisted after rolling), of rectangular (excl. square) cross-section, nes	
	117	72149900	Bars & rods of iron or non-alloy steel, not further worked than forged or hot-rolled or hot-drawn or hot-extruded (incl. twisted after rolling), nes	
	118	72151000	Bars & rods of free cutting steel, not further worked than cold- formed or cold-finished, nes	
	119	72155000	Bars & rods of iron or non-alloy steel, not further worked than cold- formed or cold-finished, nes	
	120	72159000	Bars & rods of iron or non-alloy steel, nes	
	121	72161010	H sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height less than 80mm	
	122	72161090	U &I sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height less than 80mm	
	123	72162100	L sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height less than 80mm	
	124	72162200	T sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height less than 80mm	
	125	72163100	U sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	126	72163200	I sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more	
	127	72163300	H sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more	
	128	72164010	L sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more	
	129	72164020	T sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more	
	130	72165010	Z sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded	
	131	72165090	Angles & shapes & sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, nes	
	132	72166100	Angles & shapes & sections of iron or non-alloy steel, not further worked than cold-rolled or cold-drawn or cold-extruded, obtained from flat-rolled products	
	133	72166900	Angles & shapes & sections of iron or non-alloy steel, not further worked than cold-rolled or cold-drawn or cold-extruded, nes	
	134	72169100	Angles & shapes & sections of iron or non-alloy steel, cold-rolled or cold-drawn or cold-extruded, obtained from flat-rolled products, nes	
	135	72169900	Angles & shapes & sections of iron or non-alloy steel, cold-rolled or cold-drawn or cold-extruded, nes	
	136	72171000	Wire of iron or non-alloy steel, not plated or coated, whether or not polished	
	137	72172000	Wire of iron or non-alloy steel, plated or coated with zinc	
	138	72173000	Wire of iron or non-alloy steel, plated or coated with other base metals	
	139	72179000	Wire of iron or non-alloy steel, nes	
	140	72181000	Ingots & other primary forms of stainless steel	
	141	72189100	Semi-finished products of stainless steel, of rectangular (other than square) cross-section	
	142	72189900	Semi-finished products of stainless steel, nes	
	143	72191100	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, in coils, of a thickness exceeding 10mm	
	144	72191200	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, in coils, of a thickness of 4.75mm or more but less than 10mm	
	145	72191300	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, in coils, of a thickness of 3mm or more but less than 4.75mm	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	146	72191400	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, in coils, of a thickness of less than 3mm	
	147	72192100	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, not in coils, of a thickness exceeding 10mm	
	148	72192200	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, not in coils, of a thickness of 4.75mm or more but less than 10mm	
	149	72192300	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, not in coils, of a thickness of 3mm or more but less than 4.75mm	
	150	72192400	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, not in coils, of a thickness of less than 3mm	
	151	72193100	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 4.75mm or more	
	152	72193200	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 3mm or more but less than 4.75mm	
	153	72193300	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness exceeding 1mm but less than 3mm	
	154	72193400	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 0.5mm or more but not exceeding 1mm	
	155	72193500	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of less than 0.5mm	
	156	72199000	Flat-rolled products of stainless steel, of a width of 600mm or more, nes	
	157	72201100	Flat-rolled products of stainless steel, of a width of less than 600mm, not further worked than hot-rolled, of a thickness of 4.75mm or more	
	158	72201200	Flat-rolled products of stainless steel, of a width of less than 600mm, not further worked than hot-rolled, of a thickness of less than 4.75mm	
	159	72202000	Flat-rolled products of stainless steel, of a width of less than 600mm, not further worked than cold-rolled	
	160	72209000	Flat-rolled products of stainless steel, of a width of less than 600mm, nes	
	161	72210000	Bars & rods of stainless steel, hot-rolled, in irregularly wound coils	
	162	72221100	Bars & rods of stainless steel, not further worked than hot-rolled or hot-drawn or extruded, of circular cross-section, nes	
	163	72221900	Bars & rods of stainless steel, not further worked than hot-rolled or hot-drawn or extruded, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	164	72222000	Bars & rods of stainless steel, not further worked than cold- formed or cold-finished	
	165	72223000	Bars & rods of stainless steel, nes	
	166	72224000	Angles, shapes & sections, stainless steel	
	167	72230000	Wire of stainless steel	
	168	72241000	Ingots & other primary forms of alloy steel, other than stainless	
	169	72249010	Raw casting forging stocks, individual piece weight of 10T or more, of alloy steel, other than stainless	
	170	72249090	Semi-finished products of alloy steel other than stainless, nes	
	171	72251100	Flat rolled products of Si-electrical steel, width≥ 600mm, grain-oriented	
	172	72251900	Flat rolled products of silicon-electrical steel, width≥ 600mm, nes	
	173	72252000	Flat rolled products of high speed steel, width≥600mm	
	174	72253000	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), in coils, not further worked than hot-rolled, width≥600mm	
	175	72254000	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), not further worked than hot-rolled, width≥600mm, nes	
	176	72255000	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), not further worked than cold-rolled, width≥600mm	
	177	72259100	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), nes, width≥ 600mm, electrolytically coated with zinc	
	178	72259200	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), nes, width≥ 600mm, otherwise coated with zinc	
	179	72259900	Flat rolled products, of alloy steel, width≥600mm, nes	
	180	72261100	Flat rolled products of silicon -electrical steel, width <600mm grain-oriented	
	181	72261900	Flat rolled products of silicon -electrical steel, width <600mm, nes	
	182	72262000	Flat rolled products of high speed steel, width <600mm	
	183	72269100	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), not further worked than hot-rolled, width <600mm	
	184	72269200	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), not further worked than cold-rolled, width <600mm	
	185	72269300	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), nes, width <600mm, electrolytically coated with zinc	
	186	72269400	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), nes, width <600mm, otherwise coated with zinc	
	187	72269900	Flat rolled products, of alloy steel, width <600mm, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	188	72271000	Bars & rods, of high speed steel, hot-rolled, in irregularly wound coils	
	189	72272000	Bars & rods, of silico-manganese steel, hot-rolled, in irregular wound coils	
	190	72279000	Bars & rods, of alloy steel, hot-rolled, in irregularly wound coils, nes	
	191	72281000	Bars & rods of high speed steel, nes	
	192	72282000	Bars & rods of silico-manganese steel, nes	
	193	72283000	Bars & rods of alloy steel other than stainless, not further worked than hot-rolled or hot-drawn or extruded, nes	
	194	72284000	Bars & rods of alloy steel other than stainless, not further worked than forged	
	195	72285000	Bars & rods of alloy steel other than stainless, not further worked than cold formed or finished	
	196	72286000	Bars & rods of alloy steel other than stainless, nes	
	197	72287010	Shapes of crawler tread of alloy steel other than stainless	
	198	72287090	Angles, shapes & sections of alloy steel other than stainless, nes	
	199	72288000	Bars & rods, hollow drill, of alloy or non-alloy steel	
	200	72291000	Wire of high speed steel	
	201	72292000	Wire of silico-manganese steel	
	202	72299000	Wire of alloy steel, nes	
	203	73011000	Sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements	
	204	73012000	Angles, shapes & sections, welded, of iron or steel	
	205	73021000	Rails, of iron or steel	
	206	73022000	Sleepers (cross-ties), of iron or steel	
	207	73023000	Switch blades & crossing frogs & point rods & other crossing pieces, of iron or steel	
	208	73024000	Fish plates & sole plates, of iron or steel	
	209	73029000	Rail or tramway construction material of iron or steel, nes	
	210	73030010	Tube, pipes of cast iron, of circular cross-section, inside diameter.≥500mm	
	211	73030090	Tubes, pipes & hollow profiles of cast iron, nes	
	212	73041000	Pipes, line, of iron (other than cast) or steel, seamless, of a kind used for oil or gas pipelines	
	213	73042100	Drill pipe, of iron (other than cast) or steel, seamless, for use in drilling for oil or gas	
	214	73042900	Casings, tubing pipe of iron (other than cast) or steel, seamless, for use in drilling for oil or gas	
	215	73043110	Boiler tubes & pipes, of iron (other than cast) or steel, seamless, of circular cross-section, cold drown or rolled	
	216	73043120	Geological casing & drill pipe, of iron (other than cast) or steel, seamless, of circular cross-section, cold drown or rolled	
	217	73043190	Tubes & pipe, of iron (other than cast) or steel, seamless, of circular cross-section, cold drown or rolled, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	218	73043910	Boiler tubes & pipes, of iron (other than cast) or steel, seamless, of circular cross-section, not cold drown or rolled	
	219	73043920	Geological casing & drill pipe, of iron (other than cast) or steel, seamless, of circular cross-section, not cold drown or rolled	
	220	73043990	Tubes & pipe, of iron (other than cast) or steel, seamless, of circular cross-section, not cold drown or rolled, nes	
	221	73044190	Tubes, pipe, of stainless steel, seamless, of circular cross-section, cold drown or rolled, nes	
	222	73044910	Boiler tubes & pipes, of stainless steel, seamless, of circular cross-section, not cold drown or rolled	
	223	73044990	Tubes & pipe, of stainless steel, seamless, of circular cross-section, cold drown or rolled, nes	
	224	73045110	Boiler tube & pipe, of alloy steel other than stainless, seamless, of circular cross-section, cold drown or rolled	
	225	73045120	Geological casing & drill pipe, of alloy steel other than stainless, seamless, of circular cross-section, cold drown or rolled	
	226	73045190	Tubes & pipe, of alloy steel other than stainless, seamless, of circular cross-section, cold drown or rolled, nes	
	227	73045910	Boiler tube & pipe, of alloy steel other than stainless, seamless, of circular cross-section, not cold drown or rolled	
	228	73045920	Geological casing & drill pipe, of alloy steel other than stainless, seamless, of circular cross-section, not cold drown or rolled	
	229	73045990	Tubes & pipe, of alloy steel other than stainless, seamless, of circular cross-section, not cold drown or rolled, nes	
	230	73049000	Tubes, pipe & hollow profiles, of iron (other than cast) or steel, seamless, nes	
	231	73051100	Line pipes for oil or gas pipelines, of iron or steel, of circular cross-section, external diameter >406.4mm, longitudinally submerged arc welded	
	232	73051200	Line pipes for oil or gas pipelines, of iron or steel, of circular cross-section, external diameter >406.4mm, longitudinally welded nes	
	233	73051900	Line pipes for oil or gas pipelines, of iron or steel, of circular cross-section, external diameter >406.4mm, nes	
	234	73052000	Casings used in drilling for oil or gas, of iron or steel, of circular cross-section, external diameter >406.4mm, nes	
	235	73053100	Tubes & pipe, of iron or steel, longitudinally welded, of circular cross-section, external diameter >406.4mm, nes	
	236	73053900	Tubes & pipe, of iron or steel, welded (excl. longitudinally welded), , external diameter >406.4mm	
	237	73059000	Tubes & pipe, of iron or steel, riveted or similarly closed, external diameter >406.4mm, nes	
	238	73061000	Line pipes for oil or gas pipelines, of iron or steel, welded or open seam or riveted or similarly closed, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	239	73062000	Casings used in drilling for oil or gas, of iron or steel, welded or open seam or riveted or similarly closed, nes	
	240	73063000	Tubes & pipes, of iron and non-alloy steel, welded, of circular cross-section, nes	
	241	73064000	Tubes & pipes, of stainless steel, welded, of circular cross-section, nes	
	242	73065000	Tubes & pipes, of alloy steel other than stainless, welded, of circular cross-section, nes	
	243	73066000	Tubes, pipe & hollow profiles, of iron or steel, welded, of non-circular cross-section, nes	
	244	73069000	Tubes, pipe & hollow profiles, of iron or steel, welded or open seam or riveted or similarly closed, nes	
	245	73121000	Stranded wire & ropes & cables, of iron or steel, not electrically insulated	

ANNEX 3

NON-TARIFF MEASURES SUBJECT TO PHASED ELIMINATION

Table One
Products Subject to Import Licence, Import Quota and Import Tendering

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
1	17011100	Raw cane sugar, in solid form, not containing added flavouring or colouring matter	L	Q		upon accession	
2	17011200	Raw beet sugar, in solid form, not containing added flavouring or colouring matter	L	Q		upon accession	
3	17019910	Granulated sugar	L	Q		upon accession	
4	17019920	Superfine sugar	L	Q		upon accession	
5	24011010	Flue-cured tobacco, not stemmed/stripped	L	Q		upon accession	
6	24011090	Tobacco other than flue-cured, not stemmed/stripped	L	Q		upon accession	
7	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	L	Q		upon accession	
8	24012090	Tobacco other than flue-cured, partly or wholly stemmed/stripped	L	Q		upon accession	
9	24013000	Tobacco refuse	L	Q		upon accession	
10	24029000	Cigars, cheroots, cigarillos and cigarettes, of tobacco substitutes	L	Q		upon accession	
11	24039100	Homogenized or "reconstituted" tobacco	L	Q		upon accession	
12	27100011	Motor gasoline & aviation gasoline	L	Q		2004	1
13	27100013	Naphtha	L	Q		2004	1
14	27100019	Gasoline distillages, nes & preparations thereof	L	Q		2004	1
15	27100023	Aviation kerosene	L	Q		2004	1
16	27100024	Lamp-kerosene	L	Q		2004	1
17	27100031	Light diesel oil	L	Q		2004	1
18	27100033	Fuel oil No.5 to No.7 (National Code)	L	Q		2004	1
19	27100039	Diesel oils & preparations thereof and other fuel oils, nes	L	Q		2004	1
20	28371110	Sodium cyanide	L	Q		2002	2
21	31021000	Urea, whether or not in aqueous solution	L	Q		upon accession	
22	31022100	Ammonium sulphate	L	Q		2002	3
23	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	L	Q		2002	3
24	31023000	Ammonium nitrate, whether or not in aqueous solution	L	Q		2002	3
25	31024000	Mixtures of ammonium nitrate with calcium carbonate or other inorganic non-fertilizing substances	L	Q		2002	3
26	31025000	Sodium nitrate	L	Q		upon accession	
27	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	L	Q		upon accession	
28	31027000	Calcium cyanamide	L	Q		upon accession	
29	31028000	Mixtures of urea & ammonium nitrate in aqueous or ammoniacal solution	L	Q		2002	3
30	31029000	Mineral or chemical fertilizers, nitrogenous , nes, incl. mixtures not specified in the foregoing subheadings	L	Q		2002	3
31	31031000	Superphosphates	L	Q		2002	3
32	31032000	Basic slag	L	Q		2002	3

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
33	31039000	Mineral or chemical fertilizers, phosphatic, nes	L	Q		2002	3
34	31041000	Carnallite, sylvite & other crude natural potassium salts	L	Q		upon accession	
35	31042000	Potassium chloride	L	Q		upon accession	
36	31043000	Potassium sulphate	L	Q		2002	3
37	31049000	Mineral or chemical fertilizers, potassic, nes	L	Q		upon accession	
38	31051000	Goods of chapter 31 in tables or similar forms or in packages of a gross weight ⩽10kg	L	Q		2002	3
39	31052000	Mineral or chemical fertilizers containing the three fertilizing elements nitrogen, phosphorus & potassium	L	Q		upon accession	
40	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	L	Q		upon accession	
41	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate) and mixtures thereof with diammonium hydrogenorthophosphate (diammonium phosphate)	L	Q		2002	3
42	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	L	Q		2002	3
43	31055900	Mineral or chemical fertilizers containing the two fertilizing elements nitrogen & phosphorus, nes	L	Q		2002	3
44	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	L	Q		2002	3
45	31059000	Mineral or chemical fertilizers, nes	L	Q		2002	3
46	39076011	Polyethylene terephthalate in slices or chips, high viscosity	L	Q		upon accession	
47	39076019	Polyethylene terephthalate in slices or chips, nes	L	Q		upon accession	
48	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	L	Q		2004	4
49	40012100	Smoked sheets of natural rubber	L	Q		2004	4
50	40012200	Technically specified natural rubber, in primary forms or in plates, sheets or strip	L	Q		2004	4
51	40012900	Natural rubber, in primary forms or in plates, sheets or strip, nes	L	Q		2004	4
52	40111000	New pneumatic tyres, of rubber of a kind used on motor cars	L	Q		2004	5
53	40112000	New pneumatic tyres, of rubber of a kind used on buses or lorries	L	Q		2004	5
54	40119100	New pneumatic tyres, of rubber, nes, of herring-bone or similar tread	L	Q		2002	5
55	40121010	Retreaded tyres of rubber used on automobiles	L	Q		2002	5
56	40122010	Used pneumatic tyres of rubber used on automobiles	L	Q		2002	5
57	40129020	Solid/cushion rubber tyres, etc, used on automobiles	L	Q		upon accession	
58	40131000	Inner tubes, of rubber of a kind used on motor cars, buses or lorries	L	Q		upon accession	
59	51011100	Greasy shorn wool, not carded or combed	L	Q		upon accession	
60	51011900	Greasy wool (excl. shorn), not carded or combed	L	Q		upon accession	
61	51012100	Degreased shorn wool, not carbonised, not carded or combed	L	Q		upon accession	
62	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
63	51013000	Carbonized wool, not carded or combed	L	Q		upon accession	
64	51031010	Noils of wool, excluding garnetted stock	L	Q		upon accession	
65	51051000	Carded wool	L	Q		upon accession	
66	51052100	Combed wool in fragments	L	Q		upon accession	
67	51052900	Wool tops & combed wool (excl. Combed wool in fragments)	L	Q		upon accession	
68	52010000	Cotton, not carded or combed	L	Q		upon accession	
69	52030000	Cotton, carded or combed	L	Q		upon accession	
70	54022000	High tenacity yarn of polyesters	L	Q		upon accession	
71	54023310	Elastic filament of polyesters, not for retail sale	L	Q		upon accession	
72	54023390	Textured yarn of polyesters, nes, not for retail sale	L	Q		upon accession	
73	54023990	Synthetic filament textured yarn, nes, not for retail sale	L	Q		upon accession	
74	54024200	Single yarn of partially oriented polyesters, with ≤50 turns/m, not for retail sale	L	Q		upon accession	
75	54024300	Single yarn of polyesters, nes, with ≤50turns/m, not for retail sale	L	Q		upon accession	
76	54024990	Single synthetic yarn, nes, with ≤50 turns/m, not for retail sale	L	Q		upon accession	
77	54025200	Single yarn of polyesters, with >50 turns/m, not for retail sale	L	Q		upon accession	
78	54025990	Single synthetic filament yarn, nes, with >50 turns/m, not for retail sale	L	Q		upon accession	
79	54026200	Multiple or cabled yarn of polyesters, not for retail sale	L	Q		upon accession	
80	54026990	Multiple or cabled yarn of synthetic filament, nes, not for retail sale	L	Q		upon accession	
81	54033310	Single yarn of cellulose diacetate, not for retail sale	L	Q		upon accession	
82	54041000	Synthetic monofilament of ≥67 decitex, or more and of which no cross-sectional dimension exceeds 1mm	L	Q		upon accession	
83	55012000	Synthetic filament tow of polyesters	L	Q		upon accession	
84	55013000	Synthetic filament tow of acrylic or modacrylic	L	Q		upon accession	
85	55020010	Cellulose diacetate filament tow	L	Q		upon accession	
86	55032000	Synthetic staple fibres, of polyesters, not carded, combed or otherwise processed for spinning	L	Q		upon accession	
87	55033000	Synthetic staple fibres, of acrylic or modacrylic, not carded, combed or otherwise processed for spinning	L	Q		upon accession	
88	55062000	Synthetic staple fibres, of polyesters, carded, combed or otherwise processed for spinning	L	Q		upon accession	
89	55063000	Synthetic staple fibres of acrylic or modacrylic, carded, combed or otherwise processed for spinning	L	Q		upon accession	
90	55092100	Single yarn, with ≥85% polyester staple fibres, not put up for retail sale	L	Q		upon accession	
91	55092200	Multiple or cabled yarn, with ≥85% polyester staple fibres, not put up for retail sale	L	Q		upon accession	
92	55093100	Single yarn, with ≥85% acrylic or modacrylic staple fibres, not put up for retail sale	L	Q		upon accession	
93	55093200	Multiple or cabled yarn, ≥85% acrylic/modacrylic staple fibres, not put up for	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		retail sale					
94	55095100	Yarn, <85% polyester staple fibres, mixed mainly or solely with artificial staple fibres, not put up for retail sale	L	Q		upon accession	
95	55095200	Yarn, <85% polyester staple fibres, mixed mainly or solely with wool/fine animal hair, not put up for retail sale	L	Q		upon accession	
96	55095300	Yarn, <85% polyester staple fibres, mixed mainly or solely with cotton, not put up for retail sale	L	Q		upon accession	
97	55095900	Yarn, <85% polyester staple fibres, nes, not put up for retail sale	L	Q		upon accession	
98	55096100	Yarn, <85% acrylic or modacrylic staple fibres, mixed mainly or solely with wool or fine animal hair, not put up for retail sale	L	Q		upon accession	
99	55096200	Yarn, <85% acrylic or modacrylic staple fibres, mixed mainly or solely with cotton, not put up for retail sale	L	Q		upon accession	
100	55096900	Yarn, <85% acrylic or modacrylic staple fibres, nes, not put up for retail sale	L	Q		upon accession	
101	84073100	Reciprocation piston engines of a kind used for the prolusion of vehicles of Chapter 87, with a cylinder capacity not exceeding 50cc	L	Q		2003	6
102	84073200	Reciprocation piston engines of a kind used for the prolusion of vehicles of Chapter 87, with a cylinder capacity exceeding 50cc but not exceeding 250cc	L	Q		2003	6
103	84073300	Reciprocation piston engines of a kind used for the prolusion of vehicles of Chapter 87, with a cylinder capacity exceeding 250cc but not exceeding 1000cc	L	Q		2003	6
104	84079090	Spark-ignition reciprocation or rotary internal combustion piston engines not elsewhere specified or included	L	Q		2003	7
105	84082010	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines) for the prolusion of vehicles of Chapter 87, with an output 132.39KW (180H.P.)or more	L	Q		2003	7
106	84082090	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines) for the prolusion of vehicles of Chapter 87, with an output less than 132.39KW (180H.P.)	L	Q		2003	7
107	84089092	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines) not elsewhere specified or included with an output exceeding 14KW but less than 132.39KW(180H.P.)			T	2004	
108	84143011	Compressors for refrigerators or freezers driven by a motor, of a motor power not exceeding 0.4KW	L	Q		upon accession	
109	84143012	Compressors for refrigerators or freezers driven by a motor, of a motor power exceeding 0.4KW but not exceeding 5KW	L	Q		upon accession	
110	84143013	Compressors for air conditioning machinery driven by a motor, of a motor power exceeding	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		0.4KW but not exceeding 5KW					
111	84143019	Compressors of a kind used in refrigerating equipment driven by a motor, not elsewhere specified or included	L	Q		upon accession	
112	84143090	Compressors of a kind used in refrigerating equipment driven by a non-motor	L	Q		upon accession	
113	84145930	Centrifugal ventilation fans			T	upon accession	
114	84151000	Window or wall types air conditioning machinery, self-contained	L	Q		2002	8
115	84152000	Air conditioning machinery used for persons in motor vehicles	L	Q		2002	7
116	84158110	Air conditioning machinery incorporating a refrigerating unit and a valve for reversal of the cooling/heat cycle, of a refrigerating effect not exceeding 4000 Kcal per hour	L	Q		upon accession	
117	84158210	Air conditioning machinery incorporating a refrigerating unit, of a refrigerating effect not exceeding 4000 Kcal per hour, nes	L	Q		upon accession	
118	84181010	Combined refrigerator-freezers fitted with separate external doors, of a capacity exceeding 500L	L	Q		upon accession	
119	84181020	Combined refrigerator-freezers fitted with separate external doors, of a capacity exceeding 200L but not exceeding 500L	L	Q		upon accession	
120	84181030	Combined refrigerator-freezers fitted with separate external doors, of a capacity not exceeding 200L	L	Q		upon accession	
121	84182110	Household-compression-type refrigerators, of a capacity exceeding 150L	L	Q		upon accession	
122	84182120	Household-compression-type refrigerators, of a capacity exceeding 50 l but not exceeding 150L	L	Q		upon accession	
123	84182130	Household-compression-type refrigerators, of a capacity not exceeding 50L	L	Q		upon accession	
124	84182200	Household-absorption-type refrigerators, electrical	L	Q		upon accession	
125	84183010	Chest-type freezers of a refrigerating temperature of –40°C or lower, capacity not exceeding 800L	L	Q		upon accession	
126	84183021	Chest-type freezers of a refrigerating temperature higher than –40°C, capacity exceeding 500L but not exceeding 800L	L	Q		upon accession	
127	84183029	Chest-type freezers of a refrigerating temperature higher than –40° C, capacity not exceeding 500L	L	Q		upon accession	
128	84184010	Upright-type freezers of a refrigerating temperature of –40° C or lower, capacity not exceeding 900L	L	Q		upon accession	
129	84184021	Upright-type freezers of a refrigerating temperature higher than –40° C, capacity exceeding 500L but not exceeding 900L	L	Q		upon accession	
130	84184029	Upright-type freezers of a refrigerating temperature higher than –40° C, capacity not exceeding 500L	L	Q		upon accession	
131	84185000	Refrigerating or freezing chests, cabinets, display counters, show-cases and similar refrigerating or	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		freezing furniture, nes					
132	84254990	Hoists of a kind used for raising vehicles, not elsewhere specified or included			T	upon accession	
133	84261910	Overhead traveling Ship loading cranes			T	upon accession	
134	84261921	Overhead traveling Grab ship unloading cranes			T	upon accession	
135	84261929	Other Overhead traveling ship unloading cranes			T	upon accession	
136	84263000	Portal or pedestal jib cranes			T	upon accession	
137	84264110	Wheel-mounted cranes			T	upon accession	
138	84264190	Self-propelled machinery on tyres fitted with a crane, not elsewhere specified or included			T	upon accession	
139	84281010	Lifts and skip hoists designed for the transport of persons			T	2002	
140	84284000	Escalators and moving walkways			T	upon accession	
141	84291110	Track laying self-propelled bulldozers and angledozers with an engine of an output exceeding 235.36kW(320H.P.)			T	2004	
142	84294011	Self-propelled vibration-type road rollers, of a deadweight of 18t or more			T	2002	
143	84294019	Self-propelled road rollers, not elsewhere specified or included			T	2004	
144	84305020	Mining power shovels, self-propelled			T	upon accession	
145	84381000	Bakery machinery and machinery for the manufacture of macaroni, spaghetti or similar products			T	upon accession	
146	84391000	Machinery for making pulp of fibrous cellulosic material			T	2002	
147	84392000	Machinery for making paper or paperboard			T	2002	
148	84393000	Machinery for finishing paper or paperboard			T	2002	
149	84413090	Machinery for making cartons, boxes, cases, tubes, drums or similar containers in paper pulp, paper or paperboard, other than by moulding, not elsewhere specified or included			T	upon accession	
150	84414000	Machinery for moulding articles in paper pulp, paper or paperboard			T	upon accession	
151	84431910	Sheet fed offset printing machinery,			T	2004	
152	84431990	Offset printing machinery not elsewhere specified or included			T	2004	
153	84435912	Platen screen press printing machinery			T	upon accession	
154	84451110	Carding machinery, for cotton type fibres			T	upon accession	
155	84451120	Carding machinery, for wool type fibres			T	upon accession	
156	84451200	Combing machinery for textile fibres			T	upon accession	
157	84452020	Break spinning machinery (Rotor spinning frames)	L	Q		upon accession	
158	84454010	Automatic bobbin winders			T	upon accession	
159	84459010	Warping machinery for textile fibres			T	upon accession	
160	84463020	Rapier looms for weaving fabrics of a width exceeding 30cm			T	upon accession	
161	84463030	Carrier looms for weaving fabrics of width exceeding 30 cm			T	upon accession	
162	84501200	Washing machinery with built-in centrifugal drier, dry linen capacity not exceeding 10kg, including machinery which both wash and dry	L	Q		upon accession	
163	84501900	Washing machinery, dry linen capacity not exceeding 10kg, not elsewhere specified or	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		included, including machinery which both wash and dry					
164	84522110	Automatic sewing machinery, flat-seam type, other than book-sewing machinery of heading 84.40			T	upon accession	
165	84522190	Automatic sewing machinery, other than flat-seam type & book-sewing machinery of heading 84.40			T	upon accession	
166	84542010	Fining equipments, outside of converters, used in metallurgy or in metal foundry			T	upon accession	
167	84543010	Cold chamber die-casting machinery			T	upon accession	
168	84563010	Machine-tools for working any material by removal of material, numerically controlled, operated by electro-discharge processes			T	2004	
169	84569910	Cutting machinery of plasma arc, for working any material by removal of material			T	2004	
170	84569990	Machine-tools for working any material by removal of material, operated by electro-chemical, electron beam, ionic-beam processes, not elsewhere specified or included			T	2004	
171	84571010	Machining centers, vertical type, for working metal			T	2004	
172	84571020	Machining centers, horizontal type, for working metal			T	2004	
173	84571030	Machining centers, plano type, for working metal			T	2004	
174	84571090	Machining centers, not elsewhere specified or included, for working metal			T	2004	
175	84581100	Horizontal lathes (including turning centers) for removing metal, numerically controlled			T	2004	
176	84621090	Non-numerically controlled Forging or die-stamping machinery (including presses) and hammers for working metal			T	2002	
177	84659600	Splitting, slicing, paring machinery for working wood, cork, bone, hard rubber, hard plastics or similar hard materials			T	upon accession	
178	84714991	Processing machinery for distributed control systems, presented in the form of systems			T	2004	
179	84742010	Crushing, grinding machinery for earth stone, ores or other mineral substances in solid (incl. power or paste) form, toothing roller type			T	upon accession	
180	84742090	Crushing, grinding machinery for earth stone, ores or other mineral substances in solid (incl. power or paste) form, other than toothing roller type			T	upon accession	
181	84743100	Concrete or mortar mixers			T	2004	
182	84775900	Machinery for moulding or otherwise forming, for working rubber or plastics or for the manufacture of products from these materials, not elsewhere specified or included			T	2002	
183	84781000	Machinery for preparing or making up tobacco, not elsewhere specified or included			T	2002	
184	84789000	Parts, of machinery for preparing or making up tobacco, not elsewhere specified or included			T	upon accession	
185	84791021	Machinery for spreading bituminous concrete			T	2002	
186	84791022	Stabilizer spreading machinery			T	2002	
187	84804100	Injection or compression types moulds for metal			T	2002	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		or metal carbides					
188	84807100	Injection or compression types moulds for rubber or plastics			T	2002	
189	84834020	Planet decelerators			T	upon accession	
190	85042320	Liquid dielectric transformers, having a power handling capacity of 400MVA or more			T	2004	
191	85172100	Facsimile machinery			T	2002	
192	85175090	Apparatus for carrier-current line systems, not elsewhere specified or included			T	upon accession	
193	85184000	Audio-frequency electric amplifiers			T	2002	
194	85199910	Compact disc players for sound reproducing, not incorporating a sound recording device	L	Q		upon accession	
195	85203210	Digital audio cassette-tape recorders incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
196	85203290	Digital audio magnetic tape recorders incorporating sound reproducing apparatus, other than cassette-tape, not elsewhere specified or included	L	Q		upon accession	
197	85203300	Cassette-tape recorders incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
198	85203910	Open-reel tape recorders incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
199	85203990	Magnetic tape recorders incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
200	85209000	Magnetic tape recorders not incorporating sound reproducing apparatus; other sound recording apparatus, whether or not incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
201	85211011	Magnetic video tape recorders, broadcast quality, whether or not incorporating a video tuner	L	Q		2002	9
202	85211019	Magnetic video tape recorders, whether or not incorporating a video tuner, not elsewhere specified or included	L	Q		2002	9
203	85211020	Magnetic video tape reproducers, whether or not incorporating a video tuner	L	Q		2002	9
204	85219010	Laser video compact disk player, whether or not incorporating a video tuner	L	Q		2002	10
205	85219090	Video recording or reproducing apparatus, whether or not incorporating a video tuner, not elsewhere specified or included	L	Q		2002	10
206	85229021	Transport mechanisms of cassette magnetic tape recorders or reproducers, whether or not incorporating a magnetic head	L	Q		2002	11
207	85229030	Parts and accessories suitable for use solely or principally with the video recording or reproducing apparatus, not elsewhere specified or included	L	Q		2002	9
208	85252011	Satellite earth station for television, whether or			T	2004	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		not incorporating sound recording or reproducing apparatus					
209	85252019	Satellite earth station other than for television, whether or not incorporating sound recording or reproducing apparatus			T	upon accession	
210	85252022	Radio telephone handsets, including vehicle installed, whether or not incorporating sound recording or reproducing apparatus			T	2002	
211	85252029	Mobile communication equipment incorporating reception apparatus, whether or not incorporating sound recording or reproducing apparatus, not elsewhere specified or included			T	2002	
212	85252092	Mobile communication base station, whether or not incorporating sound recording or reproducing apparatus			T	2002	
213	85252093	Wireless subscriber communicating equipments, whether or not incorporating sound recording or reproducing apparatus			T	2002	
214	85173013	Digital program-controlled mobile communication switching systems			T	2002	
215	85173091	Analogical mobile communication switching systems			T	2002	
216	85253010	Television cameras, for special purposes	L	Q		2002	9
217	85253091	Television cameras not for special purposes, broadcast quality	L	Q		2002	9
218	85253099	Television cameras, not elsewhere specified or included	L	Q		2002	9
219	85254010	Still image video cameras and other video camera recorder, for special purposes	L	Q		2002	9
220	85254020	Household video camera recorders	L	Q		2002	9
221	85254030	Still image video cameras with digital image storage	L	Q		2002	9
222	85254090	Still image video cameras and other video camera recorders, not elsewhere specified or included	L	Q		2002	9
223	85271200	Pocket-size radio cassette-players capable of operating without an external source of power, including apparatus capable of receiving also radio-telephony or radio-telegraphy, whether or not combined with a clock in the same housing	L	Q		upon accession	
224	85271300	Radio-broadcast receivers combined with sound recording or reproducing apparatus capable of operating without an external source of power, including apparatus capable of receiving also radio-telephony or radio-telegraphy, nes	L	Q		upon accession	
225	85271900	Radio-broadcast receivers capable of operating without external power, whether or not combined with a clock in the same housing, nes	L	Q		upon accession	
226	85272100	Radio-broadcast receivers combined with sound recording or reproducing apparatus not capable of operating with an external source of power, of a kind used in motor vehicles, including apparatus capable of receiving also radio-telephony or radio-telegraphy	L	Q		upon accession	
227	85272900	Radio-broadcast receivers not capable of operating with an external source of power, of a	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		kind used in motor vehicles, including apparatus capable of receiving also radio-telephony or radio-telegraphy, nes					
228	85273100	Radio-broadcast receivers combined with sound recording or reproducing apparatus not capable of operating with an external source of power, including apparatus capable of receiving also radio-telephony or radio-telegraphy, nes	L	Q		upon accession	
229	85273200	Radio-broadcast receivers not combined with sound recording or reproducing apparatus but combined with a clock, nes, including apparatus capable of receiving also radio-telephony or radio-telegraphy	L	Q		upon accession	
230	85273900	Radio-broadcast receivers not capable of operating with an external source of power, including apparatus capable of receiving also radio-telephony or radio-telegraphy, not elsewhere specified or included	L	Q		upon accession	
231	85279010	Radio paging receivers			T	2002	
232	85281210	Colour satellite television receivers, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus			T	2004	
233	85281291	Colour television receivers, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus, with a diagonal measurement of the screen not exceeding 42cm	L	Q		upon accession	
234	85281292	Colour television receivers, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus, with a diagonal measurement of the screen exceeding 42cm but not exceeding 52cm	L	Q		upon accession	
235	85281293	Colour television receivers, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus, with a diagonal measurement of the screen exceeding 52cm	L	Q		2002	12
236	85282100	Colour video monitors	L	Q		2002	12
237	85283010	Colour video projectors	L	Q		2002	12
238	85291020	Aerials and aerial reflectors of all kinds and parts suitable for use therewith, for radio-broadcast receivers and their combinations or television receivers			T	2002	
239	85291090	Aerials and aerial reflectors of all kinds and parts suitable for use therewith, for apparatus of headings 85.25 to 85.28, not elsewhere specified or included			T	2004	
240	85299091	High frequency tuners, suitable for use solely or principally with television receivers			T	2004	
241	85311090	Burglar or fire alarms & similar apparatus, not elsewhere specified or included			T	2002	
242	85352900	Automatic circuit breakers, for voltage exceeding			T	2004	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		72.5 KV,					
243	85401100	Cathode-ray television picture tubes, including video monitor tubes, color	L	Q		2002	12
244	85404000	Color data/graphic display tubes, with a phosphor dot screen pitch smaller than 0.4mm	L	Q		2002	12
245	85445910	Electric cable (including co-axial cable), without connectors, for voltage exceeding 80V but not exceeding 1000 V			T	upon accession	
246	85447000	Optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors			T	upon accession	
247	86040099	Railway or tramway maintenance or service vehicles, whether or not self-propelled, not elsewhere specified or included			T	upon accession	
248	87012000	Road tractors for semi-trailers, other than tractors of heading 87.09	L	Q		2004	7
249	87019000	Tractors not elsewhere specified or included, other than tractors of heading 87.09			T	upon accession	
250	87021020	Motor vehicles for the transport of ten or more persons (including the driver), with compression-ignition internal combustion piston engine (diesel or semi-diesel), for transport of passengers at aerodrome	L	Q		2004	7
251	87021091	Motor vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), with 30 seats or more (including the driver)	L	Q		2004	7
252	87021092	Motor vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), with 20 seats or more, but not exceeding 29 seats (including the driver)	L	Q		2005	7
253	87021093	Motor vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), with 10 seats or more, but not exceeding 19 seats (including the driver)	L	Q		2005	7
254	87029010	Motor vehicles not elsewhere specified or included, with 30 seats or more (including the driver)	L	Q		2004	7
255	87029020	Motor vehicles not elsewhere specified or included, with 20 seats or more, but not exceeding 29 seats (including the driver)	L	Q		2005	7
256	87029030	Motor vehicles not elsewhere specified or included, with 10 seats or more, but not exceeding 19 seats (including the driver)	L	Q		2005	7
257	87031000	Vehicles specially designed for traveling on snow; golf cars and similar vehicles	L	Q		upon accession	
258	87032130	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity not exceeding 1000cc	L	Q		2005	7
259	87032190	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity not exceeding 1000cc	L	Q		2005	7
260	87032230	Saloon cars, with spark-ignition internal	L	Q		2005	7

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		combustion reciprocating piston engine, of a cylinder capacity exceeding 1000cc but not exceeding 1500cc					
261	87032240	Cross-country cars (4WD), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1000cc but not exceeding 1500cc	L	Q		2005	7
262	87032250	Station wagons (with 9 seats or less), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1000cc but not exceeding 1500cc	L	Q		2005	7
263	87032290	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1000cc but not exceeding 1500cc	L	Q		2005	7
264	87032314	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
265	87032315	Cross-country cars (4WD), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
266	87032316	Station wagons (with 9 seats or less), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
267	87032319	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
268	87032334	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 2500cc but not exceeding 3000cc	L	Q		2005	7
269	87032335	Cross-country cars (4WD), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 2500cc but not exceeding 3000cc	L	Q		2005	7
270	87032336	Station wagons (with 9 seats or less), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 2500cc but not exceeding 3000cc	L	Q		2005	7
271	87032339	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 2500cc but not exceeding 3000cc	L	Q		2005	7
272	87032430	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 3000cc	L	Q		2005	7
273	87032440	Cross-country cars (4WD), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 3000cc	L	Q		2005	7
274	87032450	Station wagons (with 9 seats or less), with spark-	L	Q		2005	7

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 3000cc					
275	87032490	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 3000cc	L	Q		2005	7
276	87033130	Saloon cars, with compression-ignition internal combustion piston engine (diesel or semi-diesel) of a cylinder capacity not exceeding 1500cc	L	Q		2005	7
277	87033140	Cross-country cars (4WD), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity not exceeding 1500cc	L	Q		2005	7
278	87033150	Station wagons (with 9 seats or less), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity not exceeding 1500cc	L	Q		2005	7
279	87033190	Vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity not exceeding 1500cc	L	Q		2005	7
280	87033230	Saloon cars, with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
281	87033240	Cross-country cars (4WD), with compression-ignition internal combustion reciprocating piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
282	87033250	Station wagons (with 9 seats or less), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
283	87033290	Vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
284	87033330	Saloon cars, with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 2500cc	L	Q		2005	7
285	87033340	Cross-country cars (4WD), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 2500cc	L	Q		2005	7
286	87033350	Station wagons (with 9 seats or less), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 2500cc	L	Q		2005	7
287	87033390	Vehicles not elsewhere specified or included, with compression-ignition internal combustion piston	L	Q		2005	7

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		engine (diesel or semi-diesel), of a cylinder capacity exceeding 2500cc					
288	87039000	Motor cars and other motor vehicles principally designed for the transport of persons, not elsewhere specified or included, including station wagons and racing cars	L	Q		2005	7
289	87041030	Electromobile dumpers for the transport of goods, designed for off-highway use			T	2004	
290	87042100	Motor vehicles for the transport of goods, with compression-ignition internal combustion piston engine (diesel or semi-diesel), gross vehicle weight not exceeding 5 tons, excl. dumpers for off-highway use	L	Q		2004	7
291	87042230	Motor vehicles for the transport of goods, with compression-ignition internal combustion piston engine (diesel or semi-diesel), gross vehicle weight exceeding 5 tons but not exceeding 14 tons, excl. dumpers for off-highway use	L	Q		2004	7
292	87042240	Motor vehicles for the transport of goods, with compression-ignition internal combustion piston engine (diesel or semi-diesel), gross vehicle weight exceeding 14 tons but not exceeding 20 tons, excl. dumpers for off-highway use	L	Q		2004	7
293	87042300	Motor vehicles for the transport of goods, with compression-ignition internal combustion piston engine (diesel or semi-diesel), gross vehicle weight exceeding 20 tons, excl. dumpers for off-highway use	L	Q		2004	7
294	87043100	Motor vehicles for the transport of goods, with spark-ignition internal combustion reciprocating piston engine, gross vehicle weight not exceeding 5 tons, excl. dumpers for off-highway use	L	Q		2004	7
295	87043230	Motor vehicles for the transport of goods, with spark-ignition internal combustion reciprocating piston engine, gross vehicle weight exceeding 5 tons but not exceeding 8 tons, excl. dumpers for off-highway use	L	Q		2002	7
296	87043240	Motor vehicles for the transport of goods, with spark-ignition internal combustion reciprocating piston engine, gross vehicle weight exceeding 8 tons, excl. dumpers for off-highway use	L	Q		2002	7
297	87049000	Motor vehicles for the transport of goods, not elsewhere specified or included	L	Q		2002	7
298	87051021	All-road crane lorries, of maximum lifting capacity not exceeding 50 tons	L	Q		2004	13
299	87051022	All-road crane lorries, of maximum lifting capacity exceeding 50 tons but not exceeding 100 tons	L	Q		2004	13
300	87051023	All-road crane lorries, of maximum lifting capacity exceeding 100 tons	L	Q		2004	13
301	87051091	Crane lorries not elsewhere specified or included, of maximum lifting capacity not exceeding 50 tons	L	Q		2004	13
302	87051092	Crane lorries not elsewhere specified or included, of maximum lifting capacity exceeding 50 tons	L	Q		2004	13

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		but not exceeding 100 tons					
303	87051093	Crane lorries not elsewhere specified or included, of maximum lifting capacity exceeding 100 tons	L	Q		2004	13
304	87052000	Mobile drilling derricks	L	Q		2002	7
305	87053010	Fire fighting vehicles, mounted with scaling ladder	L	Q		2002	7
306	87053090	Fire fighting vehicles, not elsewhere specified or included	L	Q		2002	7
307	87054000	Concrete-mixer lorries	L	Q		2002	7
308	87059020	Mobile radiological units	L	Q		2002	7
309	87059030	Mobile environmental monitoring units	L	Q		2002	7
310	87059040	Mobile clinics	L	Q		2002	7
311	87059051	Airplane charging vehicles (frequency= 400Hz)	L	Q		2002	7
312	87059059	Mobile electric generator sets, not elsewhere specified or included	L	Q		2002	7
313	87059060	Mobile vehicles for aircraft refueling, air-conditioners or deicing	L	Q		2002	7
314	87059070	Snow sweep vehicles for cleansing streets airfield runways	L	Q		2002	7
315	87059080	Petroleum well logging trucks, fracturing unit trucks and mixing sand trucks	L	Q		2002	7
316	87059090	Special purpose motor vehicles, not elsewhere specified or included, other than those principally designed for the transport if persons or goods	L	Q		2002	7
317	87060040	Chassis fitted with engines for crane lorries	L	Q		2004	13
318	87071000	Bodies for the vehicles of heading 87.03	L	Q		2004	7
319	87111000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of a cylinder capacity not exceeding 50cc	L	Q		2004	6
320	87112000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of a cylinder capacity exceeding 50cc but not exceeding 250cc	L	Q		2004	6
321	87113010	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of cylinder capacity exceeding 250cc but not exceeding 400cc	L	Q		2004	6
322	87113020	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of cylinder capacity exceeding 400cc but not exceeding 500cc	L	Q		2004	6
323	87114000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of cylinder capacity exceeding 500cc but not exceeding 800cc	L	Q		2004	6
324	87115000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of cylinder capacity exceeding 800cc	L	Q		2004	6
325	87119000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, not elsewhere specified	L	Q		2004	6

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		or included; side-cars					
326	87141900	Parts and accessories of motorcycle (including moped), excl. saddles	L	Q		2004	6
327	89012011	Finished oil tankers, loading not exceeding 100000t			T	2004	
328	89012012	Finished oil tankers, loading exceeding 100000t, not exceeding 300000t			T	2004	
329	89012013	Finished oil tankers, loading exceeding 300000t			T	2004	
330	89012021	Crude oil tankers, loading not exceeding 150000t			T	2004	
331	89012022	Crude oil tankers, loading exceeding 150000t, not exceeding 300000t			T	2004	
332	89012023	Crude oil tankers, loading exceeding 300000t			T	2004	
333	89012031	Liquified petroleum gas carriers, volume with 20000m3 or less			T	2004	
334	89012032	Liquified petroleum gas carriers, volume exceeding 20000m3			T	2004	
335	89012041	Liquified natural gas carriers, volume not exceeding 20000m3			T	2004	
336	89012042	Liquified natural gas carriers, volume exceeding 20000m3			T	2004	
337	89012090	Tankers, not elsewhere specified or included			T	2004	
338	89013000	Refrigerated vessels other than those of subheading 8901.20			T	upon accession	
339	89019021	Motor container vessels, capable loading standard containers with 6000 or less			T	2004	
340	89019022	Motor container vessels, capable loading standard containers more than 6000			T	2004	
341	89019031	Motor Ro-Ro carriers, loading not exceeding 2000t			T	2004	
342	89019032	Motor Ro-Ro carriers, loading exceeding 2000t			T	2004	
343	89019041	Motor bulk carriers, loading not exceeding 150000t			T	2004	
344	89019042	Motor bulk carriers, loading exceeding 150000t, not exceeding 300000t			T	2004	
345	89019043	Motor bulk carriers, loading exceeding 300000t			T	2004	
346	89019050	Multi-purposes motor vessels			T	2004	
347	89019080	Motor vessels for the transport of goods and motor vessels for the transport of both persons and goods, not elsewhere specified or included			T	2004	
348	89020010	Fishing vessels, factory ships and other vessels for processing or preserving fishery products, motorized			T	upon accession	
349	89040000	Tugs and pusher craft			T	2004	
350	89051000	Dredgers			T	2004	
351	90061010	Electronic colour scanners used for preparing printing plates or cylinders	L	Q		upon accession	
352	90065100	Cameras with a through-the-lens viewfinder (single lens reflex (SLR)), for roll film of a width not exceeding 35mm	L	Q		2003	14
353	90065200	Cameras for roll film of a width less than 35mm, not elsewhere specified or included	L	Q		2003	14
354	90065300	Cameras for roll film of a width of 35mm, not elsewhere specified or included	L	Q		2003	14
355	90065900	Cameras not elsewhere specified or included	L	Q		2003	14
356	90083010	Orthographical image projectors, other than			T	upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		cinematographic					
357	90121000	Microscopes other than optical microscopes; and diffraction apparatus	L	Q		upon accession	
358	90158000	Surveying, hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses, not elsewhere specified or included			T	upon accession	
359	90181210	B-ultrasonic diagNotic equipment			T	upon accession	
360	90181291	Chromoscope ultrasonic diagNotic equipment			T	upon accession	
361	90184910	Dentists' chairs incorporating dental equipment			T	upon accession	
362	90189090	Instruments and appliances used in Medical, surgical or veterinary sciences, not elsewhere specified or included			T	upon accession	
363	90221300	X-ray apparatus for dental use			T	upon accession	
364	90221400	X-ray apparatus for medical, surgical or veterinary uses, not elsewhere specified or included			T	upon accession	
365	90221990	X-ray apparatus, not elsewhere specified or included, other than for medical use			T	upon accession	
366	90222100	Apparatus based on the use of alpha, beta or gamma radiations, including radiography or radio rapy apparatus, for medical surgical, dental or veterinary			T	upon accession	
367	90278090	Instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like, measuring or checking quantities of heat, sound or light; Instruments and apparatus for physical or chemical analysis, nes			T	upon accession	
368	90301000	Instruments and apparatus for measuring or detecting ionizing radiations			T	upon accession	
369	90304010	Frequency meters, digital, of test frequency less than 12.4GHz			T	upon accession	
370	90318010	Optical telecommunication and optical fibre performance testing instruments			T	upon accession	
371	90311000	Machines for balancing mechanical parts			T	2004	
372	91011100	Electrically operated wrist-watches, with mechanical display only, whether or not incorporating a stop-watch facility, with case of precious metal or of metal clad with precious metal	L	Q		2003	15
373	91012100	Non-electrically operated wrist-watches, automatic winding, whether or not incorporating a stop-watch facility, with case of precious metal or of metal clad with precious metal	L	Q		2003	15
374	91012900	Non-electrically operated wrist-watches, not elsewhere specified and included, whether or not incorporating a stop-watch facility, with case of precious metal or of metal clad with precious metal	L	Q		2003	15
375	91021100	Electrically operated wrist-watches, with mechanical display only, whether or not incorporating a stop-watch facility, other than those of heading 91.01	L	Q		2003	15

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
376	91022100	Non-electrically operated wrist-watches, automatic winding, whether or not incorporating a stop-watch facility, other than those of heading 91.01	L	Q		2003	15
377	91022900	Non-electrically operated wrist-watches, not elsewhere specified and included, whether or not incorporating a stop-watch facility, other than those of heading 91.01	L	Q		2003	15

Notes:

1. "L" stands for "import licence";
"Q" stands for "import quota"; and
"T" stands for "specific import tendering requirements for machinery and electronic products".

2. The NTMs will be eliminated as of 1 January of each calendar year as specified in the column of Phasing-out Period.

3. The products covered by the Agreement on Trade in Civil Aircraft are not subject to any NTMs specified herein.

Table Two
Product Quota
(Initial Quota Volume/Value and Annual Growth Rate)

Quota Category		Product Coverage (Serial No in Table One)	Unit	Initial Quota Volume/Value	Annual Growth Rate
1	Processed oil	12-19	Million Metric Tons	16.58	15%
2	Sodium cyanide	20	Million Metric Tons	0.018	15%
3	Chemical fertilizer	22-25, 29-33, 36, 38, 41-45	Million Metric Tons	8.9	15%
4	Natural rubber	48-51	Million Metric Tons	0.429	15%
5	Tires of rubber used on automobiles	52-56	Million Pieces	0.81	15%
6	Motorcycles and key parts	101-103, 319-326	US$ Million	286	15%
7	Automobiles and key parts	104-106, 115, 248, 250-256, 258-288, 290-297, 304-316, 318	US$ Million	6000	15%
8	Air conditioners and compressors	114	US$ Million	286	15%
9	Recording apparatus and key parts	201-203, 207, 216-222	US$ Million	293	15%
10	Magnetic sound and video recording apparatus	204, 205	US$ Million	38	15%
11	Recorders and transport mechanisms	206	US$ Million	387	15%
12	Color TV set and TV tuners	235-237, 243, 244	US$ Million	325	15%
13	Crane lorries and chassis	298-303, 317	US$ Million	88	15%
14	Cameras	352-355	US$ Million	14	15%
15	Wrist watches	372-377	US$ Million	33	15%

Table Three

Products Subject to Import Licence Only

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Phasing-out Period
1	10011000	Durum wheat	L	upon accession
2	10019010	Seed of wheat & maslin, excl. durum wheat	L	upon accession
3	10019090	Wheat & maslin, excl. for seeding and durum wheat	L	upon accession
4	10059000	Maize (corn), excl. for seeding	L	upon accession
5	10061010	Rice in husk (paddy or rough) seed	L	upon accession
6	10061090	Rice in husk (paddy or rough), excl. for seeding	L	upon accession
7	10062000	Husked (brown) rice	L	upon accession
8	10063000	Semi-milled or wholly milled rice, whether or not polished or glazed	L	upon accession
9	10064000	Broken rice	L	upon accession
10	15071000	Crude soya-bean oil, whether or not degummed, but not chemically modified	L	upon accession
11	15079000	Soya-bean oil and its fractions, refined, but not chemically modified	L	upon accession
12	15081000	Crude ground-nut oil, but not chemically modified	L	upon accession
13	15089000	Ground-nut oil and its fractions, refined, but not chemically modified	L	upon accession
14	15111000	Crude palm oil, but not chemically modified	L	upon accession
15	15119000	Palm oil and its fractions, refined, but not chemically modified	L	upon accession
16	15121100	Crude sunflower-seed or safflower oil, but not chemically modified	L	upon accession
17	15122100	Crude cotton-seed oil, whether or not gossypol has been moved, but not chemically modified	L	upon accession
18	15122900	Cotton-seed oil and its fractions, refined, but not chemically modified	L	upon accession
19	15141010	Crude rape, colza oil, but not chemically modified	L	upon accession
20	15141090	Crude mustard oil, but not chemically modified	L	upon accession
21	15149000	Rape, colza or mustard oil and fractions thereof, refined, but not chemically modified	L	upon accession
22	15152100	Crude maize (corn) oil, but not chemically modified	L	upon accession
23	15155000	Sesame oil and its fractions, whether or not refined, but not chemically modified	L	upon accession
24	22051000	Vermouth & other wine of fresh grapes flavoured with plants or aromatic substance, in containers holding ≤2L	L	upon accession
25	22059000	Vermouth & other wine of fresh grapes, flavoured with plants or aromatic substance, in containers holding >2L	L	upon accession
26	22071000	Undenatured ethyl alcohol of an alcoholic strength by volume ≥80%	L	upon accession
27	22082000	Spirits from distilling grape wine or marc	L	upon accession
28	22083000	Whiskeys	L	upon accession
29	22084000	Rum & tafia	L	upon accession
30	22085000	Gin & Geneva	L	upon accession
31	22087000	Liqueurs and cordials	L	upon accession
32	22089000	Undenaturated ethyl alcohol of an alcoholic strength by volume <80%; spirituous beverages, nes	L	upon accession
33	37013090	Photographic plates, in the flat, sensitized, unexposed, of any material other than paper, paperboard or textiles, any side exceeding 255mm, nes	L	upon accession
34	37019100	Photographic plates and film for colour photography, in the flat, sensitized, unexposed, of any material other than paper, paperboard or textiles, any side ≤ 255mm	L	upon accession
35	37023100	Photographic film rolls, unexposed, without perforations, for colour photography , of any material other than paper, paperboard or textiles, width ≤105mm	L	upon accession

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Phasing-out Period
36	37024100	Film rolls, for colour photography, unexposed, without perforations, of any material other than paper, paperboard or textiles , width >610mm, length >200m	L	upon accession
37	37024390	Film rolls, unexposed, without perforations, width >610mm, length ≤200m, of any material other than paper, paperboard or textiles, nes	L	upon accession
38	37024490	Film rolls , unexposed, without perforations, 105mm< width ≤ 610mm, of any material other than paper, paperboard or textiles, nes	L	upon accession
39	37025100	Film rolls for colour photography, unexposed, width ≤16mm,& length ≤14m, of any material other than paper, paperboard or textiles nes	L	upon accession
40	37025200	Film rolls for colour photography, unexposed, width ≤16mm, length >14m, of any material other than paper, paperboard or textiles, nes	L	upon accession
41	37025410	Film rolls for colour photography other than for slides, unexposed, width =35mm and length ≤2m, of any material other than paper, paperboard or textiles	L	upon accession
42	37025490	Film rolls for colour photography other than for slides, unexposed, 16 mm<width <35 mm, 2 m<length ≤30m, of any material other than paper, paperboard or textiles	L	upon accession
43	37025590	Colour film rolls for colour photography, unexposed, 16mm<width ≤35mm, length >30m, excl. cinematographic film	L	upon accession
44	37025690	Film in rolls for colour photography, unexposed, width >35mm, of any material other than paper, paperboard or textiles , excl. cinematographic film	L	upon accession
45	37029100	Film rolls of neutral colour , unexposed, width ≤16mm, length ≤ 14m, of any material other than paper, paperboard or textiles	L	upon accession
46	37031010	Photographic paper & paperboard in rolls, sensitized, unexposed, width >610mm	L	upon accession
47	37032010	Photographic paper and paperboard for colour photography, sensitized, unexposed, not in rolls or width ≤610mm	L	upon accession

ANNEX 4

PRODUCTS AND SERVICES SUBJECT TO PRICE CONTROLS

Products Subject to State Pricing

NO	PRODUCTS	HS NO	DESCRIPTION OF PRODUCTS
1	TOBACCO	24011010	Flue-cured tobacco, not stemmed/stripped
		24011090	Tobacco other than flue-cured, not stemmed/stripped
		24012010	Flue-cured tobacco, partly or wholly stemmed/stripped
		24012090	Tobacco other than flue-cured, partly or wholly stemmed/stripped
2	EDIBLE SALT	25010010	Salt, whether or not in aqueous solution or containing added anticaking or free-flowing agents
3	NATURAL GAS	27112100	Natural gas in gaseous state
4	PHARMA-CEUTICALS	30011000	Glands & other organs, dried, whether or not powdered
		30012000	Extracts of glands or other organs or of their secretions
		30019010	Heparin & its salts
		30019090	Substances of human or animal origin, for therapeutic or prophylactic uses, nes
		30021000	Antisera & other blood fractions & modified immunological products, whether or not obtained by means of biotechnological processes
		30022000	Vaccines for human medicine
		30023000	Vaccines for veterinary medicine
		30029010	Saxitoxin
		30029020	Ricitoxin
		30029090	Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic uses; other toxins, cultures of micro-organisms (excl. yeasts) and similar products, nes
		30041011	Medicaments containing ampicillin, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30041012	Medicaments containing amoxycillin, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30041013	Medicaments containing penicillins V, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30041019	Medicaments containing penicillins , nes, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30041090	Medicaments containing penicillins or derivatives thereof nes, or streptomycins or their derivatives, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042011	Medicaments containing cefotaxime, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042012	Medicaments containing ceftazidime, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042013	Medicaments containing cefoxitin, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042014	Medicaments containing ceftezole, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale

NO	PRODUCTS	HS NO	DESCRIPTION OF PRODUCTS
		30042015	Medicaments containing cefaclor, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042016	Medicaments containing cefuroxime, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042017	Medicaments containing ceftriaxone, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042018	Medicaments containing cefoperazone, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042019	Medicaments containing other cephamycines, consisting of mixed or unmixed products for therapeutic or prophylactic uses,put up in measured doses or in forms of packing for retail sale, nes
		30042090	Medicaments containing other antibiotics, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30043100	Medicaments containing insulin, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30043200	Medicaments containing of adrenal cortical hormones, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30043900	Medicaments containing other hormones, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30044010	Medicaments containing quinine or its salts, but not containing antibiotics or products of heading 29.37, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30044090	Medicaments containing alkaloids or their derivatives, but not containing hormones or other products of heading 29.37 or antibiotics, consisting of mixed or unmixed products put up in measured does or in forms of packing for retail sale, nes
		30045000	Other medicaments containing vitamins or other products of 29.36, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30049010	Medicaments containing sulfa drugs, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30049020	Medicaments containing biphenyl dicarbxybte, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30049053	Bai Yao, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30049059	Medicaments of Chinese type, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30049090	Medicaments of products for therapeutic, prophylactic or diagnostic uses, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30051010	Adhesive plasters, impregnated or coated with pharmaceutical substances or put up in forms of packing for retail sale for medical, surgical, dental or veterinary purposes

NO	PRODUCTS	HS NO	DESCRIPTION OF PRODUCTS
		30063000	Opacifying preparations for X-ray examinations; diagnostic reagents designed to be administered to the patient
		30066000	Chemical contraceptive preparations based on hormones or spermicides
		40141000	Sheath contraceptives

Products Subject to Government Guidance Pricing

NO	PRODUCTS	HS NO	DESCRIPTION OF PRODUCTS
1	GRAIN	10011000	Durum wheat
		10019010	Seed of wheat & maslin, excl. durum wheat
		10019090	Wheat & maslin, excl. for seeding and durum wheat
		10051000	Maize (corn) seed
		10059000	Maize (corn), excl. for seeding
		10061010	Rice in husk (paddy or rough) seed
		10061090	Rice in husk (paddy or rough), excl. for seeding
		10062000	Husked (brown) rice
		10063000	Semi-milled or wholly milled rice, whether or not polished or glazed
		12010010	Seed of soybeans
		12010091	Yellow soybeans, not for seeding, whether or not broken
		12010092	Black soybeans, not for seeding, whether or not broken
		12010093	Green soybeans, not for seeding, whether or not broken
		12010099	Soybeans, nes, not for seeding, whether or not broken
2	VEGETABLE OIL	15071000	Crude soybean oil, whether or not degummed, but not chemically modified
		15079000	Soya-bean oil and its fractions, refined, but not chemically modified
		15141010	Crude rape, colza oil, but not chemically modified
		15141090	Crude mustard oil, but not chemically modified
3	PROCESSED OIL	27100011	Motor gasoline & aviation gasoline
		27100013	Naphtha
		27100023	Aviation kerosene
		27100024	Lamp-kerosene
		27100031	Light diesel oil
		27100033	Fuel oil No.5 to No.7 (National Code)
		27100039	Diesel oils & preparations thereof and other fuel oils, nes
4	FERTILIZER	31021000	Urea, whether or not in aqueous solution
5	SILKWORM COCOONS	50010010	Mulberry feeding silk-worm cocoons
		50010090	Other silk-worn cocoons suitable for reeling
6	COTTON	52010000	Cotton, not carded or combed

Public Utilities Subject to Government Pricing

NO	CPC	PUBLIC UTILITIES
1	1720	Price of gas for civil use.
2	1800	Price of tap water.
3	1710	Price of electricity.
4	1730	Price of heating power.
5	1800	Price of water supplied by irrigation works.

Service Sectors Subject to Government Pricing

NO	CPC	SERVICE	NOTES
1	7511 7512 7521 7522	Postal and telecommunication services charges	Including postal services charges, national and trans-provincial telecommunication services charges.
2	964	Entrance fee for tour sites	Referring to significant historical relics and natural landscape under protection.
3	921 922 923	Education services charges	

Service Sectors Subject to Government Guidance Pricing

NO	CPC	SERVICE	NOTES
1	7214 745** 731 7111 7112 743 7131 7139	Transport services charges	Including rail transport of both passenger and freight, air transport of freight, port services, and pipeline transport.
2	861 862 8671 8672	Professional services charges	Including architectural and engineering services, legal services, assets assessment services, authentication, arbitration, notarization and inspection.
3	621	Charges for commission agents' services	Including commission for trademark, advertisement taxation and bidding agents.
4	81339**	Charges for settlement, clearing and transmission services of banks	Including settlement, clearing and transmission services of the RMB, transaction fees and seat charges of national securities exchanges, as well as seat charges for China Foreign Exchange Center
5	82101	Selling price and renting fee of residential apartments	
6	931	Health related services	

Notes:

1. CPC classification is added to the service sectors subject to state pricing in this Annex in accordance with the GATT document MTN.GNS/W/120, 10 July 1991, which provided services sectoral classification for the purpose of services negotiations during the Uruguay Round.

2. The government pricing in the service sectors which are listed in China's Schedule of Specific Commitments shall be applied in a manner consistent with Article 6 of GATS and the Reference Paper on Basic Telecommunication.

ANNEX 6

PRODUCTS SUBJECT TO EXPORT DUTY

NO	HS NO	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE (%)
1	03019210	Live eels fry	20.0
2	05061000	Ossein and bones treated with acid	40.0
3	05069010	Powder and waste of bones	40.0
4	05069090	Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinized, excl. Ossein and bones treated with acid	40.0
5	26070000	Lead ores & concentrates	30.0
6	26080000	Zinc ores & concentrates	30.0
7	26090000	Tin ores & concentrates	50.0
8	26110000	Tungsten ores & concentrates	20.0
9	26159000	Niobium, tantalum & vanadium ores & concentrates	30.0
10	26171010	Crude antimony	20.0
11	28047010	Yellow phosphorus (white phosphorus)	20.0
12	28047090	Phosphorus, nes	20.0
13	28269000	Fluorosilicates and fluoroaluminates and complex fluorine salts, nes	30.0
14	29022000	Benzene	40.0
15	41031010	Slabs of goats, fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared, whether or not dehaired or split	20.0
16	72011000	Non-alloy pig iron containing by weigh<0.5% of phosphorus in pigs, blocks or other primary forms	20.0
17	72012000	Non-alloy pig iron containing by weight >0.5% of phosphorus in pigs, blocks or other primary forms	20.0
18	72015000	Alloy pig iron and spiegeleisen, in pigs, blocks or other primary forms	20.0
19	72021100	Ferro-manganese, containing by weight more than 2% of carbon	20.0
20	72021900	Ferro-manganese, nes	20.0
21	72022100	Ferro-silicon, containing by weight more than 55% of silicon	25.0
22	72022900	Ferro-silicon, nes	25.0
23	72023000	Ferro-silico-manganese	20.0
24	72024100	Ferro-chromium containing by weight more than 4% of carbon	40.0
25	72024900	Ferro-chromium, nes	40.0
26	72041000	Waste & scrap, of cast iron	40.0
27	72042100	Waste & scrap, of stainless steel	40.0
28	72042900	Waste & scrap of alloy steel, other than stainless steel	40.0
29	72043000	Waste & scrap, of tinned iron or steel	40.0
30	72044100	Ferrous waste & scrap, nes, from turnings, shavings, chips, milling waste, sawdust, filings, trimmings and stampings, whether or not in bundles	40.0
31	72044900	Ferrous waste & scrap of iron or steel, nes	40.0
32	72045000	Remelting scrap ingots of iron or steel	40.0
33	74020000	Copper unrefined; copper anodes for electrolytic refining	30.0
34	74031100	Cathodes & sections of cathodes, of refined copper, unwrought	30.0
35	74031200	Wire bars, of refined copper, unwrought	30.0
36	74031300	Billets, of refined copper, unwrought	30.0
37	74031900	Refined copper, unwrought, nes	30.0
38	74032100	Copper-zinc base alloys (brass), unwrought	30.0
39	74032200	Copper -tin base alloys (bronze), unwrought	30.0
40	74032300	Copper - nickel base alloys (cupronickel) or copper-nickel-zinc base alloys (silver), unwrought	30.0

NO	HS NO	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE (%)
41	74032900	Copper alloys, unwrought (other than master alloys of heading 74.05)	30.0
42	74040000	Waste & scrap, of copper or copper alloys	30.0
43	74071000	Bars, rods & profiles of refined copper	30.0
44	74072100	Bars, rods & profiles, of copper-zinc base alloys	30.0
45	74072200	Bars, rods & profiles, of copper - nickel base alloys or copper-nickel-zinc base alloys	30.0
46	74072900	Bars, rods & profiles, of copper alloy nes	30.0
47	74081100	Wire of refined copper, of which the maximum cross-sectional dimension >6mm	30.0
48	74081900	Wire of refined copper, of which the maximum cross-sectional dimension ≤6mm	30.0
49	74082100	Wire of copper-zinc base alloys	30.0
50	74082200	Wire of copper - nickel base alloys or copper-nickel-zinc base alloy	30.0
51	74082900	Wire, of copper alloy nes	30.0
52	74091100	Plate, sheet & strip, thickness >0.15mm, of refined copper, in coil	30.0
53	74091900	Plate, sheet & strip, thickness >0.15mm, of refined copper, not in coil	30.0
54	74092100	Plate, sheet & strip, thickness >0.15mm, of copper-zinc base alloys, in coil	30.0
55	74092900	Plate, sheet & strip, thickness >0.15mm, of copper-zinc base alloys, not in coil	30.0
56	74093100	Plate, sheet & strip, thickness >0.15mm, of copper-tin base alloys, in coil	30.0
57	74093900	Plate, sheet & strip, thickness >0.15mm, of copper-tin base alloys, not in coil	30.0
58	74094000	Plate, sheet & strip, thickness >0.15mm, of copper - nickel base alloys or copper-nickel-zinc base alloy	30.0
59	74099000	Plate, sheet & strip, thickness >0.15mm, of copper alloy nes	30.0
60	75021000	Unwrought nickel, not alloyed	40.0
61	75022000	Unwrought nickel alloys	40.0
62	75089010	Electroplating anodes of nickel	40.0
63	76011000	Unwrought aluminium, not alloyed	30.0
64	76012000	Unwrought aluminium alloys	30.0
65	76020000	Aluminium waste & scrap	30.0
66	76041000	Bars, rods & profiles of aluminium, not alloyed	20.0
67	76042100	Hollow profiles of aluminium alloys	20.0
68	76042900	Bars, rods & profiles (excl. hollow profiles), of aluminium alloys	20.0
69	76051100	Wire of aluminium ,not alloyed, with the maximum cross-sectional dimension >7mm	20.0
70	76051900	Wire of aluminium, not alloyed, with the maximum cross-sectional dimension ≤7mm	20.0
71	76052100	Wire of aluminium alloys, with the maximum cross sectional dimension >7mm	20.0
72	76052900	Wire of aluminium alloys, with the maximum cross sectional dimension ≤7mm	20.0
73	76061120	Plates & sheets & strip, rectangular (incl. square), of aluminium, not alloyed, 0.30mm ≤ thickness ≤0.36mm	20.0
74	76061190	Plates & sheets & strip, rectangular (incl. square), of aluminium, not alloyed, 0.30mm > thickness >0.2mm	20.0
75	76061220	Plates & sheets & strip, rectangular (incl. square), of aluminium alloys, 0.2mm<thickness <0.28mm	20.0
76	76061230	Plates & sheets & strip, rectangular (incl. square), of aluminium alloys, 0.28mm ≤ thickness ≤0.35mm	20.0

NO	HS NO	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE (%)
77	76061240	Plates & sheets & strip, rectangular (incl. square), of aluminium alloys, 0.35mm<thickness	20.0
78	76069100	Plates & sheets & strip, of aluminium, not alloyed, thickness >0.2mm, nes	20.0
79	76069200	Plates & sheets & strip, of aluminium alloys, thickness >0.2mm, nes	20.0
80	79011100	Unwrought zinc, not alloyed, containing by weight ≥99.99% of zinc	20.0
81	79011200	Unwrought zinc, not alloyed, containing by weight<99.99% of zinc	20.0
82	79012000	Unwrought zinc alloys	20.0
83	81100020	Antimony unwrought	20.0
84	81100030	Antimony waste and scrap; Antimony powders	20.0

Note:

China confirmed that the tariff levels included in this Annex are maximum levels which will not be exceeded. China confirmed furthermore that it would not increase the presently applied rates, except under exceptional circumstances. If such circumstances occurred, China would consult with affected members prior to increasing applied tariffs with a view to finding a mutually acceptable solution.

ANNEX 7

RESERVATIONS BY WTO MEMBERS

Argentina: restrictions maintained on imports from China

Argentina intends to maintain restrictions on certain products originating in China, such as textiles and clothing, footwear not used for sporting activities and toys, after the accession of China, as follows:

PRODUCT	HS CODE
Textiles and Clothing	51.11; 51.12; 51.13; 52.08; 52.09; 52.10; 52.11; 52.12; 53.09; 53.10; 53.11; 54.07; 54.08; 55.12; 55.13; 55.14; 55.15; 55.16; 56.02; 56.03; 57.01; 57.02; 57.03; 57.04; 57.05; 58.01; 58.02; 58.03; 58.04; 58.05; 58.06; 58.07; 58.08; 58.09; 58.10; 58.11; 59.03; 60.01; 60.02; 61.01; 61.02; 61.03; 61.04; 61.05; 61.06; 61.07; 61.08; 61.09; 61.10; 61.11; 61.12; 61.13; 61.14; 61.15; 61.16; 61.17; 62.01; 62.02; 62.03; 62.04; 62.05; 62.06; 62.07; 62.08; 62.09; 62.10; 62.11; 62.12; 62.13; 62.14; 62.15; 62.16; 62.17; 63.01; 63.02; 63.03; 63.04; 63.05; 63.06; 63.07; 63.08; 63.09; 63.10
Footwear not used for sporting activities	64.01; 64.02; 64.03; 64.04; 64.05
Toys	95.02; 95.03

Quotas (Resolution 862/1999): to be eliminated by 31 July 2002.

Specific duties: phasing out will be in line with the following methodology:

1. The base level of specific duties will be that in force at the time of the accession of China and the *ad valorem* equivalent of each specific duty applied to each tariff position.

2. The transition period will be five years from the date of accession of China, after which a 35% *ad valorem* duty will apply.

3. Duties in excess of 35% will be phased out as follows:

   — **First year**: a 10% reduction of the amount in excess of 35%
   — **Second year**: a 20% reduction
   — **Third year**: a 40% reduction
   — **Fourth year**: a 60% reduction
   — **Fifth year**: an 80% reduction
   — **Sixth year:** As of 1 January of the sixth year, the ceiling of the 35% *ad valorem* equivalent to the minimum specific import duties (DIEMs) will apply.

European Communities: phasing-out timetable of industrial (non-textile) quotas on imports from China

Product	HS/CN Code	2001	2002	2003	2004	2005
Footwear falling within HS/CN codes	ex 6402 99 [1]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6403 51 6403 59	5% increase	10% increase	15% increase	15% increase	proposed removal
	ex 6403 91[2] ex 6403 99[2]	5% increase	5% increase	10% increase	15% increase	proposed removal
	ex 6404 11[2]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6404 19 10	5% increase	5% increase	10% increase	15% increase	proposed removal
Tableware, kitchenware of porcelain or china	6911 10	15% increase	15% increase	15% increase	15% increase	proposed removal
Ceramic tableware or kitchenware	6912 00	15% increase	15% increase	15% increase	15% increase	proposed removal

[1] Excluding footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

[2] Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bats or the like, with a non-injected sole;

(b) footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

Hungary: quantitative restrictions maintained on imports from China

Hungary undertakes to phase out these restrictions by the year 2005. The restraint levels are based on the import data of the year 1999. The annual quota growth and the carry over and carry forward rates in the case of textiles and clothing products are included in the notification.

Product	HS	Import from China in 1999	Increase of quotas in per cent				
			2001	2002	2003	2004	2005
Footwear falling within HS codes	6401	71 000 pairs	5	5	10	15	proposed removal
	6402	10 625 000 pairs	5	5	10	15	proposed removal
	6403	600 000 pairs	5	5	10	15	proposed removal
	6404	4 450 000 pairs	5	5	10	15	proposed removal
	6405	2 140 000 pairs	5	5	10	15	proposed removal
Overwear Flexibility rates: 10% of which carry forward shall not represent more than 5%	4203, ex 4303, ex 4304, 6101, 6102, 6103, 6104, 6106, 6110, 6112, 6113, 6114, 6201, 6202, 6203, 6204, 6206, 6210, 6211	15 900 000 $	6	6	6	6	proposed removal
Other clothing and ready-made clothing products Flexibility rates: 10% of which carry forward shall not represent more than 5%	ex 4303, ex 4304, 6117, 6213, 6214, 6215, 6301, 6302, 6304, 6306, 6307, 9404	4 570 000 $	6	6	6	6	proposed removal

Mexico: anti-dumping measures maintained against imports from China

Notwithstanding any other provisions of this Draft Protocol, during six years after the accession of China, Mexico's existing measures listed below shall not be subject to the provisions of either the WTO Agreement or the anti-dumping provisions of this Draft Protocol.

PRODUCT	TARIFF CLASSIFFICATION
Bicycles	8712.00.01 8712.00.02 8712.00.03 8712.00.04 8712.00.99
Footwear and parts thereof	56 tariff lines covered under the headings 6401 6402 6403 6404 6405
Brass padlocks	8301.10.01
Baby carriages	8715.00.01
Door knob locks	8301.40.01
Malleable iron connections	7307.19.02 7307.19.03 7307.19.99 7307.99.99
Non-refillable pocket lighters, gas-fuelled	9613.10.01
Fluorite	2529.22.01
Furazolidone	2934.90.01

PRODUCT	TARIFF CLASSIFFICATION
Tools	48 tariff lines under the headings 8201, 8203, 8204, 8205, 8206
Textiles (yarns and fabrics of artificial and synthetic fiber)	403 tariff lines under the headings 3005 5204, 5205, 5206, 5207, 5208, 5209, 5210, 5211, 5212, 5307, 5308, 5309, 5310, 5311 5401, 5402, 5404, 5407, 5408, 5501, 5506, 5508, 5509, 5510, 5511, 5512, 5513, 5514, 5515, 5516 5803, 5911
Toys	21 tariff lines under the headings 9501, 9502, 9503, 9504, 9505, 9506
Pencils	9609.10.01
Bicycle tires and inner tubes	4011.50.01 4013.20.01
Electrical machines, appliances and equipment and parts thereof	78 tariff lines under the headings 8501, 8502, 8503, 8504, 8506, 8507, 8509, 8511, 8512, 8513, 8515, 8516, 8517, 8518, 8519, 8520, 8523, 8525, 8527, 8529, 8531, 8532, 8533, 8536 8537, 8544
Parathion-methyl	3808.10.99
Clothing	415 tariff lines under the headings 6101, 6102, 6103, 6104, 6105, 6106, 6107, 6108, 6109, 6110, 6111, 6112, 6113, 6114, 6115, 6116, 6117, 6201, 6202, 6203, 6204, 6205, 6206, 6207, 6208, 6209, 6210, 6211, 6212, 6213, 6214, 6215, 6216, 6217 6301, 6302, 6303, 6304, 6305, 6306, 6307, 6308, 6309, 6310
Organic chemicals	258 tariff lines under the headings 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2909, 2910, 2911, 2912, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927
Ceramic and porcelain dishware and loose articles	6911.10.01 6912.00.01
Iron and steel valves	8481.20.01 8481.20.04 8481.20.99 8481.30.04 8481.30.99 8481.80.04 8481.80.18 8481.80.20 8481.80.24
Candles	3406.00.01

Poland: anti-dumping measures and safeguard measures maintained on imports from China

Poland intends to continue the application of the below mentioned measures after China's accession.

1. Anti-dumping duties:

PCN 9613 10 00 0 (pocket lighters, gas fuelled, non-fillable)

PCN 9613 20 90 0 (pocket lighters, gas fuelled refillable, with other ignition system)

The bringing of these measures into conformity with the WTO Agreement[3] will be effected by the end of 2002.

2. Safeguard measures:

PCN 6402 (other footwear with outer soles and uppers of rubber or plastics).

PCN 6403 (footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather).

PCN 6404 (footwear with outer soles of rubber, plastics, leather or composition leather and upper of textile materials).

PCN 6405 (other footwear)

PCN 8516 40 10 0 (electric smoothing irons, steam smoothing)

PCN 8516 40 90 0 (electric smoothing irons, other)

The phasing out of these measures will be effected by the end of 2004.

Slovak Republic: quantitative restrictions maintained on imports from China

The Slovak Republic has concluded the bilaterals talks with China over the quantitative restrictions on imports of footwear falling within HS/CN Code 6401, 6402, 6403, 6404 and 6405.

Phasing-out Timetable on Footwear Quotas by the Slovak Republic

HS/CN Code	2001	2002	2003	2004	2005
6401 to 6405	15% increase	15% increase	15% increase	15% increase	proposed removal

[3] The WTO Agreement as defined in the Draft Protocol on the Accession of China, Section 1, para. 2.

Turkey: quantitative restrictions for non-textile products maintained on imports from China

Turkey maintains quantitative restrictions on the goods specified below. Turkey undertakes to eliminate these restrictions by 1 January 2005.

	CN CODE	DESCRIPTION OF GOODS	Quota (2000)
(1)	6402.99	Footwear	110 000 Pairs
	6403.51) 6403.59)	Footwear	26 826 Pairs
(1) (1)	6403.91) 6403.99)	Footwear	185 742 Pairs
(2)	6404.11.00.00.00	Footwear	754 350 Pairs
	6404.19.10.00.11) 6404.19.10.00.12) 6404.19.10.00.13)	Footwear	472 300 Pairs
	6911.10	Tableware, kitchenware of porcelain or china	15 225 kg
	6912.00	Ceramic tableware or kitchenware, other than of porcelain or china	45 675 kg

(1) Excluding footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

(2) Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of spikes, springs, stops, clips, bats or the like, with a non-injected sole,

(b) footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layered moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

WORLD TRADE ORGANIZATION

RESTRICTED

WT/ACC/CHN/49
1 October 2001

(01-4679)

Working Party on the Accession of China

REPORT OF THE WORKING PARTY ON THE ACCESSION OF CHINA

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I. INTRODUCTION

1. At its meeting on 4 March 1987, the Council established a Working Party to examine the request of the Government of the People's Republic of China ("China") (L/6017, submitted on 10 July 1986) for resumption of its status as a GATT contracting party, and to submit to the Council recommendations which may include a Draft Protocol on the Status of China. In a communication dated 7 December 1995, the Government of China applied for accession to the Marrakesh Agreement Establishing the World Trade Organization ("WTO Agreement") pursuant to Article XII of the WTO Agreement. Following China's application and pursuant to the decision of the General Council on 31 January 1995, the existing Working Party on China's Status as a GATT 1947 Contracting Party was transformed into a WTO Accession Working Party, effective from 7 December 1995. The terms of reference and the membership of the Working Party are reproduced in document WT/ACC/CHN/2/Rev.11 and Corr.1.

2. The Working Party on China's Status as a Contracting Party met on 20 occasions between 1987 and 1995 under the Chairmanship of H.E. Mr. Pierre-Louis Girard (Switzerland). The Working Party on the Accession of China met on 22 March 1996, 1 November 1996, 6 March 1997, 23 May 1997, 1 August 1997, 5 December 1997, 8 April 1998, 24 July 1998, 21 March 2000, 23 June 2000, 27 July 2000, 28 September 2000, 9 November 2000, 8 December 2000, 17 January 2001, 4 July 2001, 20 July 2001 and 17 September 2001 under the same Chairman. At meetings held on 9 November 2000, 8 December 2000 and 17 January 2001, Mr. Paul-Henri Ravier, Deputy Director-General of the WTO, served as Acting Chairman.

1. Documentation Provided

3. The Working Party had before it, to serve as a basis for its discussion, a Memorandum on China's Foreign Trade Regime (L/6125) and questions posed by members of the Working Party on the foreign trade regime of China, together with replies of the Chinese authorities thereto. In addition, the Government of China made available to the Working Party a substantial amount of documentation, which is listed in document WT/ACC/CHN/23/Rev.1.

2. Introductory Statements

4. In statements to the GATT 1947 Working Party and subsequently to the Working Party on the Accession of China, the representative of China stated that China's consistent efforts to resume its status as a contracting party to GATT and accession to the WTO Agreement were in line with its objective of economic reform to establish a socialist market economy as well as its basic national policy of opening to the outside world. China's WTO accession would increase its economic growth and enhance its economic and trade relations with WTO Members.

5. Members of the Working Party welcomed China's accession to the WTO Agreement and considered that its accession would contribute to a strengthening of the multilateral trading system, enhancing the universality of the WTO, bringing mutual benefits to China and to the other Members of the WTO, and ensuring the steady development of the world economy.

6. The representative of China said that China had a territory of 9.6 million square kilometres and, at the end of 1998 a population of 1.25 billion. Since 1979, China had been progressively reforming its economic system, with the objective of establishing and improving the socialist market economy. The reform package introduced in 1994, covering the banking, finance, taxation, investment, foreign exchange ("forex") and foreign trade sectors, had brought about major breakthroughs in China's socialist market economy. State-owned enterprises had been reformed by a clear definition of property rights and responsibilities, a separation of government from enterprise, and scientific management. A modern enterprise system had been created for the state-owned sector, and the latter was gradually getting on the track of growth through independent operation, responsible

for its own profits and losses. A nation-wide unified and open market system had been developed. An improved macroeconomic regulatory system used indirect means and market forces to play a central role in economic management and the allocation of resources. A new tax and financial system was functioning effectively. Financial policy had been separated from commercial operations of the central bank, which now focussed on financial regulation and supervision. The exchange rate of the Chinese currency Renminbi (also "RMB") had been unified and remained stable. The Renminbi had been made convertible on current account. Further liberalization of pricing policy had resulted in the majority of consumer and producer products being subject to market prices. The market now played a much more significant role in boosting supply and meeting demand.

7. The representative of China further noted that as a result, in 1999, the Gross Domestic Product ("GDP") of China totaled RMB 8.2054 trillion yuan (approximately US$ 990 billion). In 1998, the net per capita income for rural residents was RMB 2,160 yuan (approximately US$ 260), and the per capita dispensable income for urban dwellers was RMB 5,425 yuan (approximately US$ 655). In recent years, foreign trade had grown substantially. In 1999, total imports and exports of goods reached US$ 360.65 billion, of which exports stood at US$ 194.93 billion, and imports, US$ 165.72 billion. Exports from China in 1998 accounted for 3.4 per cent of the world's total.

8. The representative of China stated that although important achievements have been made in its economic development, China was still a developing country and therefore should have the right to enjoy all the differential and more favourable treatment accorded to developing country Members pursuant to the WTO Agreement.

9. Some members of the Working Party indicated that because of the significant size, rapid growth and transitional nature of the Chinese economy, a pragmatic approach should be taken in determining China's need for recourse to transitional periods and other special provisions in the WTO Agreement available to developing country WTO Members. Each agreement and China's situation should be carefully considered and specifically addressed. In this regard it was stressed that this pragmatic approach would be tailored to fit the specific cases of China's accession in a few areas, which were reflected in the relevant provisions set forth in China's Draft Protocol and Working Party Report. Noting the preceding statements, Members reiterated that all commitments taken by China in her accession process were solely those of China and would prejudice neither existing rights and obligations of Members under the WTO Agreement nor on-going and future WTO negotiations and any other process of accession. While noting the pragmatic approach taken in China's case in a few areas, Members also recognized the importance of differential and more favourable treatment for developing countries embodied in the WTO Agreement.

10. At the request of interested members of the Working Party, the representative of China agreed that China would undertake bilateral market access negotiations with respect to industrial and agricultural products, and initial commitments in services.

11. Some members of the Working Party stated that in addition to undertaking market access negotiations in goods and services, close attention should also be paid to China's multilateral commitments, in particular China's future obligations under the Multilateral Agreements on Trade in Goods and the General Agreement on Trade in Services ("GATS"). This was of vital importance to ensure that China would be able to take full benefit of WTO membership as quickly as possible, as well as to ensure that the value of any market access conditions undertaken were not adversely affected by inconsistent measures such as some types of non-tariff measures.

12. The representative of China stated that the achievement of balance between rights and obligations was the basic principle in its negotiation of WTO accession.

13. Some members of the Working Party expressed concern over discrepancies in statistical information supplied by the Government of China on trade volume/value. Members and China pursued this issue separately in an Informal Group of Experts on Export Statistics.

14. The Working Party reviewed the foreign trade regime of China. The discussions and commitments resulting therefrom are contained in paragraphs 15-342 below and in the Draft Protocol of Accession ("Draft Protocol"), including the annexes.

II. ECONOMIC POLICIES

1. Non-Discrimination (including national treatment)

15. Some members expressed concern regarding the application of the principle of non-discrimination in relation to foreign individuals and enterprises (whether wholly or partly foreign funded). Those members stated that China should enter a commitment to accord non-discriminatory treatment to all foreign individuals and enterprises and foreign-funded enterprises in respect of the procurement of inputs and goods and services necessary for production of goods and the conditions under which their goods were produced, marketed or sold, in the domestic market and for export. In addition, those members said that China should also enter a commitment to guarantee non-discriminatory treatment in respect of the prices and availability of goods and services supplied by national and sub-national authorities and public or state enterprises, in areas including transportation, energy, basic telecommunications, other utilities and factors of production.

16. Some members of the Working Party also raised concerns over China's practice of conditioning or imposing restrictions upon participation in the Chinese economy based upon the nationality of the entity concerned. Those members in particular raised concerns over such practices in relation to the pricing and procurement of goods and services, and the distribution of import and export licences. Members of the Working Party requested that China enter into a commitment not to condition such practices on the nationality of the entity concerned.

17. In response, the representative of China emphasized the importance of the commitments that the government was undertaking on non-discrimination. The representative of China noted, however, that any commitment to provide non-discriminatory treatment to Chinese enterprises, including foreign-funded enterprises, and foreign enterprises and individuals in China, would be subject to other provisions of the Draft Protocol and, in particular, would not prejudice China's rights under the GATS, China's Schedule of Specific Commitments or commitments undertaken in relation to trade-related investment measures.

18. The representative of China further confirmed that China would provide the same treatment to Chinese enterprises, including foreign-funded enterprises, and foreign enterprises and individuals in China. China would eliminate dual pricing practices as well as differences in treatment accorded to goods produced for sale in China in comparison to those produced for export. The Working Party took note of these commitments.

19. The representative of China confirmed that, consistent with China's rights and obligations under the WTO Agreement and the Draft Protocol, China would provide non-discriminatory treatment to all WTO Members, including Members of the WTO that were separate customs territories. The Working Party took note of this commitment.

20. Some members of the Working Party expressed concern about certain provisions of Chinese laws, regulations, administrative notices and other requirements which could, directly or indirectly, result in less favourable treatment of imported products in contravention of Article III of the General Agreement on Tariffs and Trade ("GATT 1994"). Such requirements included product registration and certification, internal taxation, price and profit controls and all distinct forms of licensing for

imports, and distribution or sale of imported goods. Even where such requirements existed in relation to domestically produced goods, those members reiterated that any de facto or de jure less favourable treatment of imported goods had to be eliminated in order to ensure full conformity with the principle of national treatment.

21. Some members of the Working Party drew China's attention to the variety of types of requirements which could contravene Article III of the GATT 1994. Specific reference was made to the procedures, charges and conditions for granting of business licences, whether to import, distribute, re-sell or retail goods of non-Chinese origin. Reference was also made to taxes and fiscal provisions whose impact depended, directly or indirectly, upon the Chinese or non-Chinese origin of the goods imported or traded. Those members drew the attention of China to its obligation to ensure that product testing and certification requirements, including procedures for in situ inspections, posed no greater burden – whether financial or practical - on goods of non-Chinese origin than on domestic goods. Those members underlined that conformity assessment procedures and standards, including safety and other compliance requirements, had to respect the terms of the WTO Agreement on Technical Barriers to Trade ("TBT Agreement") as well as Article III of the GATT 1994.

22. The representative of China confirmed that the full respect of all laws, regulations and administrative requirements with the principle of non-discrimination between domestically produced and imported products would be ensured and enforced by the date of China's accession unless otherwise provided in the Draft Protocol or Report. The representative of China declared that, by accession, China would repeal and cease to apply all such existing laws, regulations and other measures whose effect was inconsistent with WTO rules on national treatment. This commitment was made in relation to final or interim laws, administrative measures, rules and notices, or any other form of stipulation or guideline. The Working Party took note of these commitments.

23. In particular, the representative of China confirmed that measures would be taken at national and sub-national level, including repeal or modification of legislation, to provide full GATT national treatment in respect of laws, regulations and other measures applying to internal sale, offering for sale, purchase, transportation, distribution or use of the following:

– After sales service (repair, maintenance and assistance), including any conditions applying to its provision, such as the MOFTEC third Decree of 6 September 1993, imposing mandatory licensing procedures for the supply of after-sales service on various imported products;

– Pharmaceutical products, including regulations, notices and measures which subjected imported pharmaceuticals to distinct procedures and formulas for pricing and classification, or which set limits on profit margins attainable and imports, or which created any other conditions regarding price or local content which could result in less favourable treatment of imported products;

– Cigarettes, including unification of the licensing requirements so that a single licence authorized the sale of all cigarettes, irrespective of their country of origin, and elimination of any other restrictions regarding points of sale for imported products, such as could be imposed by the China National Tobacco Corporation ("CNTC"). It was understood that in the case of cigarettes, China could avail itself of a transitional period of two years to fully unify the licensing requirements. Immediately upon accession, and during the two year transitional period, the number of retail outlets selling imported cigarettes would be substantially increased throughout the territory of China;

– Spirits, including requirements applied under China's "Administrative Measures on Imported Spirits in the Domestic Market", and other provisions which imposed distinct criteria and licensing for the distribution and sale of different categories of spirits, including unification of

the licensing requirements so that a single licence authorized the sale of all spirits irrespective of their country of origin;

– Chemicals, including registration procedures applicable to imported products, such as those applied under China's "Provisions on the Environmental Administration of Initial Imports of Chemical Products and Imports and Exports of Toxic Chemical Products";

– Boilers and pressure vessels, including certification and inspection procedures which had to be no less favourable than those applied to goods of Chinese origin, and fees applied by the relevant agencies or administrative bodies, which had to be equitable in relation to those chargeable for like products of domestic origin.

The representative of China stated that in the cases of pharmaceuticals, spirits and chemicals cited above, China would reserve the right to use a transitional period of one year from the date of accession in order to amend or repeal the relevant legislation. The Working Party took note of these commitments.

2. Monetary and Fiscal Policy

24. The representative of China stated that through the reform and opening up in the last two decades, China had established a fiscal management system which was compatible with the principles of a market economy. With respect to fiscal revenue, a taxation system with a value-added tax as the main element had been established since the taxation reform in 1994. With respect to fiscal expenditure, over recent years the government had, in line with the public fiscal requirement generally exercised by market economies, strengthened its adjustment of the structure of expenditure and given priority to public needs so as to ensure the normal operations of the government.

25. The representative of China further stated that in recent years, while pursuing proactive fiscal policy, China had implemented proper monetary policy and had taken a series of adjusting and reform measures which included lowering the interest rate for loans from financial institutions, improving the system of required deposit reserves and lowering the ratio of required reserves, positively increasing the input of base money and encouraging the commercial banks to expand their credit.

26. In respect of future fiscal policy, the representative of China noted that the Government of China would further improve its taxation system and would continue to improve the efficiency of fiscal expenditure through implementing reform measures such as sectoral budget, centralized payment by the national treasury and zero base budget, as well as improving management of fiscal expenditure. With respect to future monetary policy, the central bank would continue to pursue a prudent policy, maintain the stability of RMB, promote interest rate liberalization and establish a modern commercial banking system.

3. Foreign Exchange and Payments

27. Some members of the Working Party raised concerns about China's use of forex controls to regulate the level and composition of trade in goods and services. In response, the representative of China stated that China was now a member of the International Monetary Fund ("IMF") and that recently its system of forex had undergone rapid change. Significant moves had been taken to reform, rationalize and liberalize the forex market. The practice of multiple exchange rates in swap centres had been abolished. China had already unified its forex market and removed many of the restrictions on the use of forex.

28. Outlining the historical development of China's forex reform, the representative of China stated that the purpose of China's forex reform was to reduce administrative intervention and increase the role of market forces. From 1979, a forex retention system was applied in China, although forex

swap was gradually developing. In early 1994, official RMB exchange rates were unified with the market rates. The banking exchange system was adopted and a nationwide unified inter-bank forex market was established, with conditional convertibility of the Renminbi on current accounts. Since 1996, foreign invested enterprises ("FIEs") were also permitted into the banking exchange system, and the remaining exchange restrictions on current accounts were eliminated. On 1 December 1996, China had formally accepted the obligations of Article VIII of the IMF's Articles of Agreement, removing exchange restrictions on current account transactions. Accordingly, since then the Renminbi had been fully convertible on current accounts. It was confirmed by the IMF in its Staff Report on Article IV Consultations with China in 2000 that China had no existing forex restrictions for current account transactions.

29. The representative of China stated that the State Administration of Foreign Exchange ("SAFE") was under the auspices of the People's Bank of China ("PBC"), and was the administrative organ empowered to regulate forex. Its main functions were to monitor and advise on balance-of-payments and forex matters. SAFE was also required to draft appropriate regulations and monitor compliance. He further noted that domestic and foreign banks, and financial institutions could engage in forex business, with the approval of the PBC.

30. In response to requests from members of the Working Party for further information, the representative of China added that for forex payments under current accounts, domestic entities (including FIEs) could purchase forex at market exchange rates from designated banks or debit their forex accounts directly upon presentation of valid documents. For payments such as pre-payment, commission, etc., exceeding the proportion or limit, the entities could also purchase forex from the banks upon meeting the bona fide test administered by SAFE. Forex for personal use by individuals could be purchased directly from the banks upon presentation of valid documents (within a specified limit). For amounts exceeding the limit, individuals able to prove their need for additional forex could purchase it from the banks. He also noted that current account forex receipts owned by domestic entities had to be repatriated into China, some of which could be retained and some sold to the designated banks at market rates. A verification system for forex payment (imports) and forex receipt (exports) had also been adopted.

31. Concerning the exchange rate regime in particular, the representative of China noted that since the unification of exchange rates on 1 January 1994, China had adopted a single and managed floating exchange rate regime based on supply and demand. PBC published the reference rates of RMB against the US dollar, the HK dollar and Japanese yen based on the weighted average prices of forex transactions at the interbank forex market during the previous day's trading. The buying and selling rates of RMB against the US dollar on the inter-bank forex market could fluctuate within 0.3 per cent of the reference rate. For the HK dollar and Japanese yen, the permitted range was 1 per cent. Designated forex banks could deal with their clients at an agreed rate. Under such contracts the exchange rate of the US dollar was required to be within 0.15 per cent of the reference rate, whereas for the HK dollar and Japanese yen, the permitted range was 1 per cent. The exchange rates for other foreign currencies were based on the rates of RMB against the US dollar and cross-exchange rates of other foreign currency on the international market. The permitted margin between the buying and selling rate could not exceed 0.5 per cent.

32. The representative of China further noted that since 1 January 1994, designated forex banks had become major participants in forex transactions. On 1 April 1994, the China Foreign Exchange Trading System was set up in Shanghai and branches were opened in dozens of cities. The Foreign Exchange Trading System had adopted a system of membership, respective quotation, concentrated trading and forex market settlement. Designated forex banks dealt on the inter-bank market according to the turnover position limit on banking exchange stipulated by SAFE and covered the position on the market. Depending on its macro-economic objectives, the PBC could intervene in the forex open market in order to regulate market supply and demand, and maintain the stability of the RMB exchange rate.

33. The representative of China noted that since 1 July 1996, forex dealing of the FIEs was carried out through the banking exchange system. He further noted that to encourage foreign direct investment, China had granted national treatment to FIEs in exchange administration. Accordingly, FIEs were allowed to open and hold forex settlement accounts to retain receipts under current accounts, up to a maximum amount stipulated by SAFE. Receipts in excess of the maximum amount were required to be sold to designated forex banks. No restrictions were maintained on the payment and transfer of current transactions by FIEs, and FIEs could purchase forex from designated forex banks or debit their forex accounts for any payment under current transactions, upon the presentation of valid documents to the designated forex banks or SAFE for the bona fide test. FIEs could also open forex accounts to hold foreign-invested capital, and they could sell from these accounts upon the approval of SAFE. FIEs could also borrow forex directly from domestic and overseas banks, but were required to register with SAFE afterwards, and obtain approval by SAFE for debt repayment and services. FIEs could make payments from their forex accounts or in forex purchased from designated forex banks after liquidation, upon approval by SAFE according to law.

34. The representative of China further noted that the laws and regulations mentioned above were: Law of the People's Republic of China on Chinese-Foreign Equity Joint Venture; Law of the People's Republic of China on Chinese-Foreign Contractual Joint Venture; Regulations on the Exchange System of the People's Republic of China; and Regulations on the Sale and Purchase of and Payment in Foreign Exchange.

35. The representative of China stated that China would implement its obligations with respect to forex matters in accordance with the provisions of the WTO Agreement and related declarations and decisions of the WTO that concerned the IMF. The representative further recalled China's acceptance of Article VIII of the IMF's Articles of Agreement, which provided that "no member shall, without the approval of the Fund, impose restrictions on the making of payments and transfers for current international transactions". He stated that, in accordance with these obligations, and unless otherwise provided for in the IMF's Articles of Agreement, China would not resort to any laws, regulations or other measures, including any requirements with respect to contractual terms, that would restrict the availability to any individual or enterprise of forex for current international transactions within its customs territory to an amount related to the forex inflows attributable to that individual or enterprise. The Working Party took note of these commitments.

36. In addition, the representative of China stated that China would provide information on exchange measures as required under Article VIII, Section 5 of the IMF's Articles of Agreement, and such other information on its exchange measures as was deemed necessary in the context of the transitional review mechanism. The Working Party took note of this commitment.

4. Balance-of-Payments Measures

37. Some members of the Working Party stated that China should apply balance-of-payments ("BOPs") measures only under the circumstances provided for in the WTO Agreement and not as a justification for imposition of restrictions on imports for other protectionist purposes. Those members stated that measures taken for BOPs reasons should have the least trade disruptive effect possible and should be limited to temporary import surcharges, import deposit requirements or other equivalent price-based trade measures, and those measures should not be used to provide import protection for specific sectors, industries or products.

38. Those members of the Working Party further stated that any such measures should be notified pursuant to the Understanding on the Balance-of-Payments Provisions of the GATT 1994 ("BOPs Understanding") to the General Council not later than the imposition of the measures, together with a time schedule for their elimination and a programme of external and domestic policy measures to be used to restore BOPs equilibrium. Those members also stated that following deposit of such a notification, the Committee on Balance-of-Payments Restrictions ("BOPs Committee") should meet

to examine the notification. It was noted that paragraph 4 of the BOPs Understanding would be available to China in the case of "essential products". Some members stated that the BOPs Committee should review the operation of any BOPs measures taken by China, if so requested by China or a WTO Member.

39. Some other members of the Working Party considered that, in respect of measures taken for BOP purposes, China should enjoy the same rights as those accorded to other developing country WTO Members, as provided in GATT Article XVIII:B and the BOPs Understanding.

40. In response, the representative of China stated that China considered that it should have the right to make full use of WTO BOPs provisions to protect, if necessary, its BOPs situation. He confirmed that China would fully comply with the provisions of the GATT 1994 and the BOPs Understanding. Further to such compliance, China would give preference to application of price-based measures as set forth in the BOPs Understanding. If China resorted to measures that were not price-based, it would transform such measures into price-based measures as soon as possible. Any measures taken would be maintained strictly in accordance with the GATT 1994 and the BOPs Understanding, and would not exceed what was necessary to address the particular BOPs situation. The representative of China also confirmed that measures taken for BOPs reasons would only be applied to control the general level of imports and not to protect specific sectors, industries or products, except as noted in paragraph 38. The Working Party took note of these commitments.

5. Investment Regime

41. The representative of China stated that since the inception of the reform and opening up policy in the late 1970's, China had carried out a series of reforms of its investment regime. The highly centralized investment administration under the planned economy had been progressively transformed into a new pattern of diversification of investors, multi-channelling of capital sources and diversification of investment modalities. The government encouraged foreign investment into the Chinese market and had uninterruptedly opened and expanded the scope for investment. At the same time, the Government of China also encouraged the development of the non-state-operated economy and was speeding up the opening of areas for non-state investment. With China's programme in the establishment of its market economy, the construction projects of various enterprises utilizing free capital and financed by the credit of the enterprise would be fully subject to the decision-making of the enterprise concerned and at their own risk. The commercial banks' credit activities to all kinds of investors would be based on their own evaluation and decision-making, and would be at their own risk. The business activities of intermediate investment agencies would be fully subject to the market and would provide service at the instruction of the investors. These agencies would break up their administrative relations with government agencies and the service activities financed by the government would also be subject to the terms and conditions agreed in the contracts concerned.

42. The representative of China further stated that China had promulgated investment guidelines and that the Government of China was in the process of revising and completing these guidelines. Responding to concerns raised by certain members of the Working Party, he confirmed that these investment guidelines and their implementation would be in full conformity with the WTO Agreement. The Working Party took note of this commitment.

6. State-Owned and State-Invested Enterprises

43. The representative of China stated that the state-owned enterprises of China basically operated in accordance with rules of market economy. The government would no longer directly administer the human, finance and material resources, and operational activities such as production, supply and marketing. The prices of commodities produced by state-owned enterprises were decided by the market and resources in operational areas were fundamentally allocated by the market. The state-owned banks had been commercialized and lending to state-owned enterprises took place

exclusively under market conditions. China was furthering its reform of state-owned enterprises and establishing a modern enterprise system.

44. In light of the role that state-owned and state-invested enterprises played in China's economy, some members of the Working Party expressed concerns about the continuing governmental influence and guidance of the decisions and activities of such enterprises relating to the purchase and sale of goods and services. Such purchases and sales should be based solely on commercial considerations, without any governmental influence or application of discriminatory measures. In addition, those members indicated the need for China to clarify its understanding of the types of activities that would not come within the scope of Article III:8(a) of GATT 1994. For example, any measure relating to state-owned and state-invested enterprises importing materials and machinery used in the assembly of goods, which were then exported or otherwise made available for commercial sale or use or for non-governmental purposes, would not be considered to be a measure relating to government procurement.

45. The representative of China emphasized the evolving nature of China's economy and the significant role of FIEs and the private sector in the economy. Given the increasing need and desirability of competing with private enterprises in the market, decisions by state-owned and state-invested enterprises had to be based on commercial considerations as provided in the WTO Agreement.

46. The representative of China further confirmed that China would ensure that all state-owned and state-invested enterprises would make purchases and sales based solely on commercial considerations, e.g., price, quality, marketability and availability, and that the enterprises of other WTO Members would have an adequate opportunity to compete for sales to and purchases from these enterprises on non-discriminatory terms and conditions. In addition, the Government of China would not influence, directly or indirectly, commercial decisions on the part of state-owned or state-invested enterprises, including on the quantity, value or country of origin of any goods purchased or sold, except in a manner consistent with the WTO Agreement. The Working Party took note of these commitments.

47. The representative of China confirmed that, without prejudice to China's rights in future negotiations in the Government Procurement Agreement, all laws, regulations and measures relating to the procurement by state-owned and state-invested enterprises of goods and services for commercial sale, production of goods or supply of services for commercial sale, or for non-governmental purposes would not be considered to be laws, regulations and measures relating to government procurement. Thus, such purchases or sales would be subject to the provisions of Articles II, XVI and XVII of the GATS and Article III of the GATT 1994. The Working Party took note of this commitment.

48. Certain members of the Working Party expressed concern about laws, regulations and measures in China affecting the transfer of technology, in particular in the context of investment decisions. Moreover, these members expressed concern about measures conditioning the receipt of benefits, including investment approvals, upon technology transfer. In their view, the terms and conditions of technology transfer, particularly in the context of an investment, should be agreed between the parties to the investment without government interference. The government should not, for example, condition investment approval upon technology transfer.

49. The representative of China confirmed that China would only impose, apply or enforce laws, regulations or measures relating to the transfer of technology, production processes, or other proprietary knowledge to an individual or enterprise in its territory that were not inconsistent with the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights ("TRIPS Agreement") and the Agreement on Trade-Related Investment Measures ("TRIMs Agreement"). He confirmed that the terms and conditions of technology transfer, production processes or other proprietary knowledge,

particularly in the context of an investment, would only require agreement between the parties to the investment. The Working Party took note of these commitments.

7. Pricing Policies

50. Some members of the Working Party noted that China had made extensive use of price controls, for example in the agricultural sector. Those members requested that China undertake specific commitments concerning its system of state pricing. In particular, those members stated that China should allow prices for traded goods and services in every sector to be determined by market forces, and multi-tier pricing practices for such goods and services should be eliminated. Those members noted, however, that China expected to maintain price controls on the goods and services listed in Annex 4 to the Draft Protocol, and stated that any such controls should be maintained in a manner consistent with the WTO Agreement, in particular Article III of the GATT 1994 and Annex 2, paragraphs 3 and 4, of the Agreement on Agriculture. Those members noted that except in exceptional circumstances, and subject to notification to the WTO Secretariat, price controls should not be extended to goods or services beyond those listed in Annex 4, and China should make its best efforts to reduce and eliminate those controls. They also asked that China publish in the appropriate official journal the list of goods and services subject to state pricing and changes thereto.

51. Some members of the Working Party expressed the view that price controls and state pricing in China also encompassed "guidance pricing" and regulation of the range of profits that enterprises could enjoy. Such policies and practices would also be subject to China's commitments. In their view, price controls should be adopted only in extraordinary circumstances and should be removed as soon as the circumstances justifying their adoption were addressed.

52. The representative of China said that China currently applied a mechanism of market-based pricing under macro-economic adjustment. He noted that national treatment was applied in the areas of government pricing for all imported goods. There were presently three types of prices: government price, government guidance price and market-regulated price. The government price was set by price administration authorities and could not be changed without the approval of these authorities. Products and services subject to government pricing were those having a direct bearing on the national economy and the basic needs of the people's livelihood, including those products that were scarce in China.

53. The representative of China stated that when government prices or government guidance prices needed to be adjusted or reset, the agencies or operators concerned should apply or propose to the competent pricing authorities for that purpose. There was not a fixed time frame for the adjustment of government prices or government guidance prices. Competent agencies or operators could, in the light of market changes and according to relevant provisions of the Price Law, submit applications or proposals to the competent pricing authorities for pricing or adjustment of the original prices. The government pricing authorities would, in the light of such factors as market demand and supply, operational costs, effect on consumers as well as the quality of services, determine specific prices for the services concerned, or set guidance prices and floating ranges within which operators could determine specific prices. When setting prices for public utilities, important public welfare services and goods subject to natural monopolies and services which were of vital interest to the general public, government pricing authorities would hold public hearings and invite consumers, operators and other concerned parties to comment and debate on the necessity and impact of a price adjustment. The prices of important services were subject to the approval of the State Council. This mechanism had helped to significantly improve the rationality and transparency of government pricing. All enterprises, regardless of their nature and ownership, were free to participate in such hearings and voice their opinions and concerns which would be taken into consideration by the competent pricing authorities. Meanwhile, government pricing was product- or service-specific, regardless of the ownership of the enterprises concerned. All the enterprises and individuals enjoyed

the same treatment in terms of participating in the process of setting government prices and government guidance prices.

54. The representative of China added that the government guidance price mechanism was a more flexible form of pricing. The price administration authorities stipulated either a basic price or floating ranges. The floating range of guidance pricing was generally 5 per cent to 15 per cent. Enterprises could, within the limits of the guidance and taking into account the market situation, make their own decisions on prices. With market-regulated prices, enterprises were free to set prices in accordance with supply and demand to the extent permitted by generally applicable laws, regulations and policies concerning prices.

55. The representative of China stated that in formulating government prices and government guidance prices, the following criteria were taken into account: normal production costs, supply and demand situation, relevant government policies and prices of related products. When fixing prices of consumer goods, consideration was given to the limits of consumers' purchasing power. He noted that due to the continued reform of China's price system, the share of government prices had dropped substantially and that of market-regulated prices had increased; of social retailing products, the share of government prices was about 4 per cent, that of government guidance prices 1.2 per cent, and that of market-regulated prices 94.7 per cent. For agricultural products, the share of government prices was 9.1 per cent, government guidance prices 7.1 per cent, and market-regulated 83.3 per cent. For production inputs, the share of government prices was 9.6 per cent, that of government guidance prices 4.4 per cent, and market-regulated prices 86 per cent. The share of directly government-controlled prices had been much reduced. China's price system was becoming increasingly rationalized, creating a relatively fair marketplace for all enterprises to compete on an equal footing.

56. The representative of China recalled that Annex 4 of the Draft Protocol contained a comprehensive listing of all products and services presently subject to government guidance pricing and government pricing. He stated that the services subject to price controls were listed in Annex 4 by their respective CPC codes.

57. Some members of the Working Party requested additional information on the specific activities subject to government pricing or government guidance pricing. In particular, those members requested information on professional services, educational services, and charges for settlement clearing and transmission services of banks. In response, the representative of China stated that "The Administrative Rules on Intermediate Services" promulgated in 1999 by six central government agencies led by the State Development and Planning Commission ("SDPC") dealt with government pricing on intermediate services such as inspection authentication, notarization and arbitration and services which were in limited supply due to their special requirements. For legal services, the Interim Regulation on Charges and Fees of Legal Services, jointly promulgated by the SDPC and the Ministry of Justice stipulated that for law firms practising Chinese law, charges and fees for the following activities were subject to the approval of the SDPC: (1) representing a client in a civil case, including an appeal; (2) representing a client in a case contesting an administrative agency's decision; (3) providing legal advice to criminal suspects, acting for a client in connection with an appeal or prosecution, applying for bail, representing a defendant or victim in a criminal case; and (4) representing a client in an arbitration. For foreign legal service providers engaged in activities such as those listed in China's GATS schedule, the foreign legal service providers would determine the appropriate charges and fees which would not be subject to government pricing or guidance pricing.

58. The representative of China noted that regulations also existed for the other services included in Annex 4. Government pricing and guidance pricing covered auditing services. For architectural services, advisory and pre-design architectural services and contract administration activities were subject to government pricing or government guidance pricing. For engineering services, advisory and consultative services, engineering design services for the construction of foundations and building

structures, design services for mechanical and electrical installations for buildings, construction of civil engineering works, and industrial processes and production were subject to government pricing or government guidance pricing. Primary, secondary and higher education services were subject to government pricing.

59. The representative of China further explained that charges for settlement, clearing and transmission services of banks referred to in Annex 4 related to the charges and fees collected by banks for the services provided to enterprises and individuals when the banks conducted currency payments and transmission and fund settlements by using clearance methods such as bills and notes, collections and acceptances. These mainly included commission charges of bills, cashier's cheques, cheques, remittances, entrusted collections of payment, and collections and acceptances of banks.

60. The representative of China confirmed that it would publish in the official journal the list of goods and services subject to state pricing and changes thereto, together with price-setting mechanisms and policies. The Working Party took note of these commitments.

61. The representative of China confirmed that the official journal providing price information was the Pricing Monthly of the People's Republic of China, published in Beijing. It was a monthly magazine listing all products and services priced by the State. He further stated that China would continue to further its price reform, adjusting the catalogue subject to state pricing and further liberalize its pricing policies.

62. The representative of China further confirmed that price controls would not be used for purposes of affording protection to domestic industries or services providers. The Working Party took note of this commitment.

63. Some members of the Working Party expressed a concern that China could maintain prices below market-based ones in order to limit imports.

64. In response, the representative of China confirmed that China would apply its current price controls and any other price controls upon accession in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. He also confirmed that price controls would not have the effect of limiting or otherwise impairing China's market-access commitments on goods and services. The Working Party took note of these commitments.

8. Competition Policy

65. The representative of China noted that the Government of China encouraged fair competition and was against acts of unfair competition of all kinds. The Law of the People's Republic of China on Combating Unfair Competition, promulgated on 2 September 1993 and implemented on 1 December 1993, was the basic law to maintain the order of competition in the market. In addition, the Price Law, the Law on Tendering and Bidding, the Criminal Law and other relevant laws also contained provisions on anti-monopoly and unfair competition. China was now formulating the Law on Anti-Monopoly.

III. FRAMEWORK FOR MAKING AND ENFORCING POLICIES

1. Structure and Powers of the Government

66. The representative of China informed members of the Working Party that in accordance with the Constitution and the Law on Legislation of the People's Republic of China, the National People's Congress was the highest organ of state power. Its permanent body was its Standing Committee. The National People's Congress and its Standing Committee exercised the legislative power of the State.

They had the power to formulate the Constitution and laws. The State Council, i.e., the Central People's Government of China, was the executive body of the highest organ of state power. The State Council, in accordance with the Constitution and relevant laws, was entrusted with the power to formulate administrative regulations. The ministries, commissions and other competent departments (collectively referred to as "departments") of the State Council could issue departmental rules within the jurisdiction of their respective departments and in accordance with the laws and administrative regulations. The provincial people's congresses and their standing committees could adopt local regulations. The provincial governments had the power to make local government rules. The National People's Congress and its Standing Committee had the power to annul the administrative regulations that contradicted the Constitution and laws as well as the local regulations that contradicted the Constitution, laws and administrative regulations. The State Council had the power to annul departmental rules and local government rules that were inconsistent with the Constitution, laws or administrative regulations. These features of the Chinese legal system would ensure an effective and uniform implementation of the obligations after China's accession.

67. The representative of China stated that China had been consistently performing its international treaty obligations in good faith. According to the Constitution and the Law on the Procedures of Conclusion of Treaties, the WTO Agreement fell within the category of "important international agreements" subject to the ratification by the Standing Committee of the National People's Congress. China would ensure that its laws and regulations pertaining to or affecting trade were in conformity with the WTO Agreement and with its commitments so as to fully perform its international obligations. For this purpose, China had commenced a plan to systematically revise its relevant domestic laws. Therefore, the WTO Agreement would be implemented by China in an effective and uniform manner through revising its existing domestic laws and enacting new ones fully in compliance with the WTO Agreement.

68. The representative of China confirmed that administrative regulations, departmental rules and other central government measures would be promulgated in a timely manner so that China's commitments would be fully implemented within the relevant time frames. If administrative regulations, departmental rules or other measures were not in place within such time frames, authorities would still honour China's obligations under the WTO Agreement and Draft Protocol. The representative of China further confirmed that the central government would undertake in a timely manner to revise or annul administrative regulations or departmental rules if they were inconsistent with China's obligations under the WTO Agreement and Draft Protocol. The Working Party took note of these commitments.

2. Authority of Sub-National Governments

69. Several members of the Working Party raised concerns about the continued presence of multiple trade instruments used by different levels of government within China. Those members considered that this situation resulted in a lessening of the security and predictability of access to the Chinese market. These Members raised specific concerns regarding the authority of sub-national governments in the areas of fiscal, financial and budgetary activities, specifically with respect to subsidies, taxation, trade policy and other issues covered by the WTO Agreement and the Draft Protocol. In addition, some members expressed concerns about whether the central government could effectively ensure that trade-related measures introduced at the sub-national level would conform to China's commitments in the WTO Agreement and the Draft Protocol.

70. The representative of China stated that sub-national governments had no autonomous authority over issues of trade policy to the extent that they were related to the WTO Agreement and the Draft Protocol. The representative of China confirmed that China would in a timely manner annul local regulations, government rules and other local measures that were inconsistent with China's obligations. The representative of China further confirmed that the central government would ensure that China's laws, regulations and other measures, including those of local governments at the sub-

national level, conformed to China's obligations undertaken in the WTO Agreement and the Draft Protocol. The Working Party took note of these commitments.

3. Uniform Administration of the Trade Regime

71. Some members of the Working Party stated that it should be made clear that China would apply the requirements of the WTO Agreement and its other accession commitments throughout China's entire customs territory, including border trade regions, minority autonomous areas, Special Economic Zones ("SEZs"), open coastal cities, economic and technical development zones and other special economic areas and at all levels of government.

72. Those members of the Working Party also raised concerns about whether China's central government would be sufficiently informed about non-uniform practices and would take necessary enforcement actions. Those members stated that China should establish a mechanism by which any concerned person could bring to the attention of the central government cases of non-uniform application of the trade regime and receive prompt and effective action to address situations in which non-uniform application was established.

73. The representative of China confirmed that the provisions of the WTO Agreement, including the Draft Protocol, would be applied uniformly throughout its customs territory, including in SEZs and other areas where special regimes for tariffs, taxes and regulations were established and at all levels of government. The Working Party took note of this commitment.

74. In response to questions from certain members of the Working Party, the representative of China confirmed that laws, regulations and other measures included decrees, orders, directives, administrative guidance and provisional and interim measures. He stated that in China, local governments included provincial governments, including autonomous regions and municipalities directly under the central government, cities, counties and townships. The representative of China further stated that local regulations, rules and other measures were issued by local governments at the provincial, city and county levels acting within their respective constitutional powers and functions and applied at their corresponding local level. Townships were only authorized to implement measures. Special economic areas were also authorized to issue and implement local rules and regulations.

75. The representative of China further confirmed that the mechanism established pursuant to Section 2(A) of the Draft Protocol would be operative upon accession. All individuals and entities could bring to the attention of central government authorities cases of non-uniform application of China's trade regime, including its commitments under the WTO Agreement and the Draft Protocol. Such cases would be referred promptly to the responsible government agency, and when non-uniform application was established, the authorities would act promptly to address the situation utilizing the remedies available under China's laws, taking into consideration China's international obligations and the need to provide a meaningful remedy. The individual or entity notifying China's authorities would be informed promptly in writing of any decision and action taken. The Working Party took note of these commitments.

4. Judicial Review

76. Some members of the Working Party stated that China should designate independent tribunals, contact points, and procedures for the prompt review of all administrative actions relating to the implementation of laws, regulations, judicial decisions and administrative rulings of general application referred to in Article X:1 of the GATT 1994, including administrative actions relating to import or export licences, non-tariff measures and tariff-rate quota administration, conformity assessment procedures and other measures. These members sought explicit confirmation that certain types of measures, such as decisions relating to standards and chemical registration, would be subject

to judicial review. Some members of the Working Party also stated that the administrative actions subject to review should also include any actions required to be reviewed under the relevant provisions of the TRIPS Agreement and the GATS. These members stated that such tribunals should be independent of the agencies entrusted with administrative enforcement of the matter and should not have any substantial interest in the outcome of the matter.

77. Those members of the Working Party stated that such review procedures should include the opportunity for appeal, without penalty, by individuals or enterprises affected by any administrative action subject to review. If an initial right of appeal were to an administrative body, there should be an opportunity to choose to make a further appeal to a judicial body. Any decision by any appellate body and the reasons therefore would be communicated in writing to the appellant, together with notification of any right to further appeal.

78. The representative of China confirmed that it would revise its relevant laws and regulations so that its relevant domestic laws and regulations would be consistent with the requirements of the WTO Agreement and the Draft Protocol on procedures for judicial review of administrative actions. He further stated that the tribunals responsible for such reviews would be impartial and independent of the agency entrusted with administrative enforcement, and would not have any substantial interest in the outcome of the matter. The Working Party took note of these commitments.

79. In response to questions from certain members of the Working Party, the representative of China confirmed that administrative actions related to the implementation of laws, regulations, judicial decisions and administrative rulings of general application referred to in Article X:1 of the GATT 1994, Article VI of the GATS and the relevant provisions of the TRIPS Agreement included those relating to the implementation of national treatment, conformity assessment, the regulation, control, supply or promotion of a service, including the grant or denial of a licence to provide a service and other matters, and that such administrative actions would be subject to the procedures established for prompt review under Section 2(D)(2) of the Draft Protocol, and information on such procedures would be available through the enquiry point that China would establish upon accession. The Working Party took note of these commitments.

IV. POLICIES AFFECTING TRADE IN GOODS

A. TRADING RIGHTS

1. General

80. Some members of the Working Party noted that China was in the process of liberalizing the availability of the right to import and export goods from China, but that such rights were now only available to some Chinese enterprises (totalling 35,000). In addition, foreign-invested enterprises had the right to trade, although this was restricted to the importation for production purposes and exportation, according to the enterprises' scope of business. Those members stated their view that such restrictions were inconsistent with WTO requirements, including Articles XI and III of GATT 1994, and welcomed China's commitment to progressively liberalize the availability and scope of the right to trade so that within three years after accession all enterprises would have the right to import and export all goods (except for the share of products listed in Annex 2A to the Draft Protocol reserved for importation and exportation by state trading enterprises) throughout the customs territory of China. Those members requested that China provide detailed information on the process and criteria that it would use to increase the number of enterprises with trading rights and the scope of products that enterprises could import and export during the transition period.

81. Some members of the Working Party also noted China's commitment to accord foreign enterprises and individuals, including those not invested or registered as enterprises in China, no less favorable treatment than that accorded enterprises in China with respect to the right to trade except as

otherwise provided for in the Draft Protocol. Members of the Working Party requested that China provide detailed information regarding the process for such enterprises and individuals to obtain the right to import and export goods.

82. Some members of the Working Party expressed concerns that after the transition period any linkage between an enterprise's scope of business or business licence and the right to trade would constitute a restriction on the right to import and export. Those members noted that within three years after accession, China would have to permit all enterprises in China to trade in all goods throughout the customs territory of China (except as otherwise provided in the Draft Protocol).

83. The representative of China confirmed that during the three years of transition, China would progressively liberalize the scope and availability of trading rights.

(a) The representative of China confirmed that, upon accession, China would eliminate for both Chinese and foreign-invested enterprises any export performance, trade balancing, foreign exchange balancing and prior experience requirements, such as in importing and exporting, as criteria for obtaining or maintaining the right to import and export.

(b) With respect to wholly Chinese-invested enterprises, the representative of China stated that although foreign-invested enterprises obtained limited trading rights based on their approved scope of business, wholly Chinese-invested enterprises were now required to apply for such rights and the relevant authorities applied a threshold in approving such applications. In order to accelerate this approval process and increase the availability of trading rights, the representative of China confirmed that China would reduce the minimum registered capital requirement (which applied only to wholly Chinese-invested enterprises) to obtain trading rights to RMB 5,000,000 for year one, RMB 3,000,000 for year two, RMB 1,000,000 for year three and would eliminate the examination and approval system at the end of the phase-in period for trading rights.

(c) The representative of China also confirmed that during the phase-in period, China would progressively liberalize the scope and availability of trading rights for foreign-invested enterprises. Such enterprises would be granted new or additional trading rights based on the following schedule. Beginning one year after accession, joint-venture enterprises with minority share foreign-investment would be granted full rights to trade and beginning two years after accession majority share foreign-invested joint-ventures would be granted full rights to trade.

(d) The representative of China also confirmed that within three years after accession, all enterprises in China would be granted the right to trade. Foreign-invested enterprises would not be required to establish in a particular form or as a separate entity to engage in importing and exporting nor would new business licence encompassing distribution be required to engage in importing and exporting.

The Working Party took note of these commitments.

84. (a) The representative of China reconfirmed that China would eliminate its system of examination and approval of trading rights within three years after accession. At that time, China would permit all enterprises in China and foreign enterprises and individuals, including sole proprietorships of other WTO Members, to export and import all goods (except for the share of products listed in Annex 2A to the Draft Protocol reserved for importation and exportation by state trading enterprises) throughout the customs territory of China. Such right, however, did not permit importers to distribute goods within China. Providing distribution services would be done in accordance with China's Schedule of Specific Commitments under the GATS.

(b) With respect to the grant of trading rights to foreign enterprises and individuals, including sole proprietorships of other WTO members, the representative of China confirmed that such rights would be granted in a non-discriminatory and non-discretionary way. He further confirmed that any requirements for obtaining trading rights would be for customs and fiscal purposes only and would not constitute a barrier to trade. The representative of China emphasized that foreign enterprises and individuals with trading rights had to comply with all WTO-consistent requirements related to importing and exporting, such as those concerning import licensing, TBT and SPS, but confirmed that requirements relating to minimum capital and prior experience would not apply.

The Working Party took note of these commitments.

2. Designated Trading

85. The representative of China stated that China would adjust and expand its list of enterprises under its designated trading regime annually during the transition period, leading up to full implementation of the commitment contained in Annex 2B. The current criteria for enterprises under the designated trading regime included registered capital, import and export volume and the import volume of products subject to designated trading in the previous year, bank credit rating and profits and losses.

86. Members of the Working Party noted China's commitment that it would phase out the limitation on the grant of trading rights for goods specified in Annex 2B of its Draft Protocol within three years after accession. In responding to questions raised by some members of the Working Party, the representative of China confirmed that China would progressively liberalize the right to trade in such goods by increasing the number of designated entities permitted to import goods in each of the three years of the transition period specified in Annex 2B. The representative of China added that China would eliminate import and export volume as a criterion for obtaining the right to trade these products, reduce minimum capitalization requirements and extend the right to register as designated importing and exporting enterprises to enterprises that used such goods in the production of finished goods and enterprises that distributed such goods in China. At the end of three years, all enterprises in China and all foreign enterprises and individuals would be permitted to import and export such goods throughout the customs territory of China. During the transition period, none of the criteria applicable under the designated trading regime would constitute a quantitative restriction on imports or exports. The Working Party took note of these commitments.

B. IMPORT REGULATION

1. Ordinary Customs Duties

87. Members of the Working Party welcomed China's decision to bind tariffs for all products in its schedule on market access for goods. This action would increase the certainty and predictability of this aspect of China's trade regime. Members also noted the substantial unilateral tariff reductions made in many sectors by China in recent years.

88. The representative of China provided members of the Working Party with a copy of the Customs Import and Export Tariff of the People's Republic of China ("Customs Tariff") and related laws and regulations. He noted that the Customs Tariff of China was a charge imposed on imported goods. The purpose of levying tariffs was twofold: (a) to regulate imports so as to promote and support domestic production; and (b) to serve as an important source of revenue for the treasury of the central government. China's tariff policy was to promote economic reform and opening of the economy. The basic principles for establishing duty rates were as follows. Duty-free or low duty rates were applied to imported goods which were needed for the national economy and the people's livelihood but which were not produced sufficiently domestically. Import duty rates on raw materials

were generally lower than those on semi-manufactured or manufactured products. For parts or components of machinery, equipment and instruments which were not produced domestically, or at a sufficiently high standard, the import duty was lower than the duty on finished products. Higher duty rates were applied to products which were produced domestically or which were considered non-essential for the national economy and the people's livelihood. A higher duty was applied to imported products, the equivalent of which were produced domestically and the local manufacturer of which needed protection.

89. The representative of China said that China had adopted the Harmonized Commodity Description and Coding System ("HS") as from 1 January 1992 and joined the International Convention on the Harmonized Commodity Description and Coding System in the same year. There were 21 sections, 97 chapters and 7062 eight-digit tariff headings based on the six-digit HS'96 version in the Customs Tariff for the year 2000. Tariff rates were fixed by the State Council. Partial adjustment to the duty rates was subject to deliberation and final decision by the State Council Tariff Commission. The simple average of China's import duties in 2000 was 16.4 per cent. Among the 7062 tariff headings, tariff rates for 525 headings were below 5 per cent, 1488 were between 5 per cent (inclusive) and 10 per cent (exclusive), 2022 between 10 per cent (inclusive) and 15 per cent (inclusive) and 3027 were above 15 per cent. Information on tariff rates for specific products and import statistical data for recent years had been provided to the Working Party.

90. He also noted that currently there were two columns of import duty rates: general rates and preferential rates. The preferential rates applied to imports originating in countries and regions with which China had concluded reciprocal tariff agreements, whereas the general rates applied to imports from other sources.

91. The representative of China confirmed that for wood and paper products, the same rates of duty, including the rates applied under a preference programme, customs union or free-trade area, would be applied to all imports of wood and paper products. The Working Party took note of this commitment.

92. The representative of China confirmed that upon accession China would participate in the Information Technology Agreement ("ITA") and would eliminate tariffs on all information technology products as set out in China's schedule. Furthermore, upon accession, China would eliminate all other duties and charges for ITA products. The Working Party took note of these commitments.

93. Certain members of the Working Party expressed particular concerns about tariff treatment in the auto sector. In response to questions about the tariff treatment for kits for motor vehicles, the representative of China confirmed that China had no tariff lines for completely knocked-down kits for motor vehicles or semi-knocked down kits for motor vehicles. If China created such tariff lines, the tariff rates would be no more than 10 per cent. The Working Party took note of this commitment.

94. Without prejudice to its rights to participate in the WTO process, the representative of China confirmed China's commitment to support the tariff liberalization proposal outlined in WT/GC/W/138/Add.1 (22 April 1999) and that it would participate fully in any tariff liberalization initiative based on this proposal that WTO Members might accept for implementation.

95. China undertook bilateral market access negotiations on goods with members of the Working Party. The results of those negotiations were contained in the Schedule of Concessions and Commitments on Goods and formed Annex 8 to the Draft Protocol.

2. Other Duties and Charges

96. The representative of China confirmed that China had agreed to bind at zero other duties and charges in its Schedule of Concessions and Commitments, pursuant to Article II:1(b) of the GATT 1994. The Working Party took note of this commitment.

3. Rules of Origin

97. Some members of the Working Party requested information about the adoption and application of rules of origin in China, whether in the context of free trade agreements or otherwise, and also requested China to confirm that its rules of origin for both preferential and non-preferential trade complied fully with the WTO Agreement on Rules of Origin.

98. The representative of China noted that the criteria for making the determination of substantial transformation was: (a) change in tariff classification of a four-digit tariff line in the Customs Tariff; or (b) the value-added component was 30 per cent or more in the total value of a new product.

99. He further noted that under current arrangements, and in accordance with the criteria outlined above, when an imported product was processed and manufactured in several countries, the country of origin of the product was determined to be the last country in which the product underwent substantial transformation. The rules of origin applied for statistical purposes were the same.

100. The representative of China stated that China's rules of origin for import and export were non-preferential rules of origin. Once the international harmonization of non-preferential rules of origin was concluded, China would fully adopt and apply the internationally harmonized non-preferential rules of origin. A mechanism that met the requirements of Articles 2(h) and 3(f), and Annex II, paragraph 3(d) of the Agreement, which required provision upon request of an assessment of the origin of an import or an export and outlined the terms under which it would be provided, would be established in China's legal framework by the date of accession. The Working Party took note of these commitments.

101. The representative of China further stated that China would not use the rules of origin as an instrument to pursue trade objectives directly or indirectly. He also confirmed that China would apply rules of origin equally for all purposes. The Working Party took note of these commitments.

102. The representative of China confirmed that from the date of accession, China would ensure that its laws, regulations and other measures relating to rules of origin would be in full conformity with the WTO Agreement on Rules of Origin and that it would implement such laws, regulations and other measures in full conformity with that Agreement. The Working Party took note of this commitment.

4. Fees and Charges for Services Rendered

103. Members of the Working Party noted that as a condition of accession, China should undertake a commitment to ensure conformity of customs fees and charges with Article VIII of the GATT 1994. The representative of China confirmed that China would comply with Article VIII of GATT 1994 in this regard. The Working Party took note of this commitment.

5. Application of Internal Taxes to Imports

104. Some members of the Working Party expressed concern that some internal taxes applied to imports, including a value-added tax ("VAT") were not administered in conformity with the requirements of the GATT 1994, particularly Article III. Those members of the Working Party noted that China appeared to permit the application of discriminatory internal taxes and charges to imported

goods and services, including taxes and charges applied by sub-national authorities. Those members requested that China reaffirm that all such internal taxes and charges would be in conformity with the requirements of the GATT 1994.

105. In response, the representative of China noted that there were three major types of taxes levied on products and services: (a) VAT levied on goods and services for processing, maintenance and assembling; (b) the Consumption Tax on some selected consumer products; and (c) the Business Tax on providing services, transferring intangible assets and selling real estate. Both the VAT and the Consumption Tax were applicable to entities importing goods. VAT and the Consumption Tax on imported goods were collected by General Customs Administration ("Customs") at the point of entry. He noted that VAT was reimbursed once goods were exported. Exported goods were exempted from the Consumption Tax.

106. He further noted that the State Council determined all policies concerning the levying of VAT and the Consumption Tax, adjustment of tax types and tax rates (tax value), as well as the tax exemption of VAT, the Consumption Tax and the Business Tax. The laws and regulations were interpreted and implemented by the Ministry of Finance and the State Administration of Taxation. VAT and the Consumption Tax were levied and administered by the State competent departments of taxation, while the Business Tax was collected and administered by the local competent departments of taxation.

107. The representative of China confirmed that from the date of accession, China would ensure that its laws, regulations and other measures relating to internal taxes and charges levied on imports would be in full conformity with its WTO obligations and that it would implement such laws, regulations and other measures in full conformity with those obligations. The Working Party took note of this commitment.

6. Tariff Exemptions

108. The representative of China stated that the tariff exemption policy of China was developed and implemented in accordance with the Customs Law of the People's Republic of China and the Regulations of the People's Republic of China on Import and Export Duties. The coverage of specific tariff reduction or exemption was provided for by the State Council. All the tariff reductions and exemptions were applied on an MFN basis.

109. The representative of China noted that in accordance with international practices and provisions of China's Customs Law, import duty reductions or exemptions were available for the following goods:

(a) A consignment of goods, on which customs duties were estimated below RMB 10 yuan;

(b) advertising articles and samples, which were of no commercial value;

(c) goods and materials, which were rendered gratis by international organizations or foreign governments;

(d) fuels, stores, beverages and provisions for use en route loaded by any means of transport, which were in transit across the border;

(e) exported goods being replaced;

(f) goods damaged prior to Customs release;

(g) goods covered by international treaties providing for tariff reductions and exemptions which China had entered into or acceded to;

(h) goods temporarily imported;

(i) goods imported under inward processing programmes;

(j) goods imported at zero cost for replacement purposes;

(k) domestic- or foreign-funded projects encouraged by the government;

(l) articles for scientific research, education and the disabled.

He noted that goods so imported were required to be put under Customs supervision and control. The Customs duty was required to be recovered if such goods were sold, transferred or used for other purposes during the time period of supervision and control.

110. Some members of the Working Party expressed concerns over the availability and application of tariff reductions and exemptions for a variety of enterprises and other entities, including state trading enterprises, state-owned enterprises, foreign-invested enterprises and not-for-profit entities. Similar concerns also existed for exemptions from application of other duties, taxes and charges. These members noted the negative effect such reductions or exemptions could have on revenues and predictability and certainty in application of tariff and other trade measures.

111. The representative of China confirmed that upon accession, China would adopt and apply tariff reductions and exemptions so as to ensure MFN treatment for imported goods. The Working Party took note of this commitment.

7. Tariff Rate Quotas

112. Several members of the Working Party expressed concern over the lack of transparency, uniformity and predictability of China's administration of its tariff rate quota ("TRQ") regime. Those members requested that China enter a commitment to administer TRQs in a simple, transparent, timely, predictable, uniform, non-discriminatory, and non-trade restrictive manner, and in a way that would not cause trade distortions. Those members asked that China ensure that its TRQ arrangements be no more administratively burdensome than absolutely necessary, and also expressed the hope that China would move as quickly as possible to a market-based TRQ allocation process.

113. Those members of the Working Party also raised concerns regarding the administration of China's TRQ system and the practices of state trading enterprises in relation to importing such products. These concerns included the current lack of transparent regulations for administering TRQs; use of administrative guidance; distortions introduced into the market due to allocations based on government determinations of sub-national supply and utilization rather than consumer preferences and end-user demand; failure to establish and publish annual TRQ quantities; trade-restrictive and non-competitive practices of state trading enterprises; and general uncertainty, inconsistency and discrimination in trade of bulk commodities. Those members expressed similar concerns about the operation of China's TRQ system for products subject to designated trading. Those members requested that China reduce tariffs for commodities subject to TRQs, enter into access commitments for these commodities, improve the administration of the TRQ regime, and ensure that trade would not be distorted by unjustified government regulation. Certain members of the Working Party also requested that a number of specified products be removed from China's TRQ system and that, upon import, these products be subject only to tariffs.

114. The representative of China noted that in 1996, for the first time, China published a list of import products subject to TRQs, together with the tariff rates applicable to imports both in and out of quota. Allocation of TRQ was based on historical performance and administration of the state trading regime, although China had also tried several other ways of administration, including import at applied tariff rates, first-come-first-served at the point of entry. China was trying to simplify the TRQ administration regime and procedures in a bid to facilitate use, enhance efficiency and implement further reform.

115. The representative of China further noted that, in undertaking market-oriented reform in the agricultural sector, China had made progress in freeing agricultural products from state pricing and in guiding farmers to adjust the structure of agricultural production based on the demands of the market. In connection with that reform process, in the bilateral negotiations with Members, China committed that, upon accession, it would eliminate TRQs on a number of products and subject these only to tariffs. The products concerned were barley, soybeans, rapeseed, peanut oil, sunflower seed oil, corn oil, and cottonseed oil. In addition, China would replace quantitative import restrictions on sugar, cotton and three types of fertilizers (DAP, NPK and urea) by TRQs. The Working Party took note of these commitments.

116. The representative of China stated that upon accession, China would ensure that TRQs were administered on a transparent, predictable, uniform, fair and non-discriminatory basis using clearly specified timeframes, administrative procedures and requirements that would provide effective import opportunities; that would reflect consumer preferences and end-user demand; and that would not inhibit the filling of each TRQ. China would apply TRQs fully in accordance with WTO rules and principles and with the provisions set out in China's Schedule of Concessions and Commitments on Goods. The Working Party took note of these commitments.

117. The representative of China confirmed that for the goods listed in Annex 2 of the Draft Protocol that were subject to a TRQ, China would also apply the provisions of its Schedule relating to TRQ administration and related commitments in the Draft Protocol, including the grant of trading rights to non-state trading entities to import the TRQ allocations set aside for importation by such entities. For products in Annex 2 of the Draft Protocol that were subject to designated trading, the representative of China confirmed that China would ensure that additional enterprises granted trading rights in accordance with China's commitments to phase out designated trading would not be disadvantaged in the allocation of TRQ. The Working Party took note of these commitments.

118. Some members of the Working Party expressed the view that allocation decisions were based, in large part, on government-determined provincial supply and utilization rather than on commercial market criteria that reflected consumer preferences and end-user demand. Those members expressed concern that China's stated intention to allocate quota to sub-national authorities and to authorize those authorities to then allocate that quota to end-users in separate processes would add an unnecessary, burdensome step in the procedures and reduce the likelihood that quotas would be filled. Further, those members stated that China's stated intention with regards to TRQ procedures would not be consistent with China's commitments to uniform administration of its trade regime. Those members sought confirmation that China would not establish a separate process of allocation to sub-national authorities, as well as confirmation that all allocation and reallocation decisions would be made by a single, central authority in China.

119. The representative of China confirmed that the role of sub-national bodies would be limited to purely administrative operations, such as receiving applications from end-users and forwarding them to the central authority; receiving queries and transmitting these to the central authority; reporting on allocation and reallocation decisions made by the central authority and providing information regarding such allocations and reallocations upon request; checking the information in the applications to verify that it met the published criteria; notifying applicants of any deficiencies in their applications; and providing applicants with an opportunity to cure deficiencies in their

applications. After the central authority decided on allocations of quota to end-users, the sub-national bodies would issue TRQ certificates accordingly. The representative of China also confirmed that China would administer a consistent national allocation (and reallocation) policy for TRQs, that it would not establish a separate process of allocation to sub-national authorities and that decisions regarding all allocations and reallocations to end-users would be made by a single, central authority. The Working Party took note of these commitments.

120. The representative of China further confirmed that China would grant to any enterprise possessing the right to trade any product pursuant to Section 5 of the Draft Protocol, the right to import goods in Annex 2A of the Draft Protocol that were subject to a TRQ or to an agreed volume of imports by non-state trading enterprises. Such right to import would not extend to the quantity of goods specifically reserved for importation by state trading enterprises. Any enterprise possessing the right to trade pursuant to Section 5 of the Draft Protocol would also have the right to import that portion of a TRQ reallocated to non-state trading enterprises pursuant to the agreed rules on TRQ administration. The representative of China also confirmed that for goods in Annex 2A of the Draft Protocol subject to a TRQ, any enterprise granted the right to trade, pursuant to Section 5 of the Draft Protocol, would be permitted to import such goods at the out-of-quota rate. The Working Party took note of these commitments.

8. Quantitative Import Restrictions, including Prohibitions and Quotas

121. In response to requests for information from members of the Working Party, the representative of China noted that China prohibited or restricted the importation of certain commodities, including weapons, ammunition and explosives, narcotic drugs, poisons, obscene materials and those foodstuffs, medicines, animals and plants which were inconsistent with China's technical regulations on food, medicines, animals and plants.

122. Some members of the Working Party noted that there were a large number of non-tariff measures in existence in China, both at the national and sub-national levels, which appeared to have a trade restrictive or trade distorting effect. Those members requested that China undertake a commitment to eliminate and not to introduce, re-introduce or apply non-tariff measures other than those specifically identified and subject to phased elimination in Annex 3 to the Draft Protocol. The representative of China confirmed that China would not introduce, re-introduce or apply non-tariff measures other than listed in Annex 3 of the Draft Protocol unless justified under the WTO Agreement. The Working Party took note of this commitment.

123. Some members of the Working Party also raised concerns that many non-tariff measures were imposed by sub-national authorities in China on a non-transparent, discretionary and discriminatory basis. Those members of the Working Party asked that China undertake a commitment to ensure that non-tariff measures would only be imposed by the central government or by sub-national authorities with clear authorization from the central government. Actions lacking authorization from the national authorities should not be implemented or enforced. The representative of China clarified that only the central government could issue regulations on non-tariff measures and that these measures would be implemented or enforced only by the central government or sub-national authorities with authorization from the central government. He further stated that sub-national authorities had no right to formulate non-tariff measures. The Working Party took note of these commitments.

124. Some members of the Working Party noted that China had provided a list of non-tariff measures in respect of which China was prepared to commence phased elimination, contained in Annex 3 of the Draft Protocol. Those members stated that China should eliminate the measures listed in accordance with the schedule provided in Annex 3, during the periods specified in Annex 3. For measures subject to phased elimination, China should provide for growth in the quota over the relevant period specified in Annex 3. Those members also noted that the protection afforded by the

measures listed in Annex 3 should not be increased or expanded in size, scope, or duration, nor any new measures be applied, unless justified under the provisions of the WTO Agreement.

125. Those members of the Working Party noted that all non-tariff measures administered by China, whether or not referred to in Annex 3 of the Draft Protocol, which were applied after China's accession, should be allocated and otherwise administered in strict conformity with the provisions of the WTO Agreement, including Article XIII of the GATT 1994 and the Agreement on Import Licensing Procedures, including notification requirements.

126. The representative of China stated that China had modified Annex 3 on the basis of the comments raised by certain members of the Working Party. He confirmed that only the machinery and electronic products listed in Annex 3 were subject to specific tendering requirements and that these requirements would be administered pursuant to Chapter III of the Regulation entitled "Interim Measures for Import Administration of Machinery and Electronics Products" (approved by the State Council on 22 September 1993 and promulgated in Order No. 1 by the State Economic and Trade Commission and Ministry of Foreign Trade and Economic Cooperation on 7 October 1993). He also confirmed that Annex 3 contained all of the products subject to quotas, licences and such tendering requirements in China and that, during the relevant phase-out period, China would implement the growth rates for quotas as indicated in Annex 3. The Working Party took note of these commitments.

127. Some members of the Working Party requested information on how China would implement the quota and licensing requirements for products listed in Annex 3, in particular the procedures and criteria for grant of quota allocations and licensing during the phase-out period for these restrictions. Those members expressed concerns about requirements for obtaining a licence or quota allocation which often required approvals from various authorities within an organization as well as approval from both the central and sub-national level. Those members sought a transparent, streamlined system that would issue quota allocations and licences through a simple, consolidated approval process that would ensure full use of the quota and its equitable distribution among importers. Those members also requested information on how China would establish the value of imports for those products whose quota was established in terms of value of imports. The representative of China confirmed that the administration of quotas and import licences would be consistent with the WTO Agreement, including Article XIII of the GATT 1994 and the Agreement on Import Licensing Procedures. The allocation of quotas and issuance of import licences would go through a simple and transparent procedure, so as to ensure the full utilization of quota. He further stated that the establishment of value of imports would be based on the information collected by the Customs authorities and provisions of the WTO Customs Valuation Agreement. For quota quantities specified in terms of value, China would determine the value of any shipment based on the c.i.f. ship value listed on the bill of lading. The Working Party took note of these commitments.

128. The representative of China confirmed that the products currently covered under the HS categories listed in Annex 3 as of the date of accession were the only products that would be subject to these quotas during the agreed phase-out periods. Any non-tariff measures covering additional products would need to be justified under the WTO Agreement. Further, the representative of China stated that for products listed in Annex 3 as being subject to quota and licensing requirements, any entity that will possess the right to trade in the quota year, including enterprises possessing trading rights to import such products or inputs for production purposes under a particular quota category, could apply for a quota allocation and licence to import products listed in Annex 3. The Working Party took note of these commitments.

129. The representative of China further confirmed that for products listed in Annex 3, China's system for quota allocation and licensing would ensure that those entities with quota allocations would also receive any necessary import licence. This system would conform to WTO rules, including the WTO Agreement on Import Licensing Procedures, and would be transparent, timely, responsive to market conditions and would minimize the burden on trade. Applications for a quota

allocation would need to be submitted to only one organization, at one level (central or sub-national) for approval. The relevant organization would then issue an import licence based on the quota allocation, in most cases within 3 working days and, in exceptional cases, within a maximum of 10 working days after a request for the licence. A licence would be issued for the full amount of the quota and would be valid for the calendar year issued. Such licence would be extended once, upon request, for up to 3 months, if the request was made before 15 December of the current quota year. Imports occurring under an extended licence would be counted against the relevant quota amount for the year in which the allocation took place. The representative of China confirmed that the relevant organization for issuing quota allocations and licences, amount of quota, including the growth in quota provided for in Annex 3, the eight-digit tariff codes and full descriptions of all products covered by each quota and procedures for application for a quota allocation and licence, including the beginning and end date of the application period and any other relevant procedures or criteria, would be published in the official journal referred to in Section 2(C)(2) of the Draft Protocol at least 21 days prior to the beginning of the application period. Such application period would be from 1-31 August. Quotas would be allocated to applicants no later than 60 days after closure of the application period. The Working Party took note of these commitments.

130. The representative of China stated that China would allocate quotas in accordance with the following criteria and procedures which would be published in advance and would be applied in conformity with WTO requirements, including the Agreement on Import Licensing Procedures. In applying these criteria, China would consider the need to allow for equitable participation by producers from WTO Members and take into account the need to maximize the potential for quota fill.

(a) (i) If the relevant quota quantity exceeded total requests for quota allocations, all requests would be approved.

(ii) In other cases, the criteria for allocation would be as follows:

Historical performance of applicants where relevant (in cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, amounted to less than 75 per cent of the relevant quota, it would be necessary to take into account other criteria *inter alia* as set forth below);

– Production or processing capacity, in the case of intermediate products and raw materials;

– Experience and ability in producing, importing, marketing, or servicing in international markets, in the case of finished products or products destined for wholesale or retail distribution;

(b) (i) In cases in which average imports over the 3-year period immediately prior to the year of China's accession, for which data was available, exceeded 75 per cent of the relevant quota, applicants that had not previously been allocated quota would be allocated 10 per cent of the total quota in the first year and the majority of any quota growth in any subsequent year.

(ii) In other cases :

– In the first year, 25 per cent of the total quota would be allocated to applicants that had not previously been allocated quota; however, an applicant that had imported under a quota on the relevant products in the year prior to China's accession would not receive a decrease in the absolute amount of its quota allocation;

– In the second year, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership equal to or less than 50 per cent;

– In the third and fourth year, if relevant, for the amount of the quota growth as well as an amount equivalent to the amount of any quota that had not been filled in the previous year, China would give priority consideration to requests from enterprises with foreign ownership greater than 50 per cent.

(c) In all cases, a quota-holder receiving an initial allocation that had fully utilized or contracted for its quota allocation would, upon application, receive an allocation in the following year for a quantity no less than the quantity imported in the previous year. A quota-holder that did not import its full allocation would receive a proportional reduction in its quota allocation in the subsequent year unless the quantity was returned for reallocation by 1 September.

The Working Party took note of these commitments.

131. The representative of China confirmed that all commercial terms of trade, including product specifications, product mix, pricing, and packaging, would be at the sole discretion of the quota holder, so long as the products are within the relevant quota category. Allocations would be valid for any article or mixture of articles subject to the same quota as specified in Annex 3 of the Draft Protocol. Allocations would be valid for a period of one calendar year from the opening of the quota import period. However, if the holder of a quota allocation had not contracted for import of the total quantity allocated to the holder by 1 September, the holder was to immediately return the unused portion of the allocation to the relevant authority which would reallocate the quota immediately, if unfilled requests were pending, or otherwise within 10 days after receipt of a request for an allocation. The relevant organization would publish notice of the availability of additional allocations after collecting any unused quotas returned by the quota holders. Licences for goods imported under reallocated quota would be extended once, upon request, for up to 3 months, if the request was made before 15 December of the current quota year. Imports occurring under an extended licence would be counted against the relevant quota amount for the year in which the re-allocation took place. The Working Party took note of these commitments.

9. Import Licensing

132. The representative of China confirmed that the list of all entities responsible for the authorization or approval of imports would be updated and republished in the official journal, the MOFTEC Gazette, within one month of any change thereto. The Working Party took note of this commitment.

133. In response to requests for additional information about its system of import licensing, the representative of China said that the import licensing system was administered without discrimination among countries or regions. In 1984, the State Council had promulgated the "Interim Regulations on Licensing System for Import Commodities", and MOFTEC and Customs had issued "Detailed Rules for the Implementation of the Interim Regulations on Licensing System for Import Commodities". The Interim Regulations were uniformly implemented throughout China. In 1999, of the total import value of US$ 165.7 billion, imports subject to licensing represented 8.45 per cent, covering US$ 14 billion. MOFTEC determined which products should be subject to import licensing according to the relevant provisions of the "Foreign Trade Law".

134. The representative of China further stated that in 1993, China had applied import restrictions to 53 product categories. By 1999, the number had been reduced to 35. Products covered were (1) Processed oil; (2) Wool; (3) Polyester fibre; (4) Acrylic fibres; (5) Polyester fillet; (6) Natural

rubber; (7) Vehicles tyres; (8) Sodium cyanide; (9) Sugar; (10) Fertilizer; (11) Tobacco and its products; (12) Acetate tow; (13) Cotton; (14) Motor vehicles and their key parts; (15) Motorcycles and their engines and chassises; (16) Colour television sets and TV kinescope; (17) Radios, tape recorders and their main parts; (18) Refrigerators and their compressor; (19) Washing machines; (20) Recording equipment and its key parts; (21) Cameras and their bodies (without lenses); (22) Watches; (23) Air conditioners and their compressor; (24) Audio and video tape duplication equipment; (25) Crane lorries and their chassises; (26) Electronic microscopes; (27) Open-end spinning machines; (28) Electronic colour scanners; (29) Grain; (30) Vegetable oil; (31) Wine; (32) Colour sensitive material; (33) Chemical under supervision and control that were used for chemical weapon; (34) Chemicals used to produce narcotics; and (35) Laser disc production facilities. He also noted that in 1999, there were 13 commodity categories which were imported by the foreign trade companies designated by MOFTEC. These categories were as follows: (1) Processed oil; (2) Fertilizer; (3) Tobacco; (4) Vegetable oil; (5) Grain; (6) Natural rubber; (7) Wool; (8) Acrylic fibers; (9) Sugar; (10) Cotton; (11) Crude oil; (12) Steel; and (13) Plywood.

135. Concerning the granting and administration of import licences, the representative of China said that the examination and approval of the licence took two to three working days. Applications for import licences could be submitted to the Quota and Licence Administrative Bureau of MOFTEC, or Special Commissioner Offices in 16 provinces, or Commissions of Foreign Economic Relations and Trade of various provinces, autonomous regions, and municipalities directly under the central government and those with independent budgetary status. Licensing agencies authorized by MOFTEC could issue import licences on the basis of import documents submitted by the applicants, approved by the competent departments. A licence could not be bought, sold or transferred, and was valid for one calendar year. Import licences could be extended once for up to three months.

136. Some members of the Working Party expressed concern that China's Provisional Procedures for the Administration of Automatic Registration for the Import of Special Commodities (13 August 1994), in particular the criteria for approval of registration, would act as a restraint on imports. The representative of China emphasized that the purpose of the registration system was only to gather statistical information. He confirmed that China would bring its automatic licensing system into conformity with Article 2 of the Agreement on Import Licensing Procedures upon accession. The Working Party took note of this commitment.

137. Some members of the Working Party noted that enterprises and individuals seeking to import products subject to tariff quota administration requirements had to go through extensive procedures to receive a quota allocation and that the quota certificate would indicate whether the subject good was to be imported through a state trading enterprise or a non-state trading enterprise and would be valid for a certain period of time. Moreover, the entity importing the good would need trading rights. In the light of these multiple requirements, a quota allocation certificate should satisfy any import licensing requirement that might apply.

138. The representative of China confirmed that China would not require a separate import licence approval for goods subject to a TRQ allocation requirement but would provide any necessary import licence in the procedure that granted a quota allocation. The Working Party took note of this commitment.

10. Customs Valuation

139. Some members of the Working Party expressed concern regarding the methods used by China to determine the customs value of goods, in particular regarding the practice of using minimum or reference prices for certain goods, which would be inconsistent with the Agreement on Implementation of Article VII of the GATT 1994 ("Customs Valuation Agreement"). Other WTO-consistent means were available to Members doubting the veracity of declared transaction values.

140. In response, the representative of China stated that China had ceased to use and would not reintroduce minimum or reference prices as a means to determine customs value. The Working Party took note of this commitment.

141. The representative of China considered that there would not be situations where the "customs value" could not be "ascertained" since the Customs Valuation Agreement provided several methods for valuation.

142. The representative of China recalled that the overwhelming majority of China's customs duties were *ad valorem* duties. The customs value of imported goods was assessed according to the c.i.f. price based on the transaction value, as defined in the Customs Valuation Agreement. If the transaction value of imported goods could not be determined, the customs value was determined based on other means provided for in the Customs Valuation Agreement. He also noted that the Customs Law provided for appeal procedures. In the event of a dispute over calculation of duty paid or payable with the Customs, the dissatisfied importer could apply to Customs for a reconsideration of the case. If the appeal was rejected the importer could sue at the People's Court.

143. The representative of China confirmed that, upon accession, China would apply fully the Customs Valuation Agreement, including the customs valuation methodologies set forth in Articles 1 through 8 of the Agreement. In addition, China would apply the provisions of the Decision on the Treatment of Interest Charges in Customs Value of Imported Goods, and the Decision on the Valuation of Carrier Media Bearing Software for Data Processing Equipment, adopted by the WTO Committee on Customs Valuation (G/VAL/5), as soon as practicable, but in any event no later than two years from the date of accession. The Working Party took note of these commitments.

11. Other Customs Formalities

144. The representative of China said that China joined the International Convention on the Simplification and Harmonisation of Customs Procedures in 1988 and on 15 June 2000 signed the Draft Protocol on the Amendment of the International Convention on the Simplification and Harmonisation of Customs Procedures. The Customs authorities of China had only adopted such customs formalities as declaration, examination, levying of duties and release which were consistent with international practices.

12. Preshipment Inspection

145. The representative of China stated that, currently, there were trade and commerce inspection agencies (including joint-venture agencies) engaged in preshipment inspection. He further stated that China would comply with the Agreement on Preshipment Inspection, and would regulate the existing trade and commerce inspection agencies and permit the qualified agencies to be engaged in preshipment inspection in line with the government mandate or the terms and conditions of commercial contracts. The Working Party took note of this commitment.

146. Some members of the Working Party requested information on whether China used the services of a private preshipment inspection entity. The representative of China confirmed that China would ensure that, upon accession, any laws and regulations relating to preshipment inspection by any inspection agency, including private entities, would be consistent with relevant WTO agreements, in particular, the Agreement on Preshipment Inspection and the Customs Valuation Agreement. Moreover, any fees charged in connection with such preshipment inspection would be commensurate with the service provided, in conformity with Article VIII:1 of the GATT 1994. The Working Party took note of these commitments.

13. Anti-Dumping, Countervailing Duties

147. Some members of the Working Party raised concerns that the current investigations by the Chinese authority would be judged to be inconsistent with the Agreement on Implementation of Article VI of GATT 1994("Anti-Dumping Agreement") if China were a Member of the WTO today. In certain cases, the basis for calculating dumping margins for a preliminary affirmative determination was not disclosed to interested parties. Furthermore, the determination of injury and causation did not appear to have been made on an objective examination of sufficient evidence. In the views of these members, bringing the Chinese anti-dumping rules into compliance with the WTO Agreement on its face was not sufficient. WTO-consistency had to be secured substantively as well.

148. In response, the representative of China stated that China promulgated regulations and procedures on anti-dumping and countervailing duties in 1997 with reference to the Anti-Dumping Agreement and Agreement on Subsidies and Countervailing Measures. He committed to revising China's current regulations and procedures prior to its accession in order to fully implement China's obligations under the Anti-Dumping and SCM Agreements. The Working Party took note of this commitment.

149. Members of the Working Party and the representative of China agreed that the term "national law" in subparagraph (d) of Section 15 of the Draft Protocol, should be interpreted to cover not only laws but also decrees, regulations and administrative rules.

150. Several members of the Working Party noted that China was continuing the process of transition towards a full market economy. Those members noted that under those circumstances, in the case of imports of Chinese origin into a WTO Member, special difficulties could exist in determining cost and price comparability in the context of anti-dumping investigations and countervailing duty investigations. Those members stated that in such cases, the importing WTO Member might find it necessary to take into account the possibility that a strict comparison with domestic costs and prices in China might not always be appropriate.

151. The representative of China expressed concern with regard to past measures taken by certain WTO Members which had treated China as a non-market economy and imposed anti-dumping duties on Chinese companies without identifying or publishing the criteria used, without giving Chinese companies sufficient opportunity to present evidence and defend their interests in a fair manner, and without explaining the rationale underlying their determinations, including with respect to the method of price comparison in the determinations. In response to these concerns, members of the Working Party confirmed that in implementing subparagraph (a)(ii) of Section 15 of the Draft Protocol, WTO Members would comply with the following:

(a) When determining price comparability in a particular case in a manner not based on a strict comparison with domestic prices or costs in China, the importing WTO Member should ensure that it had established and published in advance (1) the criteria that it used for determining whether market economy conditions prevailed in the industry or company producing the like product and (2) the methodology that it used in determining price comparability. With regard to importing WTO Members other than those that had an established practice of applying a methodology that included, inter alia, guidelines that the investigating authorities should normally utilize, to the extent possible, and where necessary cooperation was received, the prices or costs in one or more market economy countries that were significant producers of comparable merchandise and that either were at a level of economic development comparable to that of China or were otherwise an appropriate source for the prices or costs to be utilized in light of the nature of the industry under investigation, they should make best efforts to ensure that their methodology for determining price comparability included provisions similar to those described above.

(b) The importing WTO Member should ensure that it had notified its market-economy criteria and its methodology for determining price comparability to the Committee on Anti-Dumping Practices before they were applied.

(c) The process of investigation should be transparent and sufficient opportunities should be given to Chinese producers or exporters to make comments, especially comments on the application of the methodology for determining price comparability in a particular case.

(d) The importing WTO Member should give notice of information which it required and provide Chinese producers and exporters ample opportunity to present evidence in writing in a particular case.

(e) The importing WTO Member should provide Chinese producers and exporters a full opportunity for the defence of their interests in a particular case.

(f) The importing WTO Member should provide a sufficiently detailed reasoning of its preliminary and final determinations in a particular case.

152. The representative of China stated that determinations made by China during investigations initiated pursuant to applications made before accession should be free from challenge under the Anti-Dumping Agreement by the Members of the WTO. He further confirmed that, notwithstanding Article 18.3 of the Anti-Dumping Agreement,

(a) China would apply the provisions of the Anti-Dumping Agreement to:

(i) proceedings under Article 9.3, including the calculation of margins of dumping, in connection with anti-dumping measures adopted before accession ("existing measures"); and

(ii) reviews of existing measures initiated under Articles 9.5, 11.2, and 11.3 pursuant to requests made following accession. Any review of an existing measure under Article 11.3 would be initiated no later than five years from the date of its imposition.

(b) China would also provide the type of judicial review described in Article 13 of the Anti-Dumping Agreement with regard to proceedings under Article 9.3 and reviews under Articles 9.5, 11.2, and 11.3.

The Working Party took note of these commitments.

153. The representative of China noted that pursuant to the provisions of "Regulation on Anti-dumping and Countervailing Measures of the People's Republic of China", there were four Chinese government bodies responsible for anti-dumping and countervailing duty investigations. Their identities and responsibilities were as follows:

(a) Ministry of Foreign Trade and Economic Cooperation ("MOFTEC")

Receiving anti-dumping and countervailing petitions; Conducting investigations on foreign subsidies and on dumping and dumping margins and issuing relevant preliminary determination decisions and notices; Negotiating with foreign interested parties on "Price Undertaking" if necessary; Providing proposal on imposition of definitive anti-dumping or countervailing duties or proposals on duty refund, etc. There was an Anti-dumping Division established under the Department of Treaties and Law of MOFTEC, with responsibility to handle anti-dumping and countervailing investigations on alleged imports.

(b) State Economics and Trade Commission ("SETC")

Responsible for the investigation of injury caused to the domestic industry by the dumped or subsidized imports, the extent of such injury and making injury findings. There was a non-permanent decision and policy-making body in SETC, named the Injury Investigation and Determination Committee ("IIDC"), which was composed of six commissioners from the relevant departments of SETC. There was a permanent executive office in charge of the investigation of injury to the industry and submitting its findings to the IIDC for approval.

(c) General Customs Administration ("Customs")

Coordinating anti-dumping investigations with MOFTEC; enforcing anti-dumping measures such as collecting cash deposits and dumping duties, enforcing countervailing measures by collecting countervailing duties, and monitoring implementation.

(d) Tariff Commission of the State Council ("TCSC")

Making final decisions on whether or not to levy the anti-dumping or countervailing duties based on the suggestions by MOFTEC with regard to imposing anti-dumping or countervailing duties and reimbursing excess amount of duties, respectively.

14. Safeguards

154. The representative of China stated that upon accession, China would implement its Regulation on Safeguard by which the future safeguard measures would be regulated. The contents of this new regulation would be fully consistent with the Agreement on Safeguards. China was in the process of drafting safeguard legislation in accordance with Article 29 of the Foreign Trade Law and the Agreement on Safeguards. The Working Party took note of this commitment.

C. EXPORT REGULATIONS

1. Customs Tariffs, Fees and Charges for Services Rendered, Application of Internal Taxes to Exports

155. Some members of the Working Party raised concerns over taxes and charges applied exclusively to exports. In their view, such taxes and charges should be eliminated unless applied in conformity with GATT Article VIII or listed in Annex 6 to the Draft Protocol.

156. The representative of China noted that the majority of products were free of export duty, although 84 items, including tungsten ore, ferrosilicon and some aluminum products, were subject to export duties. He noted that the customs value of exported goods was the F.O.B. price of the goods.

2. Export Licensing and Export Restrictions

157. The representative of China confirmed that the list of all entities responsible for the authorization or approval of exports would be updated and republished in the official journal, the MOFTEC Gazette, within one month of any change thereto. The Working Party took note of this commitment.

158. The representative of China said that China applied its export licence system to certain agricultural products, resource products and chemicals. China's export licencing system was administered in accordance with the "Interim Procedures for the Export Licencing System". In 1992, there were 143 categories of products subject to export licencing which accounted for 48.3 per cent of the total value of the China's exports, but by 1999, the total number of products subject to export

licensing had been reduced to 58 categories and 73 items with an export value of US$ 18.5 billion, taking up only 9.5 per cent of total exports. Export licences for these products were issued according to the stipulated commodity scope respectively by the Administrative Bureau of Quota and Licence ("ABQL"), the Special Commissioner Offices ("SCO") located in 16 provinces and the Commissions of Foreign Economic Relations and Trade ("COFTEC") of various provinces, autonomous regions, municipalities directly under the central government and those with independent budgetary status. The main criteria used in determining whether a product was subject to export licensing, as set down in the Foreign Trade Law, were: (1) maintenance of national security or public interests; (2) protection against shortage of supply in the domestic market or exhaustion of natural resources; (3) limited market capacity of importing countries or regions; or (4) obligations stipulated in international treaties. Export licensing was also used for statistical purposes.

159. He further noted that an application for an export licence had to be submitted to the licence issuing institutions authorized by MOFTEC, together with documents approving the export by the competent departments, and other relevant materials (such as the Export Qualification Certificate for the enterprises, export contract and so on). The procedures were the same for all export destinations. A decision on the request for an export licence normally took three working days. Licences were valid for six months and could be extended once. FIEs engaged in exporting products were required to obtain export licences if the products to be exported were subject to the licensing requirement. If the products were not subject to licensing, customs clearance would be given after examination by Customs on the basis of export contracts and other relevant documents.

160. Certain members of the Working Party noted the conditions in the GATT 1994 in regard to non-automatic licensing and export restrictions. They pointed out that export prohibitions, restrictions and non-automatic licensing could only temporarily be applied under Article XI of the GATT 1994 to prevent or relieve critical shortages of foodstuffs or other products essential to an exporting WTO Member. Article XX of the GATT 1994 also allowed for restrictive export measures, but only if such measures were made effective in conjunction with restrictions on domestic production or consumption. These members noted that some of the criteria of the Foreign Trade Law referred to above did not at present meet the specific conditions laid down in Articles XI and XX of the GATT 1994.

161. Members of the Working Party welcomed the steady reduction in the number of products subject to export licensing in China. Certain members reiterated their request for the submission of a complete list of restrictions presently applied. These members expressed concern that the remaining number was still high, covering about ten per cent of export trade, and requested that they be either reduced further or eliminated by the date of accession in order to achieve full compatibility with GATT requirements. Some members expressed particular concern about export restrictions on raw materials or intermediate products that could be subject to further processing, such as tungsten ore concentrates, rare earths and other metals.

162. The representative of China confirmed that China would abide by WTO rules in respect of non-automatic export licensing and export restrictions. The Foreign Trade Law would also be brought into conformity with GATT requirements. Moreover, export restrictions and licensing would only be applied, after the date of accession, in those cases where this was justified by GATT provisions. The Working Party took note of these commitments.

163. The representative of China stated that China prohibited export of narcotic drugs, poisons, materials containing State secrets, precious and rare animals and plants.

164. Some members of the Working Party expressed concern about China's restrictions on exports of silk. Certain other members expressed concern about export restrictions on other goods, in particular raw materials or intermediate products that could be subject to further processing, such as tungsten ore concentrates, rare earths and other metals. Members of the Working Party urged China

to ensure that any such restrictions that were imposed or maintained complied with the terms of the WTO Agreement and the Draft Protocol.

165. The representative of China confirmed that upon accession, remaining non-automatic restrictions on exports would be notified to the WTO annually and would be eliminated unless they could be justified under the WTO Agreement or the Draft Protocol. The Working Party took note of this commitment.

3. Export Subsidies

166. Some members of the Working Party noted that China had provided a list of prohibited subsidies falling within the scope of Article 3 of the SCM Agreement and a timetable for their elimination, in Annex 5B of the Draft Protocol. Those members considered this list to be incomplete.

167. The representative of China confirmed, as provided in Section 10.3 of the Draft Protocol, that it would eliminate all export subsidies, within the meaning of Article 3.1(a) of the SCM Agreement, by the time of accession. To this end, China would, by accession, cease to maintain all pre-existing export subsidy programmes and, upon accession, make no further payments or disbursements, nor forego revenue or confer any other benefit, under such programmes. This commitment covered subsidies granted at all levels of government which were contingent, in law or in fact, upon an obligation to export. The Working Party took note of this commitment.

168. On the same basis, the representative of China confirmed that China would eliminate, upon accession, all subsidies contingent upon the use of domestic over imported goods, within the meaning of Article 3.1(b) of the SCM Agreement. The Working Party took note of this commitment.

D. INTERNAL POLICIES AFFECTING FOREIGN TRADE IN GOODS

1. Taxes and Charges Levied on Imports and Exports

169. Some members of the Working Party expressed concern about the application of the VAT and additional charges levied by sub-national governments on imports. Non-discriminatory application of the VAT and other internal taxes was deemed essential.

170. The representative of China confirmed that upon accession, China would ensure that its laws and regulations relating to all fees, charges or taxes levied on imports and exports would be in full conformity with its WTO obligations, including Articles I, III:2 and 4, and XI:1 of the GATT 1994, and that it would also implement such laws and regulations in full conformity with these obligations. The Working Party took note of this commitment.

2. Industrial Policy, including Subsidies

171. Some members of the Working Party expressed concern that the special features of China's economy, in its present state of reform, still created the potential for a certain level of trade-distorting subsidization; this could have an impact not only on access to China's domestic market, but also on the performance of Chinese exports in the markets of other WTO Members, and should be subject to effective SCM Agreement disciplines. In view of this, some members felt that it would be inappropriate for China to benefit from certain provisions of Article 27. The representative of China, in turn, considered that certain provisions of this Article should be available to China, and informed the Working Party of the efforts being undertaken, as part of its ongoing reform process, to reduce the availability of certain types of subsidies. China was committed to implementing the SCM Agreement in a manner that was fair and equitable to China and to other WTO Members. In line with this approach, the representative of China stated his intention to reserve the right to benefit from the provisions of Articles 27.10, 27.11, 27.12 and 27.15 of the SCM Agreement, while confirming that

China would not seek to invoke Articles 27.8, 27.9 and 27.13 of the SCM Agreement. The Working Party took note of these commitments.

172. Some members of the Working Party, in view of the special characteristics of China's economy, sought to clarify that when state-owned enterprises (including banks) provided financial contributions, they were doing so as government actors within the scope of Article 1.1(a) of the SCM Agreement. The representative of China noted, however, that such financial contributions would not necessarily give rise to a benefit within the meaning of Article 1.1(b) of the SCM Agreement. He pointed out that China's objective was that state-owned enterprises, including banks, should be run on a commercial basis and be responsible for their own profits and losses. The Working Party took note of this commitment.

173. Some members of the Working Party, while understanding the difficulties involved in gathering information, raised concerns over the comprehensiveness of the subsidy notification which China had provided in Annexes 5A and 5B to the Draft Protocol, as last modified on 31 May 2000. Some members of the Working Party explained that, as an illustration of the above, certain types of subsidies did not appear in Annexes 5A and 5B. Those members of the Working Party first identified state support through the banking system, notably government-owned banks, in the form of policy loans, the automatic roll-over of unpaid principal and interest, forgiven and non-performing loans, and the selective use of below-market interest rates. Some members also referred to unreported tax subsidies, investment subsidies and subsidies provided by sub-national governments, some of which favoured exporting firms. Other members mentioned subsidies granted to the telecommunications, footwear, coal and shipbuilding sectors. The representative of China explained that, in common with many other Members, China had experienced difficulty in obtaining accurate data about all types of subsidies. He also indicated that China was attempting to reduce the availability of certain types of subsidies, in particular by reforming its tax system and making government-owned banks operate on a commercial basis. The representative of China stated that China would progressively work towards a full notification of subsidies, as contemplated by Article 25 of the SCM Agreement. The Working Party took note of this commitment.

174. Some members of the Working Party also raised concerns regarding the subsidies that China provided in connection with SEZs and other special economic areas. Some of these appeared to be contingent upon export performance or on the use of domestic goods. The representative of China noted that the main purpose of such subsidies was to promote regional development and foreign investment. He confirmed that China would, upon accession, eliminate any such subsidies which were inconsistent with the SCM Agreement. The Working Party took note of this commitment.

175. Some members of the Working Party requested information from China on the Steel Import Substitution Programme, which appeared to provide export subsidies to the big four steel groups in China. In response, the representative of China clarified that China did not collect VAT on imported and domestically produced steel used as raw material for the processing trade. Such a policy, in his view, was consistent with WTO rules and the practices of many WTO Members, and thus should not be considered as subsidies.

176. Some members of the Working Party requested information from China on the "China High-Tech Product Export Catalogue", which set forth central government export policies for the telecommunications, computer software, aviation and aerospace, lasers, pharmaceuticals, medical equipment, new materials and energy industries. In response, the representative of China clarified that products listed in the Catalogue would enjoy full VAT rebate treatment, while other exported products would only be given partial VAT rebate treatment. Such a policy, in his view, was consistent with Article XVI of the GATT 1994 and relevant Annexes of the SCM Agreement. He further confirmed that the VAT rebates were applied only to exported products and not to domestically consumed products.

3. Technical Barriers to Trade

177. The representative of China stated that China had set up a TBT notification authority and two enquiry points which had been notified to the TBT Committee. Upon accession, notices of adopted and proposed technical regulations, standards and conformity assessment procedures would be published. The names of the publications where this information could be found would be included in China's Statement of Implementation and Administration under Article 15.2 of the TBT Agreement, which would be submitted upon accession. The Working Party took note of this commitment.

178. The representative of China stated that, further to China's implementation of WTO provisions, internal mechanisms would exist, upon accession, to inform and consult with, on an ongoing basis, government agencies and ministries (at national and sub-national levels), and private sector interests on the rights and obligations under the GATT 1994 and the TBT Agreement. Concerning questions from some members of the Working Party on the opportunity for public consultation and comment on proposed standards and technical regulations, the representative of China confirmed that, upon accession, China's procedures would clearly indicate that such opportunity existed and that comments would be given due consideration regardless of origin. The representative of China also confirmed that, upon accession, China would have in place minimum timeframes for allowing public comment on proposed technical regulations, standards and conformity assessment procedures as set out in the TBT Agreement and relevant decisions and recommendations adopted by the TBT Committee. The Working Party took note of these commitments.

179. Several members of the Working Party requested information on the extent to which international standards were used as the basis for existing Chinese standards, details on China's plans for using international standards as the basis for new standards, and details on China's plans for reviewing existing standards so as to harmonize them with relevant international standards.

180. In response, the representative of China stated that, as a full member of, for example, ISO, IEC and ITU, China actively participated in the development of relevant international standards. With China's efforts in restructuring government agencies, China would, not later than four months after accession, notify acceptance of the Code of Good Practice. The representative of China stated that for government standardizing bodies, a clear policy existed to periodically review existing standards, *inter alia*, to harmonize them with relevant international standards where appropriate**.** Furthermore, China would speed up its process of revising the current voluntary national**,** local and sectoral standards so as to harmonize them with international standards. The Working Party took note of these commitments.

181. Some members of the Working Party expressed concern that China's use of the terms "technical regulations" and "standards" was not always consistent with the definitions found in the TBT Agreement, e.g., China sometimes used the word "standards" to refer to mandatory requirements that fell within the definition of "technical regulations". These members noted that China had developed a number of different types of measures, referred to as "standards", at levels other than the central government, in particular, regional, sectoral, and enterprise levels.

182. In response, the representative of China stated that China, in its notifications under the TBT Agreement, including its notifications under Article 15.2 and in publications referenced therein, and in modifications of existing measures, would use the terms "technical regulations" and "standards" according to their meanings under the TBT Agreement. The Working Party took note of these commitments.

183. Some members of the Working Party also expressed concern that China did not use relevant and available international standards as the basis for some of its existing technical regulations. Several members asked for information on the extent to which international standards were used as the basis for existing technical regulations, details on China's plans for using international standards

as the basis for new technical regulations, and details on China's plans for reviewing existing technical regulations so as to harmonize standards referenced in them with international standards or their relevant parts.

184. In response, the representative of China stated that since 1980, China had taken the active adoption of international standards as the basis for technical regulations as a basic policy of accelerating industrial modernization and promoting economic growth. The representative of China confirmed that this policy also required technical regulations to be reviewed every five years, *inter alia*, to ensure that international standards were used in accordance with Article 2.4 of the Agreement. He also confirmed that China would provide this policy as part of its notification under Article 15.2 of the Agreement**.** He noted that as a result of China's efforts in the past 20 years, the use of international standards as the basis for technical regulations had increased from 12 per cent to 40 per cent. China had begun formulating a standardization development programme in a bid to meet the challenges of the 21st century and the requirements provided for in the TBT Agreement, and had undertaken to further increase the use of international standards as the basis for technical regulations by 10 per cent in five years. The representative of China also confirmed that China would make publicly available procedures to implement Article 2.7 of the Agreement. The Working Party took note of these commitments.

185. Bearing in mind the relevant provisions of the TBT Agreement, some members of the Working Party asked China to identify local government bodies, directly below the central government level, and non-governmental organizations, that were authorized to adopt technical regulations or conformity assessment procedures. The representative of China replied that China would provide a list of relevant local governmental and non-governmental bodies, upon accession, as part of its notification under Article 15.2 of the TBT Agreement. The Working Party took note of this commitment.

186. With respect to conformity assessment procedures, several members of the Working Party asked for information about the extent to which international guides and recommendations were used as the basis for existing conformity assessment procedures, details on China's plans for using such guides and recommendations as the basis for new conformity assessment procedures, and details on China's plans for reviewing existing conformity assessment procedures so as to harmonize them with relevant international guides and recommendations.

187. In response, the representative of China stated that China played a full part in the preparation by appropriate international standardizing bodies of guides and recommendations for conformity assessment procedures, e.g., as a full member of ISO CASCO. He stated that it was difficult to quantify the extent to which such guides and recommendations were used as the basis for existing conformity assessment procedures. He confirmed that China would use relevant guides or recommendations issued by international standardizing bodies as the basis for new conformity assessment procedures in accordance with Article 5.4 of the TBT Agreement. The representative of China also stated that existing conformity assessment procedures were reviewed concurrently with and under the same policy as related technical regulations, *inter alia*, to ensure the use of relevant international guides or recommendations in accordance with Article 5.4 of the TBT Agreement. He also confirmed that, upon accession, China would ensure that the same conformity assessment procedures were applied to both imported and domestic products. The Working Party took note of these commitments.

188. Some members of the Working Party expressed concerns about the complexity and inconsistency of China's conformity assessment regime with TBT Agreement requirements. In particular, those members noted that conformity assessment on imported and domestic products was not performed by the same governmental entities and that this situation could result in less favourable treatment for imports. In response, the representative of China stated that the Chinese government had already decided to merge CIQ-SA and CSBTS into the State General Administration of the

People's Republic of China for Quality Supervision and Inspection and Quarantine ("AQSIQ"), under its policy of development of market economy and further reform and opening up in China. The representative of China confirmed that the AQSIQ was responsible for all policies and procedures related to conformity assessment in China. He further stated that other government ministries and agencies developed conformity assessment policies and procedures but that these had to be authorized by AQSIQ before they could be enacted.

189. Some members of the Working Party expressed concern about the consistency of the Law of the People's Republic of China on Import-Export Commodity Inspection ("the Law"), and the Regulations for the Implementation of that Law ("the Implementing Regulations"), with the TBT Agreement. In particular, provisions for technical regulations and conformity assessment procedures did not adequately address fundamental obligations such as transparency, non-discrimination, national treatment, and the avoidance of unnecessary barriers to trade.

190. Some members of the Working Party expressed concern about a conformity assessment procedure known as Statutory Inspection, which was described, *inter alia*, in Articles 4, 5, and 6 of the Law and Articles 4, 5, and 9 of the Implementing Regulations. They stated that it was inconsistent with the principle of national treatment and constituted an unnecessary obstacle to international trade. Members of the Working Party agreed that WT/ACC/CHN/31 and WT/ACC/CHN/32, lists of products subject to Statutory Inspection, did not prejudge the legal status, nature or effects of notified technical regulations and standards under the WTO Agreement. The representative of China stated that China would bring the Law and Implementing Regulations, as well as other relevant legislation and regulations, into conformity with the TBT Agreement by the date of accession. The Working Party took note of this commitment.

191. Some members of the Working Party expressed concern about a conformity assessment procedure, and the application thereof, known as the Safety Licence System for Import Commodities ("the System"), which was described in Article 22 of the Law and Article 38 of the Implementing Regulations. They stated that it was inconsistent with the principle of national treatment and constituted an unnecessary obstacle to international trade (e.g., due to the frequent plant inspections required). In response, the representative of China confirmed that, for technical regulations and conformity assessment procedures related to goods currently subject to the Safety Licence System for Import Commodities, relevant legislation and regulations would be brought into full conformity with the TBT Agreement by the date of accession. The Working Party took note of this commitment

192. Responding to the concerns of members of the Working Party, the representative of China confirmed that to eliminate unnecessary barriers to trade, China would not maintain multiple or duplicative conformity assessment procedures, nor would it impose requirements exclusively on imported products. The Working Party took note of this commitment.

193. Some members of the Working Party expressed concern with respect to the confidentiality of information in connection with conformity assessment procedures undertaken by China. In response, the representative of China confirmed that China would fully implement the obligations of Article 5.2.4 of the TBT Agreement in this regard. The Working Party took note of this commitment.

194. Some members of the Working Party expressed concern about China's practice of not accepting the results of conformity assessment by bodies in other WTO Members. In this regard, those members noted the obligation of unilateral acceptance of the results of conformity assessment as described in Article 6.1 of the TBT Agreement. The representative of China responded that products certified by bodies recognized by China would require no additional conformity assessment procedures in China, except for random sampling of said products. Furthermore, where random sampling was undertaken and China's test results differed from the test results of competent bodies in other WTO Members, the representative of China confirmed that China would act in accordance with international guidelines and recommendations, where these existed, or would provide a process of

review with the objective of resolving such differences. Some members of the Working Party requested China to make public and update on an ongoing basis information on conformity assessment bodies that were recognized by China. The representative of China confirmed that China would provide this information. The Working Party took note of these commitments.

195. Concerning foreign and joint-venture conformity assessment bodies, certain members of the Working Party noted that China should not maintain requirements which had the effect of acting as barriers to their operation, unless otherwise specified in China's Schedule of Specific Commitments. The representative of China replied that China would not maintain such requirements. Some members also observed that all foreign or joint venture conformity assessment bodies that met China's requirements should be eligible for accreditation and accorded national treatment. The representative of China confirmed that the accreditation requirements would be transparent and provide national treatment to foreign conformity assessment bodies. The Working Party took note of these commitments.

196. Some members of the Working Party raised specific concerns regarding such matters as (a) registration of initial imports of chemical products, (b) procedures to obtain and apply "CCIB" safety mark and the "Great Wall" mark, (c) automobiles and parts, and (d) the safety and quality licence system for boilers and pressure vessels. In response, the representative of China stated that China would implement the following measures prior to accession, unless otherwise indicated:

(a) Registration of Initial Imports of Chemical Products

- Enact and implement, within one year after its accession, a new law and relevant regulations regarding assessment and control of chemicals for the protection of the environment, in which complete national treatment and full consistency with international practices would be ensured.

- Ensure that chemicals listed in the "inventory chemicals" annexed to the above new law and its regulations would be exempted from a registration obligation and that a unified assessment procedure would be established for domestic and imported products under the new law and its regulations.

(b) CCIB Safety Mark and the "Great Wall" Mark

- Unify the existing certification marks, i.e., the "CCIB" mark and the "Great Wall" mark into a new certification mark. For like imported and domestic goods, all bodies and agencies would issue the same mark and charge the same fee.

- Accept testing reports for products subject to the International Electrotechnical Commission's System for Conformity Testing to Standards for Safety of Electrical Equipment ("IECEE CB Scheme") to which China was a party, and simplify the procedures for obtaining the new, unified certification mark

- Shorten the time period needed for importers to obtain both marks regarding the same products, to no more than three months.

(c) Automobiles and Parts

- Unify its laws, regulations and standards applied to domestic and imported automobiles and parts.

- Formulate, publish and implement laws and regulations, standards and implementing regulations to establish a transparent system under which all the laws and regulations

would be applied so as to accord imported products treatment no less favourable than that accorded to like products of national origin.

(d) Safety and Quality Licence System for Boilers and Pressure Vessels

– Accord imported products treatment no less favourable than that accorded to products of national origin, including fees imposed for conformity assessment and the effective period of factory certification.

– Adopt international standards as the basis for technical regulations and exempt imported products from inspection where like domestic products were not subject to such inspection.

The Working Party took note of these commitments.

197. The representative of China confirmed that, except as otherwise specified in the Draft Protocol, China would apply all obligations under the TBT Agreement from the date of accession. The Working Party took note of this commitment.

4. Sanitary and Phytosanitary Measures

198. Some Members of the Working Party expressed concerns in relation to the use by China of sanitary and phytosanitary ("SPS") procedures as non-tariff barriers and raised specific instances where they considered that China's measures were not consistent with the WTO Agreement on the Application of Sanitary and Phytosanitary Measures ("SPS Agreement"). Members sought assurances that China would only use SPS measures to the extent necessary to protect human, animal or plant life or health, and that such measures would be based fully on scientific principles.

199. The representative of China stated that pursuant to the provisions of the SPS Agreement, China applied SPS measures only to the extent necessary to protect the life and health of human beings, animals and plants. He also noted that most of China's SPS measures were based on international standards, guidelines and recommendations. China would not apply SPS measures in a manner which would act as a disguised restriction on trade. In accordance with the SPS Agreement, China would ensure that SPS measures would not be maintained without sufficient scientific evidence. The Working Party took note of these commitments.

200. Members of the Working Party expressed the view that China should comply with the SPS Agreement from the date of China's accession and should ensure conformity with the SPS Agreement of all its laws, regulations, decrees, requirements and procedures relating to SPS measures. In response, the representative of China confirmed that China would fully comply with the SPS Agreement and would ensure the conformity with the SPS Agreement of all of its laws, regulations, decrees, requirements and procedures relating to SPS measures from the date of accession. The Working Party took note of these commitments.

201. Members of the Working Party noted that China's notification of laws, regulations and other SPS measures, referred to in the Draft Protocol, was provided in document WT/ACC/CHN/33. Members of the Working Party agreed that this notification did not prejudge the legal status under the WTO Agreement of the nature or effects of the notified laws, regulations and other SPS measures.

202. The representative of China said that China had set up an SPS notification authority and an SPS enquiry point which would be notified to the SPS Committee. SPS measures, including those relating to inspection, had been published in publications such as the MOFTEC Gazette. Information could also be gathered from the SPS notification authority or from China's SPS enquiry point.

5. Trade-Related Investment Measures

203. The representative of China confirmed that upon accession, as set forth in the Draft Protocol, China would comply fully with the TRIMs Agreement, without recourse to Article 5 thereof, and would eliminate foreign-exchange balancing and trade balancing requirements, local content requirements and export performance requirements. Chinese authorities would not enforce the terms of contracts containing such requirements. The allocation, permission or rights for importation and investment would not be conditional upon performance requirements set by national or sub-national authorities, or subject to secondary conditions covering, for example, the conduct of research, the provision of offsets or other forms of industrial compensation including specified types or volumes of business opportunities, the use of local inputs or the transfer of technology. Permission to invest, import licences, quotas and tariff rate quotas would be granted without regard to the existence of competing Chinese domestic suppliers. Consistent with its obligations under the WTO Agreement and the Draft Protocol, the freedom of contract of enterprises would be respected by China. The Working Party took note of this commitment.

204. In the context of discussions on the government's Industrial Policy for the Automotive Sector, the representative of China confirmed that this policy would be amended to ensure compatibility with WTO rules and principles. The Working Party took note of this commitment.

205. The representative of China added that amendments would be made to ensure that all measures applicable to motor vehicle producers restricting the categories, types or models of vehicle permitted for production, would gradually be lifted. Such measures would be completely removed two years after accession, thus ensuring that motor vehicle producers would be free to choose the categories, types and models they produced. However, it was understood that category authorizations by the government could continue to distinguish between trucks and buses, light commercial vehicles, and passenger cars (including multi-purpose vehicles and sport utility vehicles). The Working Party took note of this commitment.

206. The representative of China confirmed that China also agreed to raise the limit within which investments in motor vehicle manufacturing could be approved at provincial government level only, from the current level of US$30 million, to US$60 million one year after accession, US$90 million two years after accession, and US$150 million four years after accession. The Working Party took note of this commitment.

207. With respect to the manufacture of motor vehicle engines, the representative of China also confirmed that China agreed to remove the 50 per cent foreign equity limit for joint-ventures upon accession. The Working Party took note of this commitment.

6. State Trading Entities

208. Some members of the Working Party expressed concern that the activities of China's state trading enterprises were not sufficiently transparent and were not in accordance with WTO obligations. The representative of China indicated, however, that China's state trading enterprises had full management autonomy and responsibility for their own profits and losses and that China had undertaken broad and significant commitments to improve the transparency of state trading enterprises' operation and the measures relating to such operation.

209. The same members of the Working Party also stated that China should ensure that the import purchasing practices and procedures of state trading enterprises were fully transparent, and in compliance with the requirements of the WTO Agreement. They considered that China should also refrain from taking any measure to influence or direct state trading enterprises as to the quantity, value, or country of origin of goods purchased or sold, except in accordance with the requirements of the WTO Agreement. Those members also stated that as part of China's notification under the

GATT 1994 and the Understanding on the Interpretation of Article XVII of the GATT 1994, China should also notify information on state trading, including, in the case of state trading of exported goods, domestic procurement prices, contract terms for delivery and financing terms and conditions.

210. In response, the representative of China stated that its state trading enterprises had full management autonomy and responsibility for their own profits and losses. However, some members of the Working Party again stated that China should undertake a commitment to ensure that all state trading enterprises complied with the requirements of the WTO Agreement. The representative of China noted that a list of products subject to state trading had been provided in Annex 2A of the Draft Protocol. He also confirmed that information on state trading enterprises, as required by the Draft Protocol, would be supplied, consistent with the requirements of paragraph 333 of this Report. The Working Party took note of this commitment.

211. Members of the Working Party took note of the specific arrangements that would apply for fertilizers and crude and processed oil. A key feature of those arrangements related to the annual allocation of import quantities. The differences in the regimes that would apply to those products were noted, in particular in regard to the obligation on state enterprises trading in fertilizers to carry over to the next year any unused import quantities.

212. Some members of the Working Party requested assurances that, for oil products, quantities reserved for non-state traders would be allocated in such a manner that they would be fully utilized. In this respect, the representative of China confirmed that imports allocated to non-state traders of crude and processed oil, as specified in Annex 2A of the Draft Protocol, would be carried over to the next year if they were not fully utilized. In addition, the representative of China agreed that China would publish, on a quarterly basis, the requests for imports that had been made by non-state traders, as well as the licences granted, and would supply information relevant to such traders upon request. The Working Party took note of these commitments.

213. Some members of the Working Party noted that prior to accession, some enterprises in China were permitted to import goods for their production purposes, including those goods included in Annex 2A. The representative of China confirmed that, notwithstanding Section 5, paragraph 1, of the Draft Protocol, non-state trading enterprises, including private enterprises, would still be permitted to import such goods for production purposes and that national treatment would be provided to such imports. The Working Party took note of these commitments.

214. Some members of the Working Party expressed concerns about supplies of raw materials in the textiles sector, and particularly in regard to supplies of silk, in the light of China's position as the major world supplier of silk, currently subject to state trading rights concerning exports.

215. In this regard, the representative of China confirmed that China would progressively abolish the system of state trading in respect of silk by measures increasing and extending trading rights, with the result that China would remove completely the silk products set out in numbers 10 and 11 of Annex 2A2 to the Draft Protocol (list of products subject to state trading on exports) and grant the right to trade in such products to all individuals and enterprises no later than 1 January 2005. Pending the implementation of this right, China undertook not to introduce any changes of a more restrictive nature to the existing structures in place for the supply of silk. The representative of China further confirmed that access to supplies of raw materials in the textiles sector would remain at conditions no less favorable than for domestic users, and gave his assurance that access to supplies of raw materials as enjoyed under existing arrangements would not be adversely affected following China's accession. The Working Party took note of these commitments.

216. Members of the Working Party noted that domestic prices for most agricultural commodities in China were higher than world prices, and this differential allowed China's state trading enterprises to import at low prices and then mark up the price when selling the product to wholesalers and

end-users. Some members expressed concern that this practice could become more widespread when access opportunities were created under TRQs. Those members were particularly concerned that mark-ups could be used to reduce the competitiveness of imported products and limit the range of qualities and grades available to end-users in China. The representative of China stated that currently state trading enterprises did not mark up imported products; instead, they only charged a nominal transaction fee. Consequently, China's practice was consistent with WTO obligations, did not result in any trade-distorting effect, and that under China's law limits existed on the fees that could be charged by state trading enterprises.

217. The representative of China stated that China would ensure that no price increase in respect to imports, in particular by state trading enterprises, would result in protection beyond that allowed in its Schedule of Concessions and Commitments on Goods or that was not otherwise justified under WTO rules. The Working Party took note of this commitment.

7. Special Economic Areas

218. Members of the Working Party noted that there was insufficient information available concerning special economic areas within China's customs territory, including border trade regions and minority autonomous areas, SEZs, open coastal cities, economic and technical development zones and other areas where special regimes for tariffs, taxes and regulations had been established (collectively referred to as "special economic areas"), in particular their names, geographic boundaries, and relevant laws, regulations and other measures relating thereto.

219. In response, the representative of China stated that since 1979 China had established a number of special economic areas where more open policies were applied. They included five SEZs, 14 open coastal cities, six open cities along the Yangtze River, 21 provincial capital cities and 13 inland boundary cities. Those special economic areas enjoyed greater flexibility in utilizing foreign capital, introducing foreign technology and conducting economic cooperation overseas. At present, foreign investors were entitled to certain preferential treatment.

220. The representative of China further stated that FIEs located in SEZs or the Economic and Technical Development Zones of open coastal cities were entitled to a corporate income tax rate of 15 per cent (the normal income tax was 33 per cent). Profits remitted abroad by foreign investors were exempted from income tax. The preferential income tax rate of 15 per cent was applicable to technology-intensive or knowledge-intensive items or projects with foreign investment of over US$30 million, as well as enterprises that operated in the fields of energy, transport and port construction.

221. The representative of China noted that throughout the customs territory of China, a socialist market economy system was applied. In 1999, the foreign trade volume of SEZs accounted for nearly one fifth of the nation's total. The national laws and regulations on taxation were applicable to SEZs in a uniform manner.

222. In response to further requests for information, the representative of China indicated that there was no plan to establish any new SEZs. The special preferential tariff policies applied to SEZs had been eliminated. With the development of China's economic reform and opening up, China would implement its tariff policy uniformly throughout its customs territory. Members of the Working Party expressed concern that imported products introduced from these special economic areas into other parts of China's customs territory should be subject to the same treatment in the application of all taxes, import restrictions and customs duties and other charges as that normally applied to imports into the other parts of China's customs territory. The representative of China stated that China would undertake to ensure such non-discriminatory treatment. The Working Party took note of this commitment.

223. Some members of the Working Party also raised concerns as to whether the assistance provided to minority autonomous regions and other areas of economic poverty was consistent with WTO requirements. In response, the representative of China confirmed that China had a clear commitment to uniform administration of the trade regime within each such area and that, upon accession, China would ensure that such assistance would be implemented consistent with WTO obligations. The Working Party took note of this commitment.

224. Some members of the Working Party requested that China take steps to ensure that all products imported into the other parts of the customs territory of China from special economic areas would be subject to the same normal customs duties and charges as any other product imported into the customs territory of China. In particular, those members requested that China undertake a commitment to apply all taxes, charges and measures affecting imports, including import restrictions and customs and tariff charges, that were normally applied to imports into the other parts of China's customs territory to all imported products, including physically incorporated components, entering China's customs territory from the special economic areas.

225. The representative of China confirmed that China would strengthen the uniform enforcement of taxes, tariffs and non-tariff measures on trade between its special economic areas and the other parts of China's customs territory. The representative of China further confirmed that statistics on trade between China's special economic areas and the other parts of its customs territory would be maintained and improved, and would be notified to the WTO on a regular basis. The Working Party took note of these commitments.

226. Some members of the Working Party requested that China notify the WTO of all the relevant laws, regulations and other measures relating to its special economic areas. They asked that the notification list and identify all those special economic areas. Those members also requested that China notify the WTO promptly, but in any case within 60 days, of any additions or modifications to its special economic areas, including notification of the laws, regulations and other measures relating thereto.

227. The representative of China confirmed that China would provide information in its notifications describing how the special trade, tariff, and tax regulations applied were limited to the designated special economic areas, including information concerning their enforcement. The Working Party took note of this commitment.

228. In response to concerns raised by some members of the Working Party, the representative of China confirmed that any preferential arrangements provided to foreign invested enterprises located within the special economic areas would be provided on a non-discriminatory basis. The Working Party took note of this commitment.

8. Transit

229. The representative of China stated that the current regulation of transit in China, the Regulations of the Customs of the People's Republic of China on the Supervision and Administration of Transit Goods, was consistent with Article V of the GATT 1994.

9. Agricultural Policies

230. The representative of China stated that since China was a country with a vast agricultural base, as well as a vast population, agricultural security and food security in particular, was an issue of supreme importance. China based its policies on domestic agricultural supply, especially on balanced supply and demand of grains. Meanwhile, China actively sought international resources as a necessary supplement.

231. While noting this statement, some members of the Working Party expressed concerns about China's linkage of import policies for agriculture, including TRQ allocations, to domestic production policy and the sub-national supply and utilization situation. Those members requested that China undertake an appropriate commitment to eliminate these practices. In response, the representative of China confirmed that China would base import policies for agriculture on commercial considerations only. The Working Party took note of this commitment.

232. Some members of the Working Party expressed further concerns in relation to administrative guidance provided at the national and sub-national level which could have the effect of influencing the quantity and composition of agricultural imports. Those members considered reform of these practices toward full WTO consistency as an essential element of China's accession. To ensure effective market access opportunities were created for imported products, some members requested assurances from China that agricultural and trade policies would not discriminate in a WTO inconsistent manner against imported products. Consistent with China's commitment to uniform administration, the representative of China confirmed that, by the date of accession, China would not maintain, resort or revert to guidance plans or administrative guidance at the national or sub-national level that regulate the quantity, quality or treatment of imports, or constitute import substitution practices or other non-tariff measures, including those maintained through state trading enterprises at the national or sub-national level. The Working Party took note of this commitment.

233. Some members of the Working Party expressed concern that large stocks in China of grain and cotton had been procured at relatively high prices by state-trading enterprises or other state-affiliated, state-run, or state-controlled entities and noted that exports of these or other government-purchased products at prices lower than the comparable price charged for the like product to buyers in the domestic market could be challenged as an export subsidy or as inconsistent with other WTO obligations. These members requested that China ensure that all entities, including state trading enterprises and any other state-affiliated, state-run, or state-controlled entity at the national or sub-national level operated in accordance with China's WTO obligations, including those on export subsidies. In response, the representative of China confirmed that all entities in China would operate in accordance with China's WTO obligations, including those on export subsidies. Further, the representative of China stated that national and sub-national authorities would not provide fund transfers or other benefits to any entities in China that would be inconsistent with its WTO obligations, including to offset losses accrued through exports. The Working Party took note of these commitments.

234. The representative of China confirmed that by the date of accession, China would not maintain or introduce any export subsidies on agricultural products. The Working Party took note of this commitment.

235. In implementing Article 6.2 and 6.4 of the Agreement on Agriculture, the representative of China confirmed that while China could provide support through government measures of the types described in Article 6.2, the amount of such support would be included in China's calculation of its Aggregate Measurement of Support ("AMS"). He noted that China's Total AMS Commitment Level was set forth in Part IV, Section I of China's Schedule. The representative of China further confirmed that China would have recourse to a *de minimis* exemption for product-specific support equivalent to 8.5 per cent of the total value of production of a basic agricultural product during the relevant year. The representative of China confirmed that China would have recourse to a *de minimis* exemption for non-product-specific support of 8.5 per cent of the value of China's total agricultural production during the relevant year. Accordingly, these percentages would constitute China's *de minimis* exemption under Article 6.4 of the Agreement on Agriculture. The Working Party took note of these commitments.

236. China's concessions on agricultural tariffs, and commitments on domestic support and on export subsidies for agricultural products were contained in the Schedule of Concessions and Commitments on Goods annexed to the Draft Protocol as Annex 8.

237. Some members of the Working Party noted that the domestic support tables of China in WT/ACC/CHN/38/Rev.3 showed China's base total AMS as zero in DS:4. They also noted that product specific support was negative in DS:5.

238. Some members of the Working Party noted that although WT/ACC/CHN/38/Rev.3 did provide a basis for supporting the commitments in China's Schedule, this document still contained issues which required further methodological clarification relating to policy classification. The representative of China confirmed that this clarification would be addressed in the context of China's notification obligations under the Agreement on Agriculture. The Working Party took note of this commitment.

10. Trade in Civil Aircraft

239. In response to questions from members of the Working Party, the representative of China indicated that China was not in a position to commit to joining the Agreement on Trade in Civil Aircraft at the present stage.

240. The representative of China confirmed that China would not impose any provisions of offsets or other forms of industrial compensation when purchasing civil aircraft, including specified types or volumes of business opportunities. The Working Party took note of this commitment.

11. Textiles

241. Some members of the Working Party proposed and the representative of China accepted that the quantitative restrictions maintained by WTO Members on imports of textiles and apparel products originating in China that were in force on the date prior to the date of China's accession should be notified to the Textiles Monitoring Body ("TMB") as being the base levels for the purpose of application of Articles 2 and 3 of the WTO Agreement on Textiles and Clothing ("ATC"). For such WTO Members, the phrase "day prior to the date of entry into force of the WTO Agreement", contained in Article 2.1 of the ATC, should be deemed to refer to the day prior to the date of China's accession. To these base levels, the increase in growth rates provided for in Articles 2.13 and 2.14 of the ATC should be applied, as appropriate, from the date of China's accession. The Working Party took note of these commitments.

242. The representative of China agreed that the following provisions would apply to trade in textiles and clothing products until 31 December 2008 and be part of the terms and conditions for China's accession:

(a) In the event that a WTO Member believed that imports of Chinese origin of textiles and apparel products covered by the ATC as of the date the WTO Agreement entered into force**,** were, due to market disruption, threatening to impede the orderly development of trade in these products, such Member could request consultations with China with a view to easing or avoiding such market disruption. The Member requesting consultations would provide China, at the time of the request, with a detailed factual statement of reasons and justifications for its request for consultations with current data which, in the view of the requesting Member, showed: (1) the existence or threat of market disruption; and (2) the role of products of Chinese origin in that disruption;

(b) Consultations would be held within 30 days of receipt of the request. Every effort would be made to reach agreement on a mutually satisfactory solution within 90 days of the receipt of such request, unless extended by mutual agreement;

(c) Upon receipt of the request for consultations, China agreed to hold its shipments to the requesting Member of textile or textile products in the category or categories subject to these consultations to a level no greater than 7.5 per cent (6 per cent for wool product categories) above the amount entered during the first 12 months of the most recent 14 months preceding the month in which the request for consultations was made;

(d) If no mutually satisfactory solution were reached during the 90-day consultation period, consultations would continue and the Member requesting consultations could continue the limits under subparagraph (c) for textiles or textile products in the category or categories subject to these consultations;

(e) The term of any restraint limit established under subparagraph (d) would be effective for the period beginning on the date of the request for consultations and ending on 31 December of the year in which consultations were requested, or where three or fewer months remained in the year at the time of the request for consultations, for the period ending 12 months after the request for consultations;

(f) No action taken under this provision would remain in effect beyond one year, without reapplication, unless otherwise agreed between the Member concerned and China; and

(g) Measures could not be applied to the same product at the same time under this provision and the provisions of Section 16 of the Draft Protocol.

The Working Party took note of these commitments.

12. Measures Maintained Against China

243. The representative of China stated that WTO Members should eliminate all discriminatory non-tariff measures maintained against Chinese exports from the date of China's accession. In response, some members of the Working Party stated that, in their view, such measures did not need to be phased out until such time as China's foreign trade regime fully conformed to WTO obligations.

244. In light of the above, it was agreed that any prohibitions, quantitative restrictions or other measures maintained against imports from China in a manner inconsistent with the WTO Agreement would be listed in Annex 7 to the Draft Protocol. It was further agreed that all such measures would be phased out or otherwise dealt with in accordance with mutually agreed terms and timetables as specified in said annex.

13. Transitional Safeguards

245. With respect to implementation of the product-specific safeguard, the representative of China expressed particular concern that WTO Members provide due process and use objective criteria in determining the existence of market disruption or trade diversion, because WTO Members did not have wide experience in implementing the provisions of Section 16 of the Draft Protocol. He stated that with respect to trade diversion, WTO Members needed to apply objective criteria to determine whether an action by China or another WTO Member under the product-specific safeguard to prevent or remedy market disruption caused or threatened to cause significant diversion of trade. Such criteria should include the actual or imminent increase in market share or volume of imports from China, the nature or extent of the action taken by China or the other WTO Member and other similar criteria. In

addition, WTO Members should provide an opportunity for importers, exporters and all interested parties to submit their views on the matter.

246. Members of the Working Party noted that the Draft Protocol included specific requirements that WTO Members needed to follow in connection with an action under that Section. Members of the Working Party confirmed that in implementing the provisions on market disruption, WTO Members would comply with those provisions and the following:

(a) An action to address market disruption would be taken only after an investigation by the competent authorities of the importing WTO Member pursuant to procedures previously established and made available to the public;

(b) The competent authority of the importing Member would publish notice of the commencement of any investigation under the product-specific safeguard provisions of the Draft Protocol and would, within a reasonable time thereafter, hold a public hearing or provide other appropriate means for the purpose of permitting interested parties to present evidence and their views as to the appropriateness of whether or not to take a measure and to respond to the presentations of other parties;

(c) In determining whether market disruption existed, including the causal link between imports which were increasing rapidly, either absolutely or relatively, and any material injury or threat of material injury to the domestic industry, the competent authorities would consider objective factors, including (1) the volume of imports of the product which was the subject of the investigation; (2) the effect of imports of such product on prices in the importing WTO Member's market for the like or directly competitive products; (3) the effect of imports of such product on the domestic industry producing like or directly competitive products;

(d) The competent authorities would publish any measure proposed to be taken and provide the opportunity, including a public hearing, if requested, or provide other appropriate means, for importers, exporters and other interested parties to submit their views and evidence on the appropriateness of the proposed measure and whether it would be in the public interest;

(e) The competent authority would promptly publish notice of the decision to apply a measure, including an explanation of the basis for the decision and the scope and duration of the measure;

(f) The period of application of the measure could be extended, provided that the competent authorities of the importing WTO Member had determined that action continued to be necessary to prevent or remedy market disruption. The competent authorities of the importing WTO Member would publish notice of the commencement of any proceeding to consider whether to extend the duration of an action and would, within a reasonable time thereafter, hold a public hearing or provide other appropriate means for the purpose of permitting all interested parties to have an opportunity to present evidence or their views and to respond to the presentations of other parties;

(g) Except for good cause, no investigation under Section 16 of the Protocol on the same subject matter could be initiated less than one year after the completion of a previous investigation; and

(h) A WTO Member would apply a measure only for such period of time as was necessary to prevent or remedy market disruption.

247. Trade diversion referred to an increase in imports from China of a product into a WTO Member as the result of an action by China or other WTO Members pursuant to paragraphs 2, 3 or 7

of Section 16 of the Draft Protocol. Members of the Working Party also noted that the Draft Protocol required a determination that any trade diversion was significant and that the action taken to address market disruption had caused or threatened to cause the diversion.

248. Members of the Working Party agreed that objective criteria had to be applied in determining whether actions to prevent or remedy market disruption caused or threatened to cause significant diversion of trade. Among the factors to be examined were:

(a) the actual or imminent increase in market share of imports from China in the importing WTO Member;

(b) the nature or extent of the action taken or proposed by China or other WTO Members;

(c) the actual or imminent increase in the volume of imports from China due to the action taken or proposed;

(d) conditions of demand and supply in the importing WTO Member's market for the products at issue; and

(e) the extent of exports from China to the WTO Member(s) applying a measure pursuant to paragraphs 2, 3 or 7 of Section 16 of the Draft Protocol and to the importing WTO Member.

249. A measure taken to address significant diversions of trade would be terminated not later than 30 days after the expiration of the action taken by the WTO Member or Members involved against imports from China.

250. If the WTO Member or Members taking an action to address market disruption notified the WTO Committee on Safeguards of any modification of an action, the competent authorities of the WTO Member addressing trade diversion would determine whether a significant diversion of trade continued to exist and determine whether to modify, withdraw or keep in place the action taken.

V. TRADE-RELATED INTELLECTUAL PROPERTY REGIME

A. GENERAL

1. Overview

251. The representative of China stated that China had made the protection of intellectual property rights ("IPRs") an essential component of its reform and opening-up policy and socialist legal construction. The formulation of laws and regulations in this field could be traced back to the late 1970s. Since then, China had joined relevant international conventions and had actively participated in the activities sponsored by relevant international organizations. It had intensified its exchanges and cooperation with countries throughout the world in the field of IPR protection. As a result, notwithstanding the initial stage of its development, China's IPR protection system aimed at achieving world dimension and world standards. Lists of administrative rules concerning intellectual property rights currently in force in China were presented below in Table A. The status of ongoing reforms and other relevant information was presented in Table B in the following paragraph. Other laws, regulations and measures relating to the implementation of the TRIPS Agreement had been or would be notified to the WTO and would be made available upon request.

Table A: The Administrative Rules of China Concerning Intellectual Property Rights

The following three parts were the administrative rules regarding protection of intellectual property right, which were still in force in China. As an important part of China's IPR legal system, these rules had a great effect on IPR protection, enforcing the IPR law, etc. Part I List of Administrative Rules Regarding Protection of Patent Right Part II List of Administrative Rules Regarding Protection of Trademark Part III List of Administrative Rules Regarding Protection of Copyright
Part I List of Administrative Rules Regarding Protection of Patent Right (i) Methods on the Showing the Identification of Right of Priority to Applicant made by Patent Office of China (1 March 1988) (ii) Opinions of the Patent Office of China concerning the Implementation of the Regulations on Patent Commissioning (19 April 1991) (iii) Explanation of the Patent Office of China on Certain Matters Relating to the Commissioning Involving Foreign Interests (16 November 1987) (iv) Decree of Patent Office of China (No.26) (20 November 1989) (v) Decree of Patent Office of China (No.27) (21 December 1989) (vi) Decree of Patent Office of China (No.31) (14 March 1991) (vii) Procedures for Administrative Reconsideration of Patent Office of the People's Republic of China (for Trial Implementation) (21 December 1992) (viii) Methods of Handling the Patent Disputes by the Administrative Authorities for Patent Affairs (4 December 1989)
Part II List of Administrative Rules Regarding Protection of Trademark (i) Circular on the Commodities Demanded to Use Registered Trademark made by the State Administration for Industry and Commerce (14 January 1988) (ii) Circular on the Prohibition from Registering the Other Person's Trademark Abroad without Being Authorized made by State Administration for Industry and Commerce and the Ministry of Foreign Economy and Trade (19 November 1990) (iii) Interim Provisions on Claims for Priority in Applying for Registration of Trademarks made by State Administration for Industry and Commerce (15 March 1983) (iv) Methods of the Application International Registration of Trademark of Madrid made by the State Administration for Industry and Commerce (2 March 1989)

(v)	Circular on the Stopping Using the Literal of "Xiang Bin" or "Champagne" in Varieties of Commodities of Alcohol made by the State Administration for Industry and Commerce (26 October 1989)
(vi)	Circular on Printing and distributing " the Rules regarding the Question of Using Trademark in Can Food for Export" (15 October 1991)
(vii)	Provisions on the Control over the Surrogate of Trademark
(viii)	Provisions on the Registration of and the Control over the Collective Trademark and Certified Trademark (issued on 30 December 1994, revised on 3 December 1998)
(ix)	Provisions on the Control over the Printing of Trademark (issued on 5 September 1996, revised on 3 December 1998)
	Part III List of Administrative Rules Regarding Protection of Copyright
(i)	Opinions of the National Copyright Administration on Questions Relating to Reprinting the Programs in Advance in Broadcast and Television (12 December 1987)
(ii)	Circular of the National Copyright Administration of Printing and Distribution "Report Relating to Appropriate Handling the Copyright Question in the Process of Culture Communication with Taiwan" and "Interim Provisions Relating to the Copyright Question of Pressing the Works Written by Taiwan Compatriots" (8 February 1988)
(iii)	Circular of National Copyright Administration regarding the Points for Attention of Transferring Copyright to Taiwan's Press Person (26 December 1987)
(iv)	Opinions of National Copyright Administration on Matters Relating to Local Work on Copyright Management (May 1988)
(v)	Circular of the National Copyright Administration concerning Procedures of Examining and Verifying the Copyright Trading Contract Between the Mainland and Hong Kong, Macao and Taiwan (2 November 1988)
(vi)	Opinions on Certain Matters of the National Copyright Administration concerning Handling Copyright Cases (27 December 1988)
(vii)	Circular of the National Copyright Administration concerning the Standard of Paying Author's Remuneration When the Press Reprint and Extract the Published Works at Present (27 August 1991)
(viii)	Interim Provisions of the Standard of Paying Author's Remuneration When the Press Reprint and Extract the Published Works with the Consent by Law (1 August 1993)
(ix)	Interim Provisions of the Standard of Paying Author's Remuneration When Perform the Published Works with the Consent by Law (1 August 1993)
(x)	Interim Provisions of the Standard of Paying Author's Remuneration When Record the Published Works with the Consent by Law (1 August 1993)

(xi)	Direction of the Chinese Center of Receiving and Transmitting Author's Remuneration concerning Receiving and Transmitting Remuneration About the Press Extract the Published Works
(xii)	Circular of the National Copyright Administration concerning Enforcing "the Memorandum of Understanding between the Government of the People's Republic of China and the Government of the United States of America on the Protection of Intellectual Property" (29 February 1992)
(xiii)	Urgent Circular concerning Strengthening Administration of Reproducing Compact Discs and Laser Discs (12 April 1994)
(xiv)	Circular of Enforcing "Urgent Circular concerning Strengthening Administration of Reproducing Compact Discs and Laser Discs" (12 May 1994)
(xv)	Cooperate Circular of the Ministry of Judicial and National Copyright Administration concerning Bringing Notary Office into Play in Dealing with the Infringing Copyright Cases (29 August 1994)
(xvi)	Measures of the Registration of Copyright of Computer Software (4 June 1992)
(xvii)	Guide to Classified Coding of Software in Computer Software's Registration
(xviii)	The Item and Standard of Registration Expenses of Computer Software (18 April 1992)

252. The representative of China stated that for accession to the WTO Agreement and compliance with the TRIPS Agreement, further amendments had been made to the Patent Law. The amendments to the Copyright Law and the Trademark Law, as well as relevant implementing rules covering different areas of the TRIPS Agreement, would also be accomplished upon China's accession. The representative of China stated that laws adopted by the National People's Congress and administrative regulations, including implementing rules, issued by the State Council were applied and enforced by the people's courts. The Working Party took note of these commitments.

Table B: Revision of China's IPR Laws in Conformity with the TRIPS Agreement

The People's Republic of China had conducted an intensive work programme to examine and revise the IPR laws, administrative regulations and department rules relating to the implementation of the WTO Agreement and China's accession commitments. A list of China's IPR laws, administrative regulations and department rules to be revised and abolished was hereby notified to the Working Party. Part I of the list contained eight laws and regulations. Part II of the list contained four department rules to be revised or abolished for the same reason. This list included the names of laws, regulations and department rules, reasons for revision or abolishment, and dates of implementation.	
Part I Laws and Administrative Regulations	
Laws and Regulations	Date of Implementation
1. Copyright Law of the People's Republic of China	Upon accession
2. Regulations for the Implementation of the Copyright Law of the People's Republic of China	Upon accession
3. Regulations for the Protection of Computer Software	Upon accession
4. Trademark Law of the People's Republic of China	Upon accession
5. Detailed Rules for the Implementation of the Trademark Law of the People's Republic of China	Upon accession
6. Regulations of the People's Republic of China on the Protection of New Varieties of Plants	Effective as of 1 October 1997
7. Law of the People's Republic of China Against Unfair Competition	Effective as of 1 December 1993
8. Regulations on the Implementation of the Integrated Circuit Layout Design	To be effective as of 10 October 2001
Part II Department Rules	
Department Rules	Date of Implementation
1. Interim Rules on the Administration of Patents in Agriculture, Animal Husbandry and Fisheries	To be abolished upon accession
2. Notice on the Interim Regulation on the Protection of Copyright of Books and Magazines	To be abolished upon accession
3. Notice on the Issuance of the "Detailed Rules of Interim Regulations on the Protection of Copyright of Books and Magazines", "Publication Intention Contracts" and "Publication Contracts"	To be abolished upon accession
4. Interpretation of Article 15(4) of the "Interim Regulation on the Protection Copyright of Books and Magazines"	To be abolished upon accession

2. Responsible agencies for policy formulation and implementation

253. The representative of China stated that, at present, different agencies were responsible for IPR policy formulation and implementation. The State Intellectual Property Office ("SIPO") was responsible for patent approval; the Trademarks Office under the State Administration for Industry

and Commerce ("SAIC") was responsible for trademarks registration; the Copyright Office was responsible for copyright policy making; SAIC was responsible for anti-unfair competition, including the protection of trade secrets; the State Drug Administration ("SDA") was responsible for administrative protection of pharmaceuticals; the General Customs Administration was responsible for border measures; the Ministry of Agriculture and the State Administration of Forestry were responsible for protection of plant varieties; the Ministry of Information Industry was responsible for the protection of layout designs of integrated circuits; and the State General Administration of the People's Republic of China for Quality Supervision and Inspection and Quarantine and SAIC were responsible for combating counterfeiting activities. Other agencies like the agency for press and publications, the people's courts and police were also involved in the protection of IPR in China.

3. Participation in international intellectual property agreements

254. The representative of China stated that China became a member of the World Intellectual Property Organization in 1980. In 1985, China became a member of the Paris Convention for the Protection of Industrial Property. China was one of the first countries that signed the Treaty on Intellectual Property in Respect of Integrated Circuits, the negotiation of which was concluded in 1989. In 1989, China became a member of the Madrid Agreement Concerning the International Registration of Marks and in 1992, China became a member of the Berne Convention for the Protection of Literary and Artistic Works. In 1993, China became a member of the Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms. In 1994, China became a member of the Patent Cooperation Treaty and a member of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks. In 1995, China became a member of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure and applied for membership in the Protocols of the Madrid Agreement Concerning the International Registration of Marks. In 1996, China became a member of the Locarno Agreement on Establishing an International Classification for Industrial Designs; and in 1997, China became a member of the Strasbourg Agreement Concerning the International Patent Classification. Besides the above efforts, China participated in the TRIPS negotiations during the Uruguay Round and initialled the Final Act.

4. Application of national and MFN treatment to foreign nationals

255. Some members of the Working Party expressed concern that certain provisions of China's copyright and trademark laws, as well as China's Rules on Banning the Infringement of Business Secrets (23 November 1995) did not provide national treatment to foreign right-holders. The Rules on Banning Infringements of Business Secrets, for example, defined the "owner" of a trade secret as a "citizen, corporation, and other organization" and did not explicitly provide protection for foreign individuals or organizations. Some members of the Working Party further stated that national treatment should be fully applied, so that copyright enforcement action by local copyright bureaux involving foreign right-holders, would no longer require clearance by the National Copyright Administration in Beijing.

256. The representative of China responded that China's IPR laws provided that any foreigner would be treated in accordance with any agreement concluded between the foreign country and China, or in accordance with any international treaty to which both countries were party, or on the basis of the principle of reciprocity. The representative of China further confirmed that China would modify relevant laws, regulations and other measures so as to ensure national and MFN treatment to foreign right-holders regarding all intellectual property rights across the board in compliance with the TRIPS Agreement. This would include adjustments of the clearance requirement mentioned in the previous paragraph to ensure national treatment. The Working Party took note of these commitments.

B. SUBSTANTIVE STANDARDS OF PROTECTION, INCLUDING PROCEDURES FOR THE ACQUISITION AND MAINTENANCE OF INTELLECTUAL PROPERTY RIGHTS

1. Copyright protection

257. The representative of China stated that the Copyright Law, which was promulgated in 1990, established the basic copyright protection system in China together with the Implementing Rules of the Copyright Law (30 May 1991), the Provisions on the Implementation of the International Copyright Treaty (25 September 1992) and other related laws and regulations. In principle, this system was in compliance with the international IPR treaties and practices. For the protection of copyright and neighbouring rights, not only civil and criminal liabilities but also administrative liabilities, were provided for in this system. Hence the infringing activities could be curbed in a timely and effective manner and the legitimate rights of the right-holders could be protected.

258. Some members of the Working Party expressed concerns about the consistency of China's current law on the protection of copyright and related rights with the TRIPS Agreement. In particular, members noted the need to clarify the rights of performers and producers to bring them into conformity with the requirements of Article 14 of the TRIPS Agreement. In addition, improvements were needed with respect to enforcement of copyright to provide expressly for provisional measures to preserve evidence, including documentary evidence and for remedies sufficient to deter further infringements.

259. The representative of China responded that, realizing that there were some existing differences between China's copyright laws and the TRIPS Agreement, the amendment to the Copyright Law had been accelerated. The proposed amendments would clarify the payment system by broadcasting organizations which use the recording products and also include the following provisions: rental rights in respect of computer programs and movies, mechanical performance rights, rights of communication to the public and related protection measures, protection of database compilations, provisional measures, increasing the legitimate compensation amount and strengthening the measures against infringing activities. China's copyright regime including Regulations for the Implementation of the Copyright Law and the Provisions on the Implementation of the International Copyright Treaty would be amended so as to ensure full consistency with China's obligations under the TRIPS Agreement. The Working Party took note of these commitments.

2. Trademarks, including service marks

260. The representative of China stated that the Trademark Law, its implementing rules and other relevant laws, administrative regulations and department rules constituted the existing trademark legal system in China. The objective of these laws was to provide protection to right-holders in line with the international conventions and prevailing practices regarding intellectual property rights, which was embodied both in the regulations on the substance and procedures for trademark registration and in the protection of trademark exclusive rights. In order to protect the trademark owner's exclusive rights, China's Trademark Law contained not only civil and criminal liabilities but also provided for administrative punishment of trademark infringers. This "double-track system" for the protection of exclusive rights in trademarks could prevent trademark infringements in a timely and effective manner and protect the legitimate rights and interests of these exclusive rights. In recent years, China's judicial and administrative bodies had stepped up their efforts to protect trademark exclusive rights within their respective authority. They had settled a large number of cases that were influential, domestically and abroad, which provided adequate protection to the legitimate rights and interests of both Chinese and foreign holders of exclusive rights in trademarks, and received a positive response from domestic and foreign right-holders.

261. Some members of the Working Party reiterated their concerns about whether certain provisions of China's trademark law provided national treatment to foreign owners of trademarks.

They noted that China's law required foreign owners of trademarks to use designated trademark agents, while Chinese nationals were permitted to file directly with China's Trademark Office. Members also noted that China's trademark law did not consider certain signs as eligible for protection as required under the TRIPS Agreement. These included names, letters, numerals and colours capable of distinguishing goods and services. In addition, if registrability of a trademark depends on use, China's trademark law should provide that a non-distinctive mark could qualify for registration when it has acquired distinctiveness based on use. Members also noted that it was not clear under China's law that actual use of a mark was not required before a party could file to register a mark.

262. Some members of the Working Party also raised concerns about the protection of well-known trademarks in China, in particular those not registered in China. China's laws and regulations did not specifically state the criteria for determining whether a mark was well-known and therefore members could not determine if it conformed to the requirements of Article 16 of the TRIPS Agreement. Moreover, while China had provided protection to "well-known trademarks" owned by nationals, such protection had, as yet, not been granted to the well-known trademarks of foreigners. Members also noted that certain provisions of China's trademark law needed to be extended to unregistered well-known trademarks.

263. The representative of China stated that with the development of China's market economy and the further implementation of the TRIPS Agreement, China's legislative and law enforcement bodies had also realized that the existing trademark law fell somewhat short of fulfilling the requirements of the TRIPS Agreement and the Paris Convention in a few aspects and were therefore preparing to amend the existing trademark law to fully meet the requirements of the TRIPS Agreement. Modifications would mainly be made to the following aspects: to include the trademark registration of three-dimensional symbols, combinations of colours, alphabets and figures; to add the content of collective trademark and certification trademark (including geographical indications); to introduce official symbol protection; to protect well-known trademarks; to include priority rights; to modify the existing trademark right confirmation system and offer interested parties the opportunity for judicial review concerning the confirmation of trademark rights; to crack down on all serious infringements; and to improve the system for providing damages for trademark infringement. The Working Party took note of these commitments.

3. Geographical indications, including appellations of origin

264. The representative of China stated that the relevant rules of the SAIC and the State General Administration of the People's Republic of China for Quality Supervision and Inspection and Quarantine partly provided protection for geographical indications, including appellations of origin, and that the amendments to the trademark law would have a specific provision on the protection of geographical indications.

265. Members of the Working Party took note of the progress achieved on providing protection for geographical indications and reiterated the importance of China's legislation complying with the obligations under the TRIPS Agreement (Articles 22, 23 and 24). The representative of China shared this assessment and reiterated China's intention to fully comply with relevant articles in the TRIPS Agreement on geographical indications. The Working Party took note of this commitment.

4. Industrial designs

266. Some members of the Working Party noted that the industrial design provisions of China's patent law appeared to implement substantial portions of the TRIPS Agreement requirements relating to industrial designs. One notable exception was the area of textile designs. These members noted that designs of WTO Members could be protected under China's Provisions on the Implementation of

the International Copyright Treaty as works of applied art. Members urged China to incorporate this protection into its law and to provide such protection to domestic textile designs.

5. Patents

267. The representative of China stated that in preparation for its accession, China revised its patent law in 1992 for the first time. China had taken measures to enhance consistency with the TRIPS Agreement in terms of major provisions and protection standards. In order to increase the awareness of the general public on IPR protection, and patent protection in particular, to be consistent with the TRIPS Agreement, and to build up a sound social environment for the promotion and commercialization of inventions, the National People's Congress approved the second revision of the Patent Law on 25 August 2000. The revised patent law, which would take effect on 1 July 2001, included the following elements: (1) patent owners would have the right to prevent others from offering for sale the patented product without their consent (Article 11); (2) for utility model and design applications or patents, the final decision on re-examination and invalidation would be made by the people's courts other than for inventions that were patented prior to the amendment (Articles 41 and 46); (3) patent owners could, before instituting legal proceedings, request the people's court to take provisional measures such as to order the suspension of infringing acts and to provide property preservation (Article 61); and (4) conditions for granting a compulsory licence would be further clarified and made consistent with the TRIPS Agreement.

268. The representative of China further stated that since its establishment, SIPO had paid great attention to strengthening its contacts and coordination with relevant departments and ministries in the field of IPR law enforcement, especially in the areas of settling inter-agency problems and resolving key cases. At the same time, SIPO had taken appropriate measures to improve the performance of local patent authorities in law enforcement. For example, in June 1999, SIPO convened a nationwide working conference, which was attended by representatives from local patent administrative authorities. The participants summarized their law enforcement practices over the previous two years and also exchanged information on their experiences in their local legislative work with a view to intensifying patent protection. The conference also called for the introduction of important patent cases reporting and recording system.

269. The representative of China stated that so far as the range of patent protection and protection for new plant varieties were concerned, China had already met the requirements of Article 27 of the TRIPS Agreement. When amending the Patent Law in 1992, China modified Article 25 therein with reference to the relevant stipulations in the draft of the TRIPS Agreement and expanded the coverage of patent protection to food, beverages, flavourings, pharmaceuticals and materials obtained by chemical methods. The scope of patent exclusions would be limited to "scientific discoveries, rules and methods of intellectual activities, diagnostic and therapeutic methods for the treatment of diseases, animals and plant varieties, as well as materials obtained by the change of nucleus".

270. He further stated that Article 5 of China's Patent Law stipulated that inventions that violate laws of China or social morality or prejudice public interest would not be entitled to patent right. While literally there was a difference between Article 5 of China's Patent Law and the TRIPS Agreement, in practice, during the review of patent applications, the interpretation of "violating laws of China" had been restricted to "if laws of China prohibit the sale of a certain patented product, or prohibit the sale of products manufactured by a patented method, the granting of patent right cannot be denied to this product invention or this invention of product manufacturing method by relying on Article 5 of the Patent Law". Hence, in essence, he concluded that there was no difference between Article 5 of the Patent Law as applied and the TRIPS Agreement. Nonetheless, China would amend the Implementing Rules of the Patent Law to ensure that this provision would be implemented in full compliance with Article 27.2 of the TRIPS Agreement, which stipulated that: "Members may exclude from patentability inventions, the prevention within their territory of the commercial exploitation of which is necessary to protect *ordre public* or morality, including to protect human, animal or plant life

or health or to avoid serious prejudice to the environment, provided that such exclusion is not made merely because the exploitation is prohibited by their law". The Working Party took note of this commitment.

271. Regarding Article 28 of the TRIPS Agreement (rights conferred), the representative of China stated that China's patent law had fully complied with the requirements of the TRIPS Agreement for the following reasons. First, in the 1992 amendment to the Patent Law, Article 11 was modified as follows: "any entity or individual is, without prior licensing from the patentee, prohibited from making, using or selling patented products or patented processes, or using or selling products directly obtained by the patented processes for the purpose of production and operation". It was also prohibited for any entity or individual to import patented products or products directly obtained by patented processes for the purpose of production and operation. This modification expanded the scope of patentees' right, namely the new content of "the right to prohibit import" and "the effect of patented processes is extended to products directly obtained by patented processes". Second, in 2000, when the second amendment was made to the Patent Law, Article 11 was once again modified. A new stipulation was introduced granting patentees the right to prohibit others from offering for sale the patented products or products directly obtained by patented processes without the consent of patentees. Therefore, so far as "the right of patentees" is concerned, China's Patent Law had fully accommodated the requirements of the TRIPS Agreement.

272. Further to the 1992 amendment, the representative of China stated that China's Patent Law provided for compulsory licences based on reasonable terms, for public interest and for dependent patents. With regard to the conditions of compulsory licences for dependent patents, the Patent Law provided that the latter invention should be technically more advanced than the earlier one. The TRIPS Agreement provides that "the invention claimed in the second patent shall involve an important technical advance of considerable economic significance in relation to the invention claimed in the first patent" (Article 31(l)(i)). Since the provisions of the TRIPS Agreement were more transparent and easier to operate, the relevant expressions contained in the TRIPS Agreement were adopted in the new revision. In addition, the following restrictive conditions for granting compulsory licences contained in the Implementing Rules of the Patent Law of 1992 had been moved into the Patent Law in order to make it more authoritative: the decision of SIPO on the granting of a compulsory licence for exploitation would be limited in terms of its scope and duration; when the circumstances which led to such compulsory licence ceased to exist and were unlikely to recur, SIPO, upon the request of the patentee, could terminate the compulsory licence after examination; were incorporated into the Law (former Article 68 of the Implementing Rules of the Patent Law of 1992 had now been moved into Article 52 of the revised Patent Law).

273. The representative of China stated that following the 1992 amendment, the regulations on compulsory licensing in China's Patent Law and its implementing rules, as a whole, had fulfilled the requirements of the TRIPS Agreement. However, some wording and expressions in the Chinese regulations were still not identical to the TRIPS Agreement and these regulations still needed improvement in respect of the administrative legal proceedings concerning compulsory licensing. Therefore, in the second amendment to the Patent Law in 2000, the corresponding amendments and modifications to the stipulations on compulsory licensing were mainly made in the following two points: (1) Article 53 of the Patent Law was modified from "a patented invention or utility model is technically more advanced than the inventions or utility models which have obtained patent right earlier" into "a later invention or utility model is an important technical progress with striking economic significance as compared to the earlier invention or utility model"; and (2) having been subject to appropriate adjustments, the regulations on the time, scope and termination of compulsory licensing enforcement in Article 68 of the Implementing Rules of the Patent Law of 1992 were integrated into Article 52 of the amended Patent Law. Following the above-mentioned amendments, China's Patent Law had regulations on compulsory licensing with clearer structure and improved content. In the representative of China's view, these regulations were fully consistent with the TRIPS

Agreement. He also added that up to now China had not issued any compulsory licences for patent enforcement.

274. Some members of the Working Party noted the improvements in the provisions regarding compulsory licensing for patents that the representative of China cited. Some members however, requested clarification of the subject matter that would be subject to compulsory licensing under the Patent Law.

275. In response, the representative of China agreed that still not all the requirements of Article 31 of the TRIPS Agreement had been incorporated into Chinese law, and that the Implementing Rules of the Patent Law would therefore be modified so as to ensure that: (1) use without authorization of the right-holder would only be permitted if, prior to such use, the proposed user had made efforts to obtain authorization from the right-holder on reasonable commercial terms and conditions, on the understanding that this requirement could be waived in the case of a national emergency or other circumstances of extreme urgency or in cases of public non-commercial use and subject to the other provisions of subparagraph (b) of Article 31; (2) the right-holder would be paid adequate remuneration in the circumstances of each case, taking into account the economic value of the authorization (Article 31(h)); (3) any such use would be authorized predominantly for the supply of the domestic market (Article 31(f)); and (4) in the case of semi-conductor technology, the scope and duration of such use would only be for public non-commercial use or to remedy a practice determined after judicial or administrative process to be anti-competitive (Article 31(c)). The Working Party took note of these commitments.

276. Regarding Article 32 of the TRIPS Agreement (revocation/forfeiture), the representative of China stated that in light of Articles 41 and 46 of the amended Patent Law, patent applicants or patentees of inventions, as well as applicable utility models and designs, could institute legal proceedings in the people's court if they were not satisfied with the review or nullity decisions made by the Patent Review Board. This modification enabled China's Patent Law to be fully consistent with TRIPS regarding administrative decisions which were subject to judicial review.

277. On the duration of patent right protection, the representative of China stated that as early as 1992 when China made an initial amendment to the Patent Law, Article 45 (later converted into Article 42 after the second amendment) was modified as: "the duration of inventions patent right is 20 years and the duration of patent right for applicable utility model and designs is 10 years, counted as of the date of application". Therefore, China's Patent Law had for a long time accorded with Articles 26 and 33 of the TRIPS Agreement concerning the duration of patent rights.

278. Regarding Article 34 of the TRIPS Agreement (process patents: burden of proof), the representative of China stated that China's Patent Law was modified in 1992 and 2000, and was now in full conformity with the TRIPS Agreement. The amended paragraph 2 of Article 57 reads: "when any infringement dispute relates to a process patent for the manufacture of a new product, any entity or individual manufacturing the identical product shall furnish proof to the effect that a different process is used in the manufacture of its or his product".

6. Plant variety protection

279. The representative of China confirmed that China was a party to the 1978 text of the Universal Convention on the Protection of Plant Varieties ("UPOV"). In March 1997, the State Council formulated and promulgated the Regulation on the Protection of New Plant Varieties, thus offering protection for new plant varieties in a *sui generis* form consistent with the requirements of the TRIPS Agreement. A unit or an individual that had accomplished the breeding enjoyed an exclusive right in their right-granted variety. No unit or individual could, without permission from the owner of the variety rights (referred to as "the variety rights owner"), produce or market for commercial purposes the propagation material of the rights-granted variety, or repeatedly use for

commercial purposes the propagation material of the rights-granted variety in the production of the propagation material of another variety. The conditions of non-voluntary licensing were set out in the regulation. The period of protection of variety rights, from the date of grant of the rights, would be 20 years for vines, forest trees, fruit trees and ornamental trees and 15 years for other plants.

7. Layout designs of integrated circuits

280. The representative of China stated that China was one of the first countries to sign the Treaty on Intellectual Property in Respect of Integrated Circuits in 1989. The specific Regulation on the Protection of Layout Designs of Integrated Circuits, which would implement China's obligations under Section 6, Part II of the TRIPS Agreement, was issued in April 2001 and would be effective on 1 October 2001.

281. The representative of China stated that China was strengthening the protection of the layout designs to support the rapid development of the integrated circuit industry. The regulations provided protection to layout-designs, according to which the following acts if performed without authorization of the right-holder were unlawful: importing, selling or otherwise distributing for commercial purposes a protected layout-design, an integrated circuit in which a protected layout-design was incorporated, or an article incorporating such an integrated circuit only in so far as it continued to contain an unlawfully reproduced layout-design. The exception clause and non-voluntary licensing clause were in conformity with Article 37 of TRIPS. The term of protection was 10 years counted from the date of filing an application for registration or from the first commercial exploitation wherever in the world it occurred. In addition, the protection to the layout-design of integrated circuits was in accordance with Article 2 through 7 (other than paragraph 3 of Article 6), Article 12 and paragraph 3 of Article 16 of the Treaty on Intellectual Property in Respect of Integrated Circuits.

8. Requirements on undisclosed information, including trade secrets and test data

282. Some members of the Working Party expressed concern about China's protection against unfair commercial use and disclosure of undisclosed test and other data submitted to authorities in China to obtain marketing approval for pharmaceuticals and agricultural chemicals. They noted that China's laws appeared to prohibit the release of information by government officials but did not include provisions regarding the prevention of unfair commercial use, as required under Article 39.3 of the TRIPS Agreement. Some members requested that China specifically provide in its law and regulations that it would protect against unfair commercial use of undisclosed test or other data submitted in support of applications for marketing approval of pharmaceutical or of agricultural chemical products which utilize new chemical entities, by providing that no person other than the person that submitted such data may, without the permission of the person initially submitting the data, rely on such data in support of an application for product approval for a period of at least six years from the date on which marketing approval to the person that submitted the data had been granted.

283. The representative of China stated that Article 10 of the Anti-unfair Competition Law provided that a business operator must not infringe upon trade secrets. Under the same Article, obtaining, using or disclosing another's trade secrets by a third party who clearly knew or ought to have known that the case fell under the unlawful acts listed in the preceding paragraph was deemed infringement upon trade secrets. Trade secrets referred to any technology information or business operation information which was unknown to the public, could bring about economic benefits to the obligee, had practical utility and about which the obligee had adopted secret-keeping measures. He also stated that Article 219 of the Criminal Law had similar definitions on trade secrets.

284. The representative of China further confirmed that China would, in compliance with Article 39.3 of the TRIPS Agreement, provide effective protection against unfair commercial use of undisclosed test or other data submitted to authorities in China as required in support of applications for marketing approval of pharmaceutical or of agricultural chemical products which utilized new

chemical entities, except where the disclosure of such data was necessary to protect the public, or where steps were taken to ensure that the data are protected against unfair commercial use. This protection would include introduction and enactment of laws and regulations to make sure that no person, other than the person who submitted such data, could, without the permission of the person who submitted the data, rely on such data in support of an application for product approval for a period of at least six years from the date on which China granted marketing approval to the person submitting the data. During this period, any second applicant for market authorization would only be granted market authorization if he submits his own data. This protection of data would be available to all pharmaceutical and agricultural products which utilize new chemical entities, irrespective of whether they were patent-protected or not. The Working Party took note of these commitments.

C. MEASURES TO CONTROL ABUSE OF INTELLECTUAL PROPERTY RIGHTS

285. The representative of China stated that there were provisions relating to compulsory licences in the Patent Law to prevent abuse of patent right. He also stated that the Trademark Law provided that the trademark registrant may, by concluding a trademark licensing contract, authorize another person to use its registered trademark. The licensor would supervise the quality of the goods on which the licensee used the licensor's registered trademark and the licensee would guarantee the quality of the goods on which the registered trademark was to be used.

286. Some members of the Working Party expressed some concerns as to the compatibility of China's rules on control of anti-competitive licensing practices or conditions with the corresponding obligations under Article 40 of the TRIPS Agreement. The representative of China stated in response that China's legislation would comply with these obligations, notably as to the request for consultations with other Members. He stated that these rules would apply across the board to all intellectual property rights. The Working Party took note of this commitment.

D. ENFORCEMENT

1. General

287. Some members of the Working Party expressed concern that there was a continued need for additional enforcement efforts by the Government of China. They also said that China should strengthen the legislative framework for the enforcement of intellectual property rights for all right-holders. The representative of China stated that where an infringement of intellectual property rights was found in China, the person concerned could bring a lawsuit to a court. Since 1992, special IPR courts have been set up in major cities such as Beijing and Shanghai on the basis of their specialized collegial panels. According to China's legislation, individuals and enterprises would be held responsible for all their IPR infringing activities and subject to civil and/or criminal liabilities. Where any person violated the IPR of another person and the circumstances were serious, the person directly responsible would be prosecuted for his criminal liability by applying relevant provisions of the Criminal Law. If found guilty, the person directly responsible could be sentenced to a fixed-term imprisonment of no more than seven years or be subject to detention or a fine.

288. Some members of the Working Party further urged China to ensure the vigorous application by Chinese authorities of the enforcement legislation in order to considerably reduce the existing high levels of copyright piracy and trademark counterfeiting. Action should include the closure of manufacturing facilities as well as markets and retail shops that had been the object of administrative convictions for infringing activities. The representative of China stated that the measures for cracking down on intellectual property piracy were always severe in China. In judicial aspects, courts at all levels were continuously paying attention to the trial of IPR cases. As for administration aspects, the administrative authorities at all levels were putting emphasis on strengthening anti-piracy work. In addition, the administrative authorities were also enhancing the legal publication and education of the general public in a bid to ensure that the legal environment of China would be able to meet the

requirements for enforcing the TRIPS Agreement. The Working Party took note of these commitments.

2. Civil judicial procedures and remedies

289. Some members of the Working Party expressed concern about certain practices relating to the filing of civil judicial actions that made it difficult for intellectual property right-holders to pursue their rights in China's courts. China's system of basing filing fees on the amount of damages requested makes large-scale infringement actions unnecessarily costly. Those members also expressed concern regarding the calculation of damages based on the infringer's profits. This, combined with China's rules on establishing the level of profits which require evidence of actual sale and which disregard inventory and past activity, often resulted in damage amounts inadequate to compensate for the injury that the right-holder has suffered.

290. The representative of China stated that Article 118 of the General Principles of the Civil Law provided that if the rights of authorship (copyrights), patent rights, rights of exclusive use of trademarks, rights of discovery, rights of invention or rights for scientific and technological research achievements of citizens or juridical persons were infringed upon by such means as plagiarism, alteration or imitation, they had the right to demand that the infringement be stopped, its ill effects be eliminated and the damages be compensated for. He further stated that the Trademark Law, the Patent Law and the Copyright Law had similar provisions.

291. The representative of China further confirmed that, Articles 42 and 43 of the TRIPS Agreement would be effectively implemented under the judicial rules of civil procedure. The Working Party took note of this commitment.

292. The representative of China confirmed that the relevant implementing rules would be amended to ensure full compliance with Articles 45 and 46 of the TRIPS Agreement, to the effect that damages paid by the infringer to the right-holder would be adequate to compensate for the injury suffered because of an infringement of that person's intellectual property right by an infringer who knowingly, or with reasonable grounds to know, engaged in infringing activity. The Working Party took note of this commitment.

3. Provisional measures

293. Members of the Working Party noted that the TRIPS Agreement required that judicial authorities have the authority to order prompt and effective provisional measures to (1) prevent an infringement of intellectual property from occurring, in particular to prevent the distribution or sale of infringing goods, and (2) to preserve the evidence of alleged infringement.

294. The representative of China stated that in China's Civil Procedure Law there were provisions on property preservation, but as yet no explicit stipulations had been provided to authorize the people's court to take measures for the prevention of infringements prior to formal institution of a lawsuit by a party involved. In order to enhance the deterrent power of law against infringements and to guarantee that the legitimate rights and interests of patentees would not suffer from irreparable harm as well as to comply with the TRIPS Agreement, China, when amending the Patent Law for the second time in 2000, introduced Article 61 to regulate provisional measures, which provided as follows: "where a patentee or any interested party who can provide any reasonable evidence that his right is being infringed or that such infringement is imminent, and any delay in stopping the acts is likely to cause irreparable harm to his or its legitimate rights and interests, he or it may, before instituting legal proceedings, request the people's court to order the suspension of related acts and to provide property preservation".

295. Some Members of the Working Party expressed concern that Article 61 of the Patent Law did not fully incorporate all requirements of Article 44 of the TRIPS Agreement, and that it was still unclear whether holders of intellectual property rights other than patents could rely on a similar procedure.

296. The representative of China stated that Article 61 of the Patent Law would be implemented in a way fully consistent with Article 50.1-4 of the TRIPS Agreement. He also stated that "reasonable evidence" in Article 61 of the Patent Law would be, through implementing rules, clarified to mean "any reasonably available evidence in order to satisfy with sufficient degree of certainty that the applicant is the right-holder and that the applicant's right is being infringed or that such infringement is imminent, and to order the applicant to provide a security or equivalent assurance sufficient to protect the defendant and to prevent abuse". The Working Party took note of this commitment.

4. Administrative procedures and remedies

297. Members of the Working Party noted that most IPR enforcement in China was done through administrative actions. In this connection, some members expressed concern about the inadequate levels of administrative sanctions in China which, when coupled with the high threshold for initiating criminal prosecutions, made IPR enforcement in China difficult. Administrative sanctions generally amounted to small fines and the loss of infringing inventory. Members also stressed the need for administrative authorities to refer more cases, including those involving repeat offenders and willful piracy and counterfeiting, to the appropriate authorities for initiation of criminal actions.

298. The representative of China said that the Trademark Law provided that in the event of any infringement of the right to the exclusive use of a registered trademark, the infringed right-holder could request the administrative department for industry and commerce at or above the county level for disposition. The relevant administrative department for industry and commerce had the power to order the infringer to stop the infringing act immediately and to compensate the infringed right-holder for its or his losses. SAIC and its local agencies above the county level could also impose a fine upon the infringer. The Patent Law provided that the patentee and interested party could request the administrative authority for patent affairs to handle the infringing act. The administrative authority could order the infringer to stop the infringing act immediately and mediate on damages at the request of the parties concerned. The Copyright Law provided that the copyright administration department could subject anyone who committed acts of infringement to such administrative penalties as confiscation of unlawful income from the act or imposition of a fine.

299. The representative of China stated that most IPR enforcement actions in China resulted in administrative measures to address the infringement. He noted ongoing efforts to strengthen the sanctions that were available to administrative authorities and the increased attention given to enforcement of IPRs. The representative of China confirmed that the government would continue to enhance its enforcement efforts, including through the application of more effective administrative sanctions. Relevant agencies, including the State Administration for Industry and Commerce, the State General Administration of the People's Republic of China for Quality Supervision and Inspection and Quarantine and the Copyright Office, now had the authority to confiscate equipment used for making counterfeit and pirated products and other evidence of infringement. These relevant agencies would be encouraged to exercise their authority to seize and preserve evidence of infringement such as inventory and documents. Administrative authorities would have the authority to impose sufficient sanctions to prevent or deter further infringement and would be encouraged to exercise that authority. Appropriate cases, including those involving repeat offenders and willful piracy and counterfeiting, would be referred to relevant authorities for prosecution under the criminal law provisions. The Working Party took note of these commitments.

5. Special border measures

300. The representative of China stated that on 5 July 1995 the State Council of the People's Republic of China had issued special legislation in respect of border measures for enforcement of intellectual property rights – the Regulations of the People's Republic of China Governing Customs Protection of Intellectual Property Rights – which came into effect on 1 October of the same year. According to this legislation, China's Customs offices must take measures to intercept importation or exportation of goods that were proved to be infringing the rights of trademarks, patents or copyrights legally protected in China. China's Customs offices were granted authority to investigate any suspected shipment and confiscate the goods in case infringement was proved.

301. Some members of the Working Party expressed concerns as to the compatibility of existing border measures with obligations under Articles 51 to 60 of the TRIPS Agreement; particularly the provisions on suspension of release into free circulation by customs authorities (Article 51), rules on evidence for initiating this procedure (Article 52), requirements on the security needed to protect the defendant (Article 53), rules on notice of the suspension (Article 54) and its duration (Article 55), rules on indemnification of the importer in case of wrongful detention (Article 56) and opportunity for the right-holder to have the goods detained inspected (Article 57). Moreover some expressed their concern as to compatibility of rules on actions ex-officio by competent authorities and the conditions attached (Article 58), as well as to the remedies provided against infringing goods (Article 59) and the quantities subject to the *de minimis* rules (Article 60).

302. In response, the representative of China stated that China would provide holders of intellectual property rights with procedures related to border measures that complied fully with the relevant provisions of the TRIPS Agreement (Articles 51 to 60). The Working Party took note of this commitment.

6. Criminal procedures

303. The representative of China stated that Articles 213 to 220 of the Criminal Law (Crimes of Infringing on Intellectual Property Rights) provided that whoever seriously infringes the right-holders' rights of registered trademarks, patents, copyrights or trade secrets would be sentenced to fixed-term imprisonment and would also be fined.

304. Some members of the Working Party expressed concerns that criminal procedures could not be used effectively to address piracy and counterfeiting. In particular, the monetary thresholds for bringing a criminal action, as currently applied, were very high and seldom met. Those thresholds should be lowered so as to permit effective action that would deter future piracy and counterfeiting. In response, the representative of China stated that China's administrative authority would recommend that the judicial authority make necessary adjustments to lower the thresholds so as to address these concerns. The Working Party took note of this commitment.

305. Noting the advanced state of protection for intellectual property rights in China, the representative of China confirmed that upon accession China would fully apply the provisions of the TRIPS Agreement. The Working Party took note of this commitment.

VI. POLICIES AFFECTING TRADE IN SERVICES

1. Licensing

306. Some members of the Working Party welcomed the broad-ranging and comprehensive commitments that China was undertaking to increase transparency and to provide information to governments and service providers on any matter relating to the GATS including China's Schedule of Specific Commitments. These members nonetheless expressed concerns regarding the lack of

transparency in China's current services regime, in particular with respect to obtaining, extending, renewing, denying and terminating licences and other approvals required to provide services in China's market and appeals of such actions (hereafter referred to as "China's licensing procedures and conditions"). To be consistent with the provisions of the WTO Agreement, including the Draft Protocol and China's Schedule of Specific Commitments, members of the Working Party noted that China's licensing procedures and conditions should not in themselves act as a barrier to market access and should not be more trade restrictive than necessary. Those members also expressed the view that upon its accession, China should publish (1) a list of authorities responsible for authorizing, approving or regulating those service sectors in which China made specific commitments and (2) China's licensing procedures and conditions.

307. The representative of China confirmed that paragraph 332 regarding publication of a list of all organizations that were responsible for authorizing, approving or regulating service activities for each service sector, including those organizations delegated such authority from the central government authorities, would apply. The representative of China also confirmed that China would publish in the official journal all of China's licensing procedures and conditions upon accession. The Working Party took note of these commitments.

308. The representative of China also confirmed that upon accession China would ensure that China's licensing procedures and conditions would not act as barriers to market access and would not be more trade restrictive than necessary. In accordance with China's commitments under the WTO Agreement, the Draft Protocol and its Schedule of Specific Commitments, the representative of China confirmed that for those services included in China's Schedule of Specific Commitments, China would ensure that:

(a) China's licensing procedures and conditions were published prior to becoming effective;

(b) In that publication, China would specify reasonable time frames for review and decision by all relevant authorities in China's licensing procedures and conditions;

(c) Applicants would be able to request licensing without individual invitation;

(d) Any fees charged, which were not deemed to include fees determined through auction or a tendering process, would be commensurate with the administrative cost of processing an application;

(e) The competent authorities of China would, after receipt of an application, inform the applicant whether the application was considered complete under China's domestic laws and regulations and in the case of incomplete applications, identify the additional information that was required to complete the application and provide the opportunity to cure deficiencies;

(f) Decisions would be taken promptly on all applications;

(g) If an application was terminated or denied, the applicant would be informed in writing and without delay the reasons for such action. The applicant would have the possibility of resubmitting, at its discretion, a new application that addressed the reasons for termination or denial;

(h) If an application was approved, the applicant would be informed in writing and without delay. The licence or approval would enable the applicant to start the commercial operations upon registration of the company with SAIC for fiscal and other similar administrative purposes. This registration would be completed within 2 months of the submission of a complete file, as required by public SAIC regulations, and in accordance with China's Schedule of Specific Commitments;

(i) Where China required an examination to licence professionals, such examinations would be scheduled at reasonable intervals.

The Working Party took note of these commitments.

309. Some members of the Working Party also expressed concern about maintaining the independence of regulators from those they regulated. The representative of China confirmed that for the services included in China's Schedule of Specific Commitments, relevant regulatory authorities would be separate from, and not accountable to, any service suppliers they regulated, except for courier and railway transportation services. For these excepted sectors, China would comply with other relevant provisions of the WTO Agreement and the Draft Protocol. The Working Party took note of these commitments.

310. The representative of China stated that China would consult with WTO Members and develop regulations, consistent with China's Schedule of Specific Commitments and its obligations under GATS, on sales away from a fixed location. The Working Party took note of this commitment.

311. Some members of the Working Party noted that the World Code of Conduct provided a strong ethical basis for regulating sales away from a fixed location.

312. In response to questions from members of the Working Party regarding certain terms in China's Schedule of Specific Commitments, the representative of China confirmed the following:

(a) A "master policy" was a policy that provided blanket coverage for the same legal person's property and liabilities located in different places. A master policy could only be issued by the business department of an insurer's head office or that of its authorized province-level branch offices. Other branches were not allowed to issue master policies.

(i) For 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 were so listed and annually announced by the State Development and Planning Commission) met either of the following requirements, they could purchase a master policy from insurers that were located in the same place as the investors' legal persons were located.

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

2. The investment was 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 accounted for over 15 per cent of the total domestic investment.

For those projects that drew all investment from abroad, every insurer could provide coverage in the form of a master policy.

(ii) A Master policy covering different subject-matters insured of the same legal person.

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

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

2. If over 50 per cent of the insurance amount of the subject-matter insured was from a larger or medium sized city, then insurers in that city were allowed to issue a master policy, no matter whether the insurance applicant's legal person or accounting unit was located in the city.

(b) Large scale commercial risk meant an insurance risk written on any large scale commercial enterprise if, upon accession, the aggregate annual premium exceeded 800 thousand RMB and the investment was more than 200 million RMB; one year after accession, if the aggregate annual premium exceeded 600 thousand RMB and the investment was more than 180 million RMB; two years after accession, if the aggregate annual premium exceeded 400 thousand RMB and the investment was more than 150 million RMB.

(c) Statutory insurance in China's Schedule of Specific Commitments were limited to the following specific categories, and no additional lines or products would be added: third party auto liability insurance, and driver and operator liability for buses and other commercial vehicles.

(d) The representative of China confirmed that any changes to the definition of master policy and large scale commercial risk would be consistent with China's Specific Schedule of Commitments and obligations under GATS so as to progressively liberalize access to this services sector.

The Working Party took note of these commitments.

313. Members of the Working Party welcomed China's commitment to permit internal branching for insurance firms consistent with the phase-out of geographic restrictions. Some members noted that China had scheduled certain qualifications as limitations under GATS Articles XVI and XVII that foreign insurers had to meet to apply for a licence to provide services in China. These qualifications related to a minimum period of establishment in a WTO member, total assets and maintenance of a representative office in China. These qualifications should not apply to those foreign insurance companies established in China seeking authorisation to establish a branch or sub-branch. The representative of China confirmed that the qualifications for foreign insurers applying for a licence to enter China's market would not apply to foreign insurers already established in China that were seeking authorization to establish branches or sub-branches. He also confirmed that a branch and a sub-branch were an extension of the parent enterprise and not a separate legal entity and that China would permit internal branching accordingly on that basis, and in compliance with China's Schedule of Specific Commitments, including provisions on MFN treatment. The Working Party took note of these commitments.

2. Choice of Partner

314. Some members of the Working Party expressed concern regarding the existing practice of imposing conditions on the Chinese companies that were allowed to partner with foreign service suppliers. These members indicated that this could amount to *de facto* quotas, as the number of potential partners meeting those conditions might be limited. The representative of China confirmed that a foreign service supplier would be able to partner with any Chinese entity of its choice, including outside the sector of operation of the joint venture, as long as the Chinese partner was legally established in China. The joint venture as such should meet the prudential and specific sectoral requirements, on the same basis as those for domestic enterprises and which must be publicly available. The Working Party took note of these commitments.

3. Modification of the Equity Interest

315. The representative of China confirmed that the Chinese and foreign partners in an established joint venture would be able to discuss the modification of their respective equity participation levels in the joint venture and implement such modification if agreement was reached by both sides and also approved by the authorities. The representative of China confirmed that such an agreement would be approved if consistent with the relevant equity commitments in China's Schedule of Specific Commitments. The Working Party took note of this commitment.

4. Prior Experience Requirement for Establishment in Insurance Sector

316. The representative of China confirmed that the merging, division, restructuring or other change of legal form of an insurance company would not impact the prior experience requirements included in China's Schedule of Specific Commitments if the new entity continued to supply insurance services. The Working Party took note of this commitment**.**

5. Inspection Services

317. In response to questions from members of the Working Party, the representative of China confirmed that China would not maintain requirements which had the effect of acting as barriers to the operation of foreign and joint-venture commodity inspection agencies, unless otherwise specified in China's Schedule of Specific Commitments. The Working Party took note of this commitment.

6. Market Research

318. Some members of the Working Party expressed concern regarding market research activities. In response to questions from members in this respect, the representative of China confirmed that, upon accession, China would remove the prior approval requirement for market research services, defined as investigation services designed to secure information on the prospects and performance of an organization's products in the market, including market analysis (of the size and other characteristics of a market) and analysis of consumer attitudes and preferences. Market research firms registered in China, which were engaged in such services, would only be required to file the survey plan and the questionnaire form on record in the statistical agencies of government at or above the provincial level. The Working Party took note of these commitments.

7. Legal Services

319. In response to questions from members of the Working Party, the representative of China clarified that "Chinese national registered lawyers", as indicated in China's Schedule of Specific Commitments, were those Chinese nationals who had obtained a lawyer's certificate and were holding a Chinese practising permit and were registered to practice in a Chinese law firm.

8. Minority Shareholder Rights

320. With respect to its Schedule of Specific Commitments, the representative of China confirmed that, while China had limited its market access commitments in some sectors to permit foreigners to hold only a minority equity interest, a minority shareholder could enforce rights in the investment under China's laws, regulations and measures. Moreover, WTO Members would have recourse to WTO dispute settlement to ensure implementation of all commitments in China's GATS schedule. The Working Party took note of these commitments.

9. Schedule of Specific Commitments

321. China's Schedule of Specific Commitments, reproduced in Annex 9 to the Draft Protocol, contained the market access commitments of China in respect of Services.

VII. OTHER ISSUES

1. Notifications

322. Members of the Working Party requested that China submit the notifications required in the Draft Protocol and Report to the WTO body with a mandate covering the subject of the notification. The representative of China confirmed that China would submit its notifications to these bodies, consistent with Section 18.1 and Annex 1A of the Draft Protocol. The Working Party took note of this commitment.

2. Special Trade Arrangements

323. Some members of the Working Party raised specific concerns in relation to some of China's special trade arrangements, including barter trade arrangements, with third countries and separate customs territories, which those members considered not to be in conformity with WTO requirements. In response, the representative of China recalled the commitment undertaken by China in Section 4 of the Draft Protocol.

3. Transparency

324. Some members of the Working Party expressed concern about the lack of transparency regarding the laws, regulations and other measures that applied to matters covered in the WTO Agreement and the Draft Protocol. In particular, some members noted the difficulty in finding and obtaining copies of regulations and other measures undertaken by various ministries as well as those taken by provincial and other local authorities. Transparency of regulations and other measures, particularly of sub-national authorities, was essential since these authorities often provided the details on how the more general laws, regulations and other measures of the central government would be implemented and often differed among various jurisdictions. Those members emphasized the need to receive such information in a timely fashion so that governments and traders could be prepared to comply with such provisions and could exercise their rights in respect of implementation and enforcement of such measures. The same members emphasized the importance of such pre-publication to enhancing secure, predictable trading relations. Those members noted the development of the Internet and other means to ensure that information from all government bodies at all levels could be assembled in one place and made readily available. The creation and maintenance of a single, authoritative journal and enquiry point would greatly facilitate dissemination of information and help promote compliance.

325. In response, the representative of China noted that the Government of China regularly issued publications providing information on China's foreign trade system, such as the: "Almanac of Foreign Economic Relations and Trade" and "The Bulletin of MOFTEC" published by MOFTEC; "Statistical Yearbook of China", published by the State Statistical Bureau; "China's Customs Statistics (Quarterly)", edited and published by the Customs. China's laws and regulations of the State Council relating to foreign trade were all published, as were rules issued by departments. Such laws, regulations and rules were available in the "Gazette of the State Council", the "Collection of the Laws and Regulations of the People's Republic of China" and the "MOFTEC Gazette". The administrative regulations and directives relating to foreign trade were also published on MOFTEC's official website (http://www.moftec.gov.cn) and in periodicals.

326. He further noted that there were no forex restrictions affecting import or export. Information on forex measures was published by the SAFE and was available on SAFE's website (http://www.safe.gov.cn) and via the news media.

327. The representative of China noted that information concerning the administration of imports and exports would be published in the "International Business" newspaper and the "MOFTEC Gazette".

328. He also noted that information on China's customs laws and regulations, import and export duty rates, and customs procedures was published in the "Gazette of the State Council" and in the press media, and was available upon request. The procedures concerning application of duty rates, customs value and duty determination, drawback and duty recovery, as well as the procedures concerning duty exemptions and reduction, were also published. Customs also published monthly customs statistics, calculated according to country of origin and final destination, on the basis of eight-digit HS levels.

329. The representative of China noted that any bilateral trade agreements concluded between China and its trading partners, and protocols on the exchange of goods negotiated under them were published in "The Treaty Series of the PRC". He also noted that the "Directory of China's Foreign Economic Relations and Trade Enterprises" and "China's Foreign Trade Corporations and Organizations" were two publications which identified foreign trade corporations and other enterprises in China engaged in foreign trade.

330. The representative of China stated that the full listing of official journals was as follows: Gazette of the Standing Committee of the National People's Congress of the People's Republic of China; Gazette of the State Council of the People's Republic of China; Collection of the Laws of the People's Republic of China; Collection of the Laws and Regulations of the People's Republic of China; Gazette of MOFTEC of the People's Republic of China; Proclamation of the People's Bank of the People's Republic of China; and Proclamation of the Ministry of Finance of the People's Republic of China.

331. The representative of China confirmed that publication of all laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of forex would include the effective date of these measures. It would also include the products and services affected by a particular measure, identified by appropriate tariff line and CPC classification. The Working Party took note of these commitments.

332. The representative of China confirmed that China would publish in the official journal, by appropriate classification and by service where relevant, a list of all organizations, including those organizations delegated such authority from the national authorities, that were responsible for authorizing, approving or regulating services activities whether through grant of licence or other approval. Procedures and the conditions for obtaining such licences or approval would also be published. The Working Party took note of these commitments.

333. The representative of China confirmed that none of the information required by the WTO Agreement or the Draft Protocol to be disclosed would be withheld as confidential information except for those reasons identified in Section 2(C) of the Draft Protocol or unless it would demonstrably prejudice the legitimate commercial interests of particular enterprises, public or private. The Working Party took note of this commitment.

334. The representative of China confirmed that China would make available to WTO Members translations into one or more of the official languages of the WTO all laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of forex, and to the maximum extent possible would make these laws, regulations and other measures available before

they were implemented or enforced, but in no case later than 90 days after they were implemented or enforced. The Working Party took note of these commitments.

335. Members of the Working Party also requested that China set up an enquiry point where information relating to all laws, regulations, judicial decisions and administrative rulings of general application and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of forex could be obtained.

336. The representative of China confirmed that China would establish or designate one or more enquiry points where all information relating to the laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of forex, as well as the published texts, could be obtained and would notify the WTO of any enquiry point and its responsibility. The information would include the names of national or sub-national authorities (including contact points) responsible for implementing a particular measure. The Working Party took note of these commitments.

4. Government Procurement

337. The representative of China stated that in order to promote China's government procurement regime, the Ministry of Finance promulgated the Interim Regulations on Government Procurement in April 1998. The Interim Regulations were stipulated in line with the spirit of the WTO Agreement on Government Procurement ("GPA") and on the basis of the relevant provisions of the United Nations Model Law on Procurement of Goods, Construction and Services while making reference to the laws and regulations of some WTO Members on government procurement. The policy and procedures regarding government procurement provided for therein were consistent with international practice. China stuck to the fundamental principles of being open, fair, equitable, efficient and in the public interest when carrying out government procurement. At present, China was formulating its Government Procurement Law.

338. Some members of the Working Party stated that China should become a Party to the GPA and that prior to its accession to the GPA, China should conduct all government procurement in a transparent and non-discriminatory manner. Those members noted that China's public entities engaged exclusively in commercial activities would not be conducting government procurement and thus laws, regulations and other measures regulating these entities' procurement practices would be fully subject to WTO requirements.

339. The representative of China stated that China intended to become a Party to the GPA and that until such time, all government entities at the central and sub-national level, as well as any of its public entities other than those engaged in exclusively commercial activities, would conduct their procurement in a transparent manner, and provide all foreign suppliers with equal opportunity to participate in that procurement pursuant to the principle of MFN treatment, i.e., if a procurement was opened to foreign suppliers, all foreign suppliers would be provided with equal opportunity to participate in that procurement (e.g., through the bidding process). Such entities' procurements would be subject only to laws, regulations, judicial decisions, administrative rulings of general application, and procedures (including standard contract clauses) which had been published and made available to the public. The Working Party took note of these commitments.

340. Noting China's intention to become a Party to the GPA, some members of the Working Party stated that China should, upon accession, become an observer to the GPA, and should initiate negotiations for membership in the Agreement by tabling an Appendix 1 offer within two years of accession.

341. The representative of China responded that China would become an observer to the GPA upon accession to the WTO Agreement and initiate negotiations for membership in the GPA by tabling an Appendix 1 offer as soon as possible. The Working Party took note of these commitments.

VIII. CONCLUSIONS

342. The Working Party took note of the explanations and statements of China concerning its foreign trade regime, as reflected in this Report. The Working Party took note of the commitments given by China in relation to certain specific matters which are reproduced in paragraphs 18-19, 22-23, 35-36, 40, 42, 46-47, 49, 60, 62, 64, 68, 70, 73, 75, 78-79, 83-84, 86, 91-93, 96, 100-103, 107, 111, 115-117, 119-120, 122-123, 126-132, 136, 138, 140, 143, 145, 146, 148, 152, 154, 157, 162, 165, 167-168, 170-174, 177-178, 180, 182, 184-185, 187, 190-197, 199-200, 203-207, 210, 212-213, 215, 217, 222-223, 225, 227-228, 231-235, 238-242, 252, 256, 259, 263, 265, 270, 275, 284, 286, 288, 291, 292, 296, 299, 302, 304-305, 307-310, 312-318, 320, 322, 331-334, 336, 339 and 341 of this Report and noted that these commitments are incorporated in paragraph 1.2 of the Draft Protocol.

343. Having carried out the examination of the foreign trade regime of China and in the light of the explanations, commitments and concessions made by China, the Working Party reached the conclusion that China should be invited to accede to the Marrakesh Agreement Establishing the WTO under the provisions of Article XII. For this purpose, the Working Party prepared the Draft Decision and Draft Protocol reproduced in the Appendix to this Report, and took note of China's Schedule of Concessions and Commitments on Goods (document WT/ACC/CHN49/Add.1) and China's Schedule of Specific Commitments on Services (document WT/ACC/CHN/49/Add.2) that were annexed to the Draft Protocol. It was proposed that these texts be adopted by the General Council when it adopted the Report. When the Draft Decision was adopted, the Draft Protocol would be open for acceptance by China which would become a WTO Member 30 days after it accepted the said Draft Protocol. The Working Party agreed, therefore, that it had completed its work concerning the negotiations for the accession of China to the WTO Agreement.

DRAFT DECISION

ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA

Decision of [… November 2001]

[The Ministerial Conference,

Having regard to paragraph 2 of Article XII and paragraph 1 of Article IX of the Marrakesh Agreement Establishing the World Trade Organization, and the Decision-Making Procedures under Articles IX and XII of the Marrakesh Agreement Establishing the World Trade Organization agreed by the General Council (WT/L/93),

Taking note of the application of the People's Republic of China for accession to the Marrakesh Agreement Establishing the World Trade Organization dated 7 December 1995,

Noting the results of the negotiations directed toward the establishment of the terms of accession of the People's Republic of China to the Marrakesh Agreement Establishing the World Trade Organization and having prepared a Protocol on the Accession of the People's Republic of China (WT/ACC/CHN/…),

Decides as follows:

The People's Republic of China may accede to the Marrakesh Agreement Establishing the World Trade Organization on the terms and conditions set out in the Protocol annexed to this decision.]

DRAFT PROTOCOL
ON THE ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA

Preamble

The World Trade Organization ("WTO"), pursuant to the approval of the Ministerial Conference of the WTO accorded under Article XII of the Marrakesh Agreement Establishing the World Trade Organization ("WTO Agreement"), and the People's Republic of China ("China"),

Recalling that China was an original contracting party to the General Agreement on Tariffs and Trade 1947,

Taking note that China is a signatory to the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations,

Taking note of the Report of the Working Party on the Accession of China in document WT/ACC/CHN/49 ("Working Party Report"),

Having regard to the results of the negotiations concerning China's membership in the WTO,

Agree as follows:

Part I - General Provisions

1. General

1. Upon accession, China accedes to the WTO Agreement pursuant to Article XII of that Agreement and thereby becomes a Member of the WTO.

2. The WTO Agreement to which China accedes shall be the WTO Agreement as rectified, amended or otherwise modified by such legal instruments as may have entered into force before the date of accession. This Protocol, which shall include the commitments referred to in paragraph 342 of the Working Party Report, shall be an integral part of the WTO Agreement.

3. Except as otherwise provided for in this Protocol, those obligations in the Multilateral Trade Agreements annexed to the WTO Agreement that are to be implemented over a period of time starting with entry into force of that Agreement shall be implemented by China as if it had accepted that Agreement on the date of its entry into force.

4. China may maintain a measure inconsistent with paragraph 1of Article II of the General Agreement on Trade in Services ("GATS") provided that such a measure is recorded in the List of Article II Exemptions annexed to this Protocol and meets the conditions of the Annex to the GATS on Article II Exemptions.

2. Administration of the Trade Regime

(A) Uniform Administration

1. The provisions of the WTO Agreement and this Protocol shall apply to the entire customs territory of China, including border trade regions and minority autonomous areas, Special Economic Zones, open coastal cities, economic and technical development zones and other areas where special regimes for tariffs, taxes and regulations are established (collectively referred to as "special economic areas").

2. China shall apply and administer in a uniform, impartial and reasonable manner all its laws, regulations and other measures of the central government as well as local regulations, rules and other measures issued or applied at the sub-national level (collectively referred to as "laws, regulations and other measures") pertaining to or affecting trade in goods, services, trade-related aspects of intellectual property rights ("TRIPS") or the control of foreign exchange.

3. China's local regulations, rules and other measures of local governments at the sub-national level shall conform to the obligations undertaken in the WTO Agreement and this Protocol.

4. China shall establish a mechanism under which individuals and enterprises can bring to the attention of the national authorities cases of non-uniform application of the trade regime.

(B) Special Economic Areas

1. China shall notify to the WTO all the relevant laws, regulations and other measures relating to its special economic areas, listing these areas by name and indicating the geographic boundaries that define them. China shall notify the WTO promptly, but in any case within 60 days, of any additions or modifications to its special economic areas, including notification of the laws, regulations and other measures relating thereto.

2. China shall apply to imported products, including physically incorporated components, introduced into the other parts of China's customs territory from the special economic areas, all taxes, charges and measures affecting imports, including import restrictions and customs and tariff charges, that are normally applied to imports into the other parts of China's customs territory.

3. Except as otherwise provided for in this Protocol, in providing preferential arrangements for enterprises within such special economic areas, WTO provisions on non-discrimination and national treatment shall be fully observed.

(C) Transparency

1. China undertakes that only those laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of foreign exchange that are published and readily available to other WTO Members, individuals and enterprises, shall be enforced. In addition, China shall make available to WTO Members, upon request, all laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of foreign exchange before such measures are implemented or enforced. In emergency situations, laws, regulations and other measures shall be made available at the latest when they are implemented or enforced.

2. China shall establish or designate an official journal dedicated to the publication of all laws, regulations and other measures pertaining to or affecting trade in goods, services, TRIPS or the control of foreign exchange and, after publication of its laws, regulations or other measures in such journal, shall provide a reasonable period for comment to the appropriate authorities before such measures are implemented, except for those laws, regulations and other measures involving national security, specific measures setting foreign exchange rates or monetary policy and other measures the publication of which would impede law enforcement. China shall publish this journal on a regular basis and make copies of all issues of this journal readily available to individuals and enterprises.

3. China shall establish or designate an enquiry point where, upon request of any individual, enterprise or WTO Member all information relating to the measures required to be published under paragraph 2(C)1 of this Protocol may be obtained. Replies to requests for information shall generally be provided within 30 days after receipt of a request. In exceptional cases, replies may be provided within 45 days after receipt of a request. Notice of the delay and the reasons therefor shall be

provided in writing to the interested party. Replies to WTO Members shall be complete and shall represent the authoritative view of the Chinese government. Accurate and reliable information shall be provided to individuals and enterprises.

(D) Judicial Review

1. China shall establish, or designate, and maintain tribunals, contact points and procedures for the prompt review of all administrative actions relating to the implementation of laws, regulations, judicial decisions and administrative rulings of general application referred to in Article X:1 of the GATT 1994, Article VI of the GATS and the relevant provisions of the TRIPS Agreement. Such tribunals shall be impartial and independent of the agency entrusted with administrative enforcement and shall not have any substantial interest in the outcome of the matter.

2. Review procedures shall include the opportunity for appeal, without penalty, by individuals or enterprises affected by any administrative action subject to review. If the initial right of appeal is to an administrative body, there shall in all cases be the opportunity to choose to appeal the decision to a judicial body. Notice of the decision on appeal shall be given to the appellant and the reasons for such decision shall be provided in writing. The appellant shall also be informed of any right to further appeal.

3. Non-discrimination

Except as otherwise provided for in this Protocol, foreign individuals and enterprises and foreign-funded enterprises shall be accorded treatment no less favourable than that accorded to other individuals and enterprises in respect of:

(a) the procurement of inputs and goods and services necessary for production and the conditions under which their goods are produced, marketed or sold, in the domestic market and for export; and

(b) the prices and availability of goods and services supplied by national and sub-national authorities and public or state enterprises, in areas including transportation, energy, basic telecommunications, other utilities and factors of production.

4. Special Trade Arrangements

Upon accession, China shall eliminate or bring into conformity with the WTO Agreement all special trade arrangements, including barter trade arrangements, with third countries and separate customs territories, which are not in conformity with the WTO Agreement.

5. Right to Trade

1. Without prejudice to China's right to regulate trade in a manner consistent with the WTO Agreement, China shall progressively liberalize the availability and scope of the right to trade, so that, within three years after accession, all enterprises in China shall have the right to trade in all goods throughout the customs territory of China, except for those goods listed in Annex 2A which continue to be subject to state trading in accordance with this Protocol. Such right to trade shall be the right to import and export goods. All such goods shall be accorded national treatment under Article III of the GATT 1994, especially paragraph 4 thereof, in respect of their internal sale, offering for sale, purchase, transportation, distribution or use, including their direct access to end-users. For those goods listed in Annex 2B, China shall phase out limitation on the grant of trading rights pursuant to the schedule in that Annex. China shall complete all necessary legislative procedures to implement these provisions during the transition period.

2. Except as otherwise provided for in this Protocol, all foreign individuals and enterprises, including those not invested or registered in China, shall be accorded treatment no less favourable than that accorded to enterprises in China with respect to the right to trade.

6. State Trading

1. China shall ensure that import purchasing procedures of state trading enterprises are fully transparent, and in compliance with the WTO Agreement, and shall refrain from taking any measure to influence or direct state trading enterprises as to the quantity, value, or country of origin of goods purchased or sold, except in accordance with the WTO Agreement.

2. As part of China's notification under the GATT 1994 and the Understanding on the Interpretation of Article XVII of the GATT 1994, China shall also provide full information on the pricing mechanisms of its state trading enterprises for exported goods.

7. Non-Tariff Measures

1. China shall implement the schedule for phased elimination of the measures contained in Annex 3. During the periods specified in Annex 3, the protection afforded by the measures listed in that Annex shall not be increased or expanded in size, scope or duration, nor shall any new measures be applied, unless in conformity with the provisions of the WTO Agreement.

2. In implementing the provisions of Articles III and XI of the GATT 1994 and the Agreement on Agriculture, China shall eliminate and shall not introduce, re-introduce or apply non-tariff measures that cannot be justified under the provisions of the WTO Agreement. For all non-tariff measures, whether or not referred to in Annex 3, that are applied after the date of accession, consistent with the WTO Agreement or this Protocol, China shall allocate and otherwise administer such measures in strict conformity with the provisions of the WTO Agreement, including GATT 1994 and Article XIII thereof, and the Agreement on Import Licensing Procedures, including notification requirements.

3. China shall, upon accession, comply with the TRIMs Agreement, without recourse to the provisions of Article 5 of the TRIMs Agreement. China shall eliminate and cease to enforce trade and foreign exchange balancing requirements, local content and export or performance requirements made effective through laws, regulations or other measures. Moreover, China will not enforce provisions of contracts imposing such requirements. Without prejudice to the relevant provisions of this Protocol, China shall ensure that the distribution of import licences, quotas, tariff-rate quotas, or any other means of approval for importation, the right of importation or investment by national and sub-national authorities, is not conditioned on: whether competing domestic suppliers of such products exist; or performance requirements of any kind, such as local content, offsets, the transfer of technology, export performance or the conduct of research and development in China.

4. Import and export prohibitions and restrictions, and licensing requirements affecting imports and exports shall only be imposed and enforced by the national authorities or by sub-national authorities with authorization from the national authorities. Such measures which are not imposed by the national authorities or by sub-national authorities with authorization from the national authorities, shall not be implemented or enforced.

8. Import and Export Licensing

1. In implementing the WTO Agreement and provisions of the Agreement on Import Licensing Procedures, China shall undertake the following measures to facilitate compliance with these agreements:

(a) China shall publish on a regular basis the following in the official journal referred to in paragraph 2(C)2 of this Protocol:

- by product, the list of all organizations, including those organizations delegated such authority by the national authorities, that are responsible for authorizing or approving imports or exports, whether through grant of licence or other approval;
- procedures and criteria for obtaining such import or export licences or other approvals, and the conditions for deciding whether they should be granted;
- a list of all products, by tariff number, that are subject to tendering requirements, including information on products subject to such tendering requirements and any changes, pursuant to the Agreement on Import Licensing Procedures;
- a list of all goods and technologies whose import or export are restricted or prohibited; these goods shall also be notified to the Committee on Import Licensing;
- any changes to the list of goods and technologies whose import and export are restricted or prohibited.

Copies of these submissions in one or more official languages of the WTO shall be forwarded to the WTO for circulation to WTO Members and for submission to the Committee on Import Licensing within 75 days of each publication.

(b) China shall notify the WTO of all licensing and quota requirements remaining in effect after accession, listed separately by HS tariff line and with the quantities associated with the restriction, if any, and the justification for maintaining the restriction or its scheduled date of termination.

(c) China shall submit the notification of its import licensing procedures to the Committee on Import Licensing. China shall report annually to the Committee on Import Licensing on its automatic import licensing procedures, explaining the circumstances which give rise to these requirements and justifying the need for their continuation. This report shall also provide the information listed in Article 3 of the Agreement on Import Licensing Procedures.

(d) China shall issue import licences for a minimum duration of validity of six months, except where exceptional circumstances make this impossible. In such cases, China shall promptly notify the Committee on Import Licensing of the exceptional circumstances requiring the shorter period of licence validity.

2. Except as otherwise provided for in this Protocol, foreign individuals and enterprises and foreign-funded enterprises shall be accorded treatment no less favourable than that accorded to other individuals and enterprises in respect of the distribution of import and export licences and quotas.

9. Price Controls

1. China shall, subject to paragraph 2 below, allow prices for traded goods and services in every sector to be determined by market forces, and multi-tier pricing practices for such goods and services shall be eliminated.

2. The goods and services listed in Annex 4 may be subject to price controls, consistent with the WTO Agreement, in particular Article III of the GATT 1994 and Annex 2, paragraphs 3 and 4 of the Agreement on Agriculture. Except in exceptional circumstances, and subject to notification to the

WTO, price controls shall not be extended to goods or services beyond those listed in Annex 4, and China shall make best efforts to reduce and eliminate these controls.

3. China shall publish in the official journal the list of goods and services subject to state pricing and changes thereto.

10. Subsidies

1. China shall notify the WTO of any subsidy within the meaning of Article 1 of the Agreement on Subsidies and Countervailing Measures ("SCM Agreement"), granted or maintained in its territory, organized by specific product, including those subsidies defined in Article 3 of the SCM Agreement. The information provided should be as specific as possible, following the requirements of the questionnaire on subsidies as noted in Article 25 of the SCM Agreement.

2. For purposes of applying Articles 1.2 and 2 of the SCM Agreement, subsidies provided to state-owned enterprises will be viewed as specific if, inter alia, state-owned enterprises are the predominant recipients of such subsidies or state-owned enterprises receive disproportionately large amounts of such subsidies.

3. China shall eliminate all subsidy programmes falling within the scope of Article 3 of the SCM Agreement upon accession.

11. Taxes and Charges Levied on Imports and Exports

1. China shall ensure that customs fees or charges applied or administered by national or sub-national authorities, shall be in conformity with the GATT 1994.

2. China shall ensure that internal taxes and charges, including value-added taxes, applied or administered by national or sub-national authorities shall be in conformity with the GATT 1994.

3. China shall eliminate all taxes and charges applied to exports unless specifically provided for in Annex 6 of this Protocol or applied in conformity with the provisions of Article VIII of the GATT 1994.

4. Foreign individuals and enterprises and foreign-funded enterprises shall, upon accession, be accorded treatment no less favourable than that accorded to other individuals and enterprises in respect of the provision of border tax adjustments.

12. Agriculture

1. China shall implement the provisions contained in China's Schedule of Concessions and Commitments on Goods and, as specifically provided in this Protocol, those of the Agreement on Agriculture. In this context, China shall not maintain or introduce any export subsidies on agricultural products.

2. China shall, under the Transitional Review Mechanism, notify fiscal and other transfers between or among state-owned enterprises in the agricultural sector (whether national or sub-national) and other enterprises that operate as state trading enterprises in the agricultural sector.

13. Technical Barriers to Trade

1. China shall publish in the official journal all criteria, whether formal or informal, that are the basis for a technical regulation, standard or conformity assessment procedure.

2. China shall, upon accession, bring into conformity with the TBT Agreement all technical regulations, standards and conformity assessment procedures.

3. China shall apply conformity assessment procedures to imported products only to determine compliance with technical regulations and standards that are consistent with the provisions of this Protocol and the WTO Agreement. Conformity assessment bodies will determine the conformity of imported products with commercial terms of contracts only if authorized by the parties to such contract. China shall ensure that such inspection of products for compliance with the commercial terms of contracts does not affect customs clearance or the granting of import licences for such products.

4. (a) Upon accession, China shall ensure that the same technical regulations, standards and conformity assessment procedures are applied to both imported and domestic products. In order to ensure a smooth transition from the current system, China shall ensure that, upon accession, all certification, safety licensing, and quality licensing bodies and agencies are authorized to undertake these activities for both imported and domestic products, and that, one year after accession, all conformity assessment bodies and agencies are authorized to undertake conformity assessment for both imported and domestic products. The choice of body or agency shall be at the discretion of the applicant. For imported and domestic products, all bodies and agencies shall issue the same mark and charge the same fee. They shall also provide the same processing periods and complaint procedures. Imported products shall not be subject to more than one conformity assessment. China shall publish and make readily available to other WTO Members, individuals, and enterprises full information on the respective responsibilities of its conformity assessment bodies and agencies.

(b) No later than 18 months after accession, China shall assign the respective responsibilities of its conformity assessment bodies solely on the basis of the scope of work and type of product without any consideration of the origin of a product. The respective responsibilities that will be assigned to China's conformity assessment bodies will be notified to the TBT Committee 12 months after accession.

14. Sanitary and Phytosanitary Measures

China shall notify to the WTO all laws, regulations and other measures relating to its sanitary and phytosanitary measures, including product coverage and relevant international standards, guidelines and recommendations, within 30 days after accession.

15. Price Comparability in Determining Subsidies and Dumping

Article VI of the GATT 1994, the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 ("Anti-Dumping Agreement") and the SCM Agreement shall apply in proceedings involving imports of Chinese origin into a WTO Member consistent with the following:

(a) In determining price comparability under Article VI of the GATT 1994 and the Anti-Dumping Agreement, the importing WTO Member shall use either Chinese prices or costs for the industry under investigation or a methodology that is not based on a strict comparison with domestic prices or costs in China based on the following rules:

(i) If the producers under investigation can clearly show that market economy conditions prevail in the industry producing the like product with regard to the manufacture, production and sale of that product, the importing WTO Member shall use Chinese prices or costs for the industry under investigation in determining price comparability;

(ii) The importing WTO Member may use a methodology that is not based on a strict comparison with domestic prices or costs in China if the producers under investigation cannot clearly show that market economy conditions prevail in the industry producing the like product with regard to manufacture, production and sale of that product.

(b) In proceedings under Parts II, III and V of the SCM Agreement, when addressing subsidies described in Articles 14(a), 14(b), 14(c) and 14(d), relevant provisions of the SCM Agreement shall apply; however, if there are special difficulties in that application, the importing WTO Member may then use methodologies for identifying and measuring the subsidy benefit which take into account the possibility that prevailing terms and conditions in China may not always be available as appropriate benchmarks. In applying such methodologies, where practicable, the importing WTO Member should adjust such prevailing terms and conditions before considering the use of terms and conditions prevailing outside China.

(c) The importing WTO Member shall notify methodologies used in accordance with subparagraph (a) to the Committee on Anti-Dumping Practices and shall notify methodologies used in accordance with subparagraph (b) to the Committee on Subsidies and Countervailing Measures.

(d) Once China has established, under the national law of the importing WTO Member, that it is a market economy, the provisions of subparagraph (a) shall be terminated provided that the importing Member's national law contains market economy criteria as of the date of accession. In any event, the provisions of subparagraph (a)(ii) shall expire 15 years after the date of accession. In addition, should China establish, pursuant to the national law of the importing WTO Member, that market economy conditions prevail in a particular industry or sector, the non-market economy provisions of subparagraph (a) shall no longer apply to that industry or sector.

16. Transitional Product-Specific Safeguard Mechanism

1. In cases where products of Chinese origin are being imported into the territory of any WTO Member in such increased quantities or under such conditions as to cause or threaten to cause market disruption to the domestic producers of like or directly competitive products, the WTO Member so affected may request consultations with China with a view to seeking a mutually satisfactory solution, including whether the affected WTO Member should pursue application of a measure under the Agreement on Safeguards. Any such request shall be notified immediately to the Committee on Safeguards.

2. If, in the course of these bilateral consultations, it is agreed that imports of Chinese origin are such a cause and that action is necessary, China shall take such action as to prevent or remedy the market disruption. Any such action shall be notified immediately to the Committee on Safeguards.

3. If consultations do not lead to an agreement between China and the WTO Member concerned within 60 days of the receipt of a request for consultations, the WTO Member affected shall be free, in respect of such products, to withdraw concessions or otherwise to limit imports only to the extent necessary to prevent or remedy such market disruption. Any such action shall be notified immediately to the Committee on Safeguards.

4. Market disruption shall exist whenever imports of an article, like or directly competitive with an article produced by the domestic industry, are increasing rapidly, either absolutely or relatively, so as to be a significant cause of material injury, or threat of material injury to the domestic industry. In

determining if market disruption exists, the affected WTO Member shall consider objective factors, including the volume of imports, the effect of imports on prices for like or directly competitive articles, and the effect of such imports on the domestic industry producing like or directly competitive products.

5. Prior to application of a measure pursuant to paragraph 3, the WTO Member taking such action shall provide reasonable public notice to all interested parties and provide adequate opportunity for importers, exporters and other interested parties to submit their views and evidence on the appropriateness of the proposed measure and whether it would be in the public interest. The WTO Member shall provide written notice of the decision to apply a measure, including the reasons for such measure and its scope and duration.

6. A WTO Member shall apply a measure pursuant to this Section only for such period of time as may be necessary to prevent or remedy the market disruption. If a measure is taken as a result of a relative increase in the level of imports, China has the right to suspend the application of substantially equivalent concessions or obligations under the GATT 1994 to the trade of the WTO Member applying the measure, if such measure remains in effect more than two years. However, if a measure is taken as a result of an absolute increase in imports, China has a right to suspend the application of substantially equivalent concessions or obligations under the GATT 1994 to the trade of the WTO Member applying the measure, if such measure remains in effect more than three years. Any such action by China shall be notified immediately to the Committee on Safeguards.

7. In critical circumstances, where delay would cause damage which it would be difficult to repair, the WTO Member so affected may take a provisional safeguard measure pursuant to a preliminary determination that imports have caused or threatened to cause market disruption. In this case, notification of the measures taken to the Committee on Safeguards and a request for bilateral consultations shall be effected immediately thereafter. The duration of the provisional measure shall not exceed 200 days during which the pertinent requirements of paragraphs 1, 2 and 5 shall be met. The duration of any provisional measure shall be counted toward the period provided for under paragraph 6.

8. If a WTO Member considers that an action taken under paragraphs 2, 3 or 7 causes or threatens to cause significant diversions of trade into its market, it may request consultations with China and/or the WTO Member concerned. Such consultations shall be held within 30 days after the request is notified to the Committee on Safeguards. If such consultations fail to lead to an agreement between China and the WTO Member or Members concerned within 60 days after the notification, the requesting WTO Member shall be free, in respect of such product, to withdraw concessions accorded to or otherwise limit imports from China, to the extent necessary to prevent or remedy such diversions. Such action shall be notified immediately to the Committee on Safeguards.

9. Application of this Section shall be terminated 12 years after the date of accession.

17. Reservations by WTO Members

All prohibitions, quantitative restrictions and other measures maintained by WTO Members against imports from China in a manner inconsistent with the WTO Agreement are listed in Annex 7. All such prohibitions, quantitative restrictions and other measures shall be phased out or dealt with in accordance with mutually agreed terms and timetables as specified in the said Annex.

18. Transitional Review Mechanism

1. Those subsidiary bodies[1] of the WTO which have a mandate covering China's commitments under the WTO Agreement or this Protocol shall, within one year after accession and in accordance with paragraph 4 below, review, as appropriate to their mandate, the implementation by China of the WTO Agreement and of the related provisions of this Protocol. China shall provide relevant information, including information specified in Annex 1A, to each subsidiary body in advance of the review. China can also raise issues relating to any reservations under Section 17 or to any other specific commitments made by other Members in this Protocol, in those subsidiary bodies which have a relevant mandate. Each subsidiary body shall report the results of such review promptly to the relevant Council established by paragraph 5 of Article IV of the WTO Agreement, if applicable, which shall in turn report promptly to the General Council.

2. The General Council shall, within one year after accession, and in accordance with paragraph 4 below, review the implementation by China of the WTO Agreement and the provisions of this Protocol. The General Council shall conduct such review in accordance with the framework set out in Annex 1B and in the light of the results of any reviews held pursuant to paragraph 1. China also can raise issues relating to any reservations under Section 17 or to any other specific commitments made by other Members in this Protocol. The General Council may make recommendations to China and to other Members in these respects.

3. Consideration of issues pursuant to this Section shall be without prejudice to the rights and obligations of any Member, including China, under the WTO Agreement or any Plurilateral Trade Agreement, and shall not preclude or be a precondition to recourse to consultation or other provisions of the WTO Agreement or this Protocol.

4. The review provided for in paragraphs 1 and 2 will take place after accession in each year for eight years. Thereafter there will be a final review in year 10 or at an earlier date decided by the General Council.

Part II - Schedules

1. The Schedules annexed to this Protocol shall become the Schedule of Concessions and Commitments annexed to the GATT 1994 and the Schedule of Specific Commitments annexed to the GATS relating to China. The staging of concessions and commitments listed in the Schedules shall be implemented as specified in the relevant parts of the relevant Schedules.

2. For the purpose of the reference in paragraph 6(a) of Article II of the GATT 1994 to the date of that Agreement, the applicable date in respect of the Schedules of Concessions and Commitments annexed to this Protocol shall be the date of accession.

[1] Council for Trade in Goods, Council for Trade-Related Aspects of Intellectual Property Rights, Council for Trade in Services, Committees on Balance-of-Payments Restrictions, Market Access (covering also ITA), Agriculture, Sanitary and Phytosanitary Measures, Technical Barriers to Trade, Subsidies and Countervailing Measures, Anti-Dumping Measures, Customs Valuation, Rules of Origin, Import Licensing, Trade-Related Investment Measures, Safeguards, Trade in Financial Services.

Part III - Final Provisions

1. This Protocol shall be open for acceptance, by signature or otherwise, by China until 1 January 2002.

2. This Protocol shall enter into force on the thirtieth day following the day of its acceptance.

3. This Protocol shall be deposited with the Director-General of the WTO. The Director-General shall promptly furnish a certified copy of this Protocol and a notification of acceptance by China thereof, pursuant to paragraph 1 of Part III of this Protocol, to each WTO Member and to China.

4. This Protocol shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

Done at [Doha] this [ ] day of [ ] two thousand and one, in a single copy, in the English, French and Spanish languages, each text being authentic, except that a Schedule annexed hereto may specify that it is authentic in only one or more of these languages.

ANNEX 1A

INFORMATION[2] TO BE PROVIDED BY CHINA IN THE CONTEXT OF THE TRANSITIONAL REVIEW MECHANISM

China is requested to provide information on the following in accordance with Article 18.1 of the Protocol of Accession. The requested information should be provided annually, except in those cases where China and the Members agree that it is no longer required for the review.

I. ECONOMIC DATA

(a) most recently available import and export statistics by value and volume, by supplier country at the HS 8-digit level

(b) current account data on services, by source and destination in line with the statistical requirements of the IMF

(c) capital account data for inward- and outward-realized foreign direct investment by source and destination in line with the statistical requirements of the IMF

(d) the value of tariff revenues, non-tariff taxes, and other border charges levied exclusively on imports by product or at the highest level of detail possible, but at least by HS heading (4-digit) at the beginning of the review mechanism

(e) the value of export duties/taxes by product

(f) the volume of trade subject to tariff exemptions by product or at the highest level of detail possible, but at least by HS heading (4-digit) at the beginning of the review mechanism

(g) the value of commissions, mark ups and other fees charged on imports subject to state trading or designated trading imposed through government regulation or guidance, if any

(h) the shares of imports and exports accounted for by the trading activities of state-owned enterprises

(i) annual economic development programmes, China's five-year programmes and any industrial or sectoral programmes or policies (including programmes relating to investment, export, import, productions, pricing or other targets, if any) promulgated by central and sub-central government entities

(j) annual receipts under the Value-Added Tax (VAT), with separate information for imports and domestic products as well as information on VAT rebates

[2] This "information" refers to information other than that required by the general notification requirements for WTO Members. To avoid duplication, it is understood that Members will accept information provided on an annual basis by China to other WTO bodies as satisfying the information requirements in Annex 1.

II. ECONOMIC POLICIES

1. Non-Discrimination (to be notified to the Council for Trade in Goods)

(a) the repeal and cessation of all WTO inconsistent laws, regulations and other measures on national treatment

(b) the repeal or modification to provide full GATT national treatment in respect of laws, regulations and other measures applying to internal sale, offering for sale, purchase, transportation, distribution or use of: after sales service, pharmaceutical products, cigarettes, spirits, chemicals and boiler and pressure vessels (for pharmaceutical products, chemicals and spirits there is a reservation of the right to use a transitional period of one year from the date of accession in order to amend or repeal relevant legislation)

2. Foreign Exchange and Payments (to be notified to the Committee on Balance-of-Payments Restrictions)

(a) exchange measures as required under Article VIII, Section 5 of the IMF's Articles of Agreement and such other information on China's exchange measures as was deemed necessary in the context of the transitional review mechanism

3. Investment Regime (to be notified to the Committee on Trade-Related Investment Measures)

(a) completed revisions to investment guidelines in conformity with the WTO Agreement

4. Pricing Policies (to be notified to the Committee on Subsidies and Countervailing Measures)

(a) application of existing or any other price controls and the reason for their use

(b) pricing mechanisms of China's state trading enterprises for exported products

III. FRAMEWORK FOR MAKING AND ENFORCING POLICIES

1. Structure and Powers of the Government/Authority of Sub-Central Governments/Uniform Administration (to be notified to the General Council)

(a) revision or enactment of domestic laws, regulations and other measures related to China's commitments under the WTO Agreement and Protocol, including those of local governments at the sub-national level, that have been promulgated since accession or the previous meeting of the relevant body under the Transitional Review Mechanism

(b) establishment and operation (upon accession) of the mechanism pursuant to Section 2(A), paragraph 4 of the Protocol under which individuals and enterprises can bring cases of non-uniform application of the trade regime to the attention of national authorities

IV. POLICIES AFFECTING TRADE IN GOODS

1. Tariff Rate Quotas (to be notified to the Committee on Market Access)

(a) administration of TRQs on a transparent, predictable, uniform, fair and non-discriminatory basis using clearly specified timeframes, administrative procedures and requirements and evidence of a consistent national allocation (and reallocation) policy including:

(i) provision of volume/value of the quota or TRQ made available;
(ii) reallocated quota or TRQ applied for;
(iii) the volume/value of requests for allocation or reallocation denied;
(iv) fill rates for the quota or TRQ;
(v) for TRQs, the amount of any goods entered at the over quota rate; and
(vi) time taken to grant a quota or TRQ allocation.

2. Non-Tariff Measures including Quantitative Import Restrictions (to be notified to the Committee on Market Access)

(a) the introduction, re-introduction or application of any non-tariff measures other than those listed in Annex 3 of the Protocol and elimination of non-tariff measures

(b) implementation of the schedule for phased elimination of the measures contained in Annex 3

(c) quota allocation and reallocation in conformity with WTO requirements, including the Agreement on Licensing Procedures following criteria set out in the Report of the Working Party on the Accession of China ("Report ")

(d) distribution licences, quotas, tariff rate quotas or any other means of approval for importation are not subject to conditions set out in Section 7, paragraph 3 of the Protocol

3. Import Licensing (to be notified to the Committee on Import Licensing)

(a) implementation of the provisions of the Agreement on Import Licensing Procedures and the WTO Agreement applying the measures set out in Section 8 of the Protocol including provision of the time taken to grant an import licence

4. Customs Valuation (to be notified to the Committee on Customs Valuation)

(a) the use of valuation methods, other than the stated transaction value

5. Export Restrictions (to be notified to the Council for Trade in Goods)

(a) any restrictions on exports through non-automatic licensing or other means justified by specific product under the WTO Agreement or the Protocol

6. Safeguards (to be notified to the Committee on Safeguards)

(a) implementation of China's Regulation on Safeguards

7. Technical Barriers to Trade (to be notified to the Committee on Technical Barriers to Trade)

(a) notification of acceptance of the Code of Good Practice not later than four months after China's accession

(b) periodic review of existing standards of government standardizing bodies and harmonization of the same with relevant international standards where appropriate

(c) revision of current voluntary national, local and sectoral standards so as to harmonize them with international standards

(d) use of the terms "technical regulations" and "standards" according to their meaning under the TBT Agreement in China's notifications under the TBT Agreement, including under Article 15.2 thereof and publications referenced therein, and in modifications of existing measures

(e) review of technical regulations every five years to ensure international standards are used in accordance with Article 2.4 of the Agreement and provision for adoption of international standards as the basis for technical regulation as part of its notification under Article 15.2 of the Agreement

(f) progress report on increase of the use of international standards as the basis for technical regulations by ten per cent in five years

(g) provision of procedures to implement Article 2.7 of the Agreement

(h) provision of a list of relevant local governmental and non-governmental bodies that are authorized to adopt technical regulations or conformity assessment procedures as part of China's notification under Article 15.2 of the Agreement

(i) ongoing updates on the conformity assessment bodies that are recognized by China

(j) enactment and implementation of a new law and relevant regulations regarding assessment and control of chemicals for the protection of the environment in which complete national treatment and full consistency with international practices would be ensured within one year after China's accession following conditions set out in 3(t) of the TBT Working Party Report

(k) information on whether, one year after accession, all conformity assessment bodies and agencies are authorized to undertake conformity assessment for both imported and domestic products and are following the conditions outlined in Section 13, subparagraph 4(a) of the Protocol

(l) assignment of the respective responsibilities of China's conformity assessment bodies solely on the basis of the scope of work and type of product without any consideration of the origin of a product no later than eighteen months after accession

(m) notification of the respective responsibilities assigned to China's conformity assessment bodies to the TBT committee 12 months after accession

8. Trade-Related Investment Measures (to be notified to the Committee on Trade-Related Investment Measures)

(a) elimination and cessation of enforcement of trade and foreign exchange balancing requirements, local content and export performance offsets and technology transfer requirements made effective through laws, regulations or other measures

(b) amendments to ensure lifting of all measures applicable to motor vehicle producers restricting the categories, types or models of vehicles permitted for production (to be completely removed two years after accession)

(c) increased limits within which investments in motor vehicle manufacturing could be approved at the provincial government at the levels outlined in the Report

9. State Trading Entities (to be notified to the Council for Trade in Goods)

(a) progressive abolishment of state trading in respect of silk measures, increasing and extending trading rights, granting the right to trade to all individuals no later than 1 January 2005

(b) access to supplies of raw materials in the textiles sector at conditions no less favourable than for domestic users, and not adversely affected access to supplies of raw materials as enjoyed under existing arrangements

(c) progressive increases in access by non state trading entities to trade in fertilizer and oil and the filling of quantities available for import by non state trading entities

10. Government Procurement (to be notified to the Council for Trade in Goods)

(a) laws, regulations and procedures

(b) procurement in a transparent manner and application of the MFN principle

V. POLICIES AFFECTING TRADE IN SERVICES (to be notified to the Council for Trade in Services)

(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

(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

(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

(d) independence of the regulatory authorities from the service suppliers

(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)

VI. TRADE-RELATED INTELLECTUAL PROPERTY REGIME (to be notified to the Council for Trade-Related Aspects of Intellectual Property Rights)

(a) amendments to Copyright, Trademark and Patent Law, as well as relevant implementing rules covering different areas of the TRIPS Agreement bringing all such measures into full compliance with and full application of the TRIPS Agreement and the protection of undisclosed information

(b) enhanced IPR enforcement efforts through the application of more effective administrative sanctions as described in the Report

VII. SPECIFIC QUESTIONS IN THE CONTEXT OF THE TRANSITIONAL REVIEW MECHANISM (to be notified to the General Council or relevant subsidiary body)

(a) response to specific questions in the context of the transitional review mechanism received from the General Council or a subsidiary body

ANNEX 1B

ISSUES TO BE ADDRESSED BY THE GENERAL COUNCIL IN ACCORDANCE WITH SECTION 18.2 OF CHINA'S PROTOCOL OF ACCESSION

– Review of the reports and the issues referred to in Section 18.1 of China's Protocol of Accession.

– Development of China's trade with WTO Members and other trading partners, including the volume, direction and composition of trade.

– Recent developments and cross-sectoral issues regarding China's trade regime.

The Rules of Procedure of the WTO General Council shall apply unless specified otherwise. China shall submit any information and the documentation relating to the review no later than 30 days prior to the date of the review.

ANNEX 2A1

PRODUCTS SUBJECT TO STATE TRADING (IMPORT)

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
GRAIN	1	10011000	Durum wheat	China National Cereals, Oil & Foodstuff Import and Export Co.
	2	10019010	Seed of wheat & maslin, excl. durum wheat	
	3	10019090	Wheat & maslin, excl. for seeding and durum wheat	
	4	11010000	Wheat or maslin flour	
	5	11031100	Groats & meal of wheat	
	6	11032100	Pellets of wheat	
	7	10051000	Maize (corn) seed	
	8	10059000	Maize (corn), excl. for seeding	
	9	11022000	Maize (corn) flour	
	10	11031300	Groats & meal of maize (corn)	
	11	11042300	Other worked grains of maize (corn) (for example, hulled, pearled, sliced or kibbled)	
	12	10061010	Rice in husk (paddy or rough) seed	
	13	10061090	Rice in husk (paddy or rough), excl. for seeding	
	14	10062000	Husked (brown) rice	
	15	10063000	Semi-milled or wholly milled rice, whether or not polished or glazed	
	16	10064000	Broken rice	
	17	11023000	Rice flour	
	18	11031400	Groats & meal of rice	
VEGETABLE OIL	19	15071000	Crude soybean oil, whether or not degummed, but not chemically modified	1. China National Cereals, Oil & Foodstuff Import and Export Co. 2. China National Native Products and Animal By-products Import & Export Co. 3. China Resources Co. 4. China Nam Kwong National Import & Export Co. 5. China Liangfeng Cereals Import & Export Co. 6. China Cereals, Oil & Foodstuff Co.(Group)
	20	15079000	Soybean oil and its fractions, refined, but not chemically modified	
	21	15111000	Crude palm oil, but not chemically modified	
	22	15119000	Palm oil and its fractions, refined, but not chemically modified	
	23	15141010	Crude rape, colza oil, but not chemically modified	
	24	15141090	Crude mustard oil, but not chemically modified	
	25	15149000	Rape, colza or mustard oil and fractions thereof, refined, but not chemically modified	
SUGAR	26	17011100	Raw cane sugar, in solid form, not containing added flavouring or colouring matter	1. China National Cereals, Oil & Foodstuff Import and Export Co. 2. China Export Commodities Base Construction Co. 3. China Overseas Trade Co. 4. China Sugar & Wine Co. (Group) 5. China Commerce Foreign Trade Co.
	27	17011200	Raw beet sugar, in solid form, not containing added flavouring or colouring matter	
	28	17019100	Cane or beet sugar and chemically pure sucrose, in solid form, containing added flavouring or colouring	
	29	17019910	Granulated sugar	
	30	17019920	Superfine sugar	
	31	17019990	Cane or beet sugar and chemically pure sucrose, in solid form, not containing added flavouring or colouring matter, excl. granulated sugar, superfine sugar and raw sugar	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
TOBACCO	32	24011010	Flue-cured tobacco, not stemmed/stripped	China National Tobacco Import & Export Co.
	33	24011090	Tobacco other than flue-cured, not stemmed/stripped	
	34	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	
	35	24012090	Tobacco other than flue-cured, partly or wholly stemmed/stripped	
	36	24013000	Tobacco refuse	
	37	24021000	Cigars, cheroots & cigarillos, containing tobacco	
	38	24022000	Cigarettes containing tobacco	
	39	24029000	Cigars, cheroots, cigarillos and cigarettes, of tobacco substitutes	
	40	24031000	Smoking tobacco whether or not containing tobacco substitutes in any proportion	
	41	24039100	Homogenized or "reconstituted" tobacco	
	42	24039900	Manufactured tobacco and tobacco substitutes, nes; tobacco extracts and essences	
	43	48131000	Cigarette paper in the form of booklets or tubes	
	44	48132000	Cigarette paper in rolls of a width ≤5cm	
	45	48139000	Cigarette paper, nes	
	46	55020010	Cellulose diacetate filament tow[3]	
	47	56012210	Cigarette filter tips of man-made fibres	
	48	84781000	Machinery for preparing or making up tobacco, not elsewhere specified or included	
	49	84789000	Parts, of machinery for preparing or making up tobacco, not elsewhere specified or included	
CRUDE OIL	50	27090000	Petroleum oils & oils obtained from bituminous minerals, crude	1. China National Chemical Import & Export Co. 2. China International United Petroleum & Chemicals Co. 3. China National United Oil Co. 4. Zhuhai Zhenrong Company
PROCESSED OIL	51	27100011	Motor gasoline & aviation gasoline	
	52	27100013	Naphtha	
	53	27100023	Aviation kerosene	
	54	27100024	Lamp-kerosene	
	55	27100031	Light diesel oil	
	56	27100033	Fuel oil No.5 to No.7 (National Code)	
	57	27100039	Diesel oils & preparations thereof and other fuel oils, nes	

[3] Coverage is limited to cellulose diacetate filament tow used in the production of cigarettes.

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
CHEMICAL FERTILIZER	58	31021000	Urea, whether or not in aqueous solution	1. China National Chemical Import & Export Co. 2. China National Agricultural Means of Production Group Co.
	59	31022100	Ammonium sulphate	
	60	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	
	61	31023000	Ammonium nitrate, whether or not in aqueous solution	
	62	31024000	Mixtures of ammonium nitrate with calcium carbonate or other inorganic non-fertilizing substances	
	63	31025000	Sodium nitrate	
	64	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	
	65	31027000	Calcium cyanamide	
	66	31028000	Mixtures of urea & ammonium nitrate in aqueous or ammoniacal solution	
	67	31029000	Mineral or chemical fertilizers, nitrogenous , nes, incl. mixtures not specified in the foregoing subheadings	
	68	31031000	Superphosphates	
	69	31032000	Basic slag	
	70	31039000	Mineral or chemical fertilizers, phosphatic, nes	
	71	31041000	Carnallite, sylvite & other crude natural potassium salts	
	72	31042000	Potassium chloride	
	73	31043000	Potassium sulphate	
	74	31049000	Mineral or chemical fertilizers, potassic, nes	
	75	31051000	Goods of chapter 31 in tables or similar forms or in packages of a gross weight ≤10kg	
	76	31052000	Mineral or chemical fertilizers containing the three fertilizing elements nitrogen, phosphorus & potassium	
	77	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	
	78	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate) and mixtures thereof with diammonium hydrogenorthophosphate (diammonium phosphate)	
	79	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	
	80	31055900	Mineral or chemical fertilizers containing the two fertilizing elements nitrogen & phosphorus, nes	
	81	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	
	82	31059000	Mineral or chemical fertilizers, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
COTTON	83	52010000	Cotton, not carded or combed	1. China National Textiles Import & Export Co. 2. Beijing Jiuda Textiles Group Co. 3. Tianjing Textiles Industry Supply and Marketing Co. 4. Shanghai Textiles Raw Materials Co.
	84	52030000	Cotton, carded or combed	

Product & HS 2000	Volume to non-state traders on accession[2)]	Annual growth in non-state trade volume[3)]
Oil--processed[1)] (HS 27.10)	4 million tonnes	15 %
Oil--crude (HS 27.09)	7.2 million tonnes	15 %

(1) Excludes LPG, which falls under HS 27 11, and has not been notified by China as subject to state trading. The present import quota (16.58 million tonnes rising by 15% per year) will be removed on 1 January 2004.

(2) Imports to be effected pursuant to the provisions of the WTO Agreement on Import Licensing Procedures.

(3) This growth rate shall be applied for a period of 10 years following accession, after which time it shall be reviewed with interested Members. Pending conclusion of the review talks, the volume available to non-state importers on that date shall be increased annually in line with the average growth in overall imports of the product concerned over the preceding 10 year period.

However, for processed oil, a review shall be carried out with interested Members by 2004 to establish whether the growth rate should be adjusted in the light of the evolution of trade volumes.

ANNEX 2A2

PRODUCTS SUBJECT TO STATE TRADING (EXPORT)

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
TEA	1	09021010	Flavoured green tea (not fermented) in immediate packings of a content ≤3kg	China National Native Products and Animal By-Products Import & Export Co.
	2	09021090	Unflavoured green tea (not fermented) in immediate packings of a content ≤3kg	
	3	09022010	Flavoured green tea (not fermented) in immediate packings of a content >3kg	
	4	09022090	Unflavoured green tea(not fermented) in immediate packings of a content >3kg	
RICE	5	10061010	Rice in husk (paddy or rough) seed	1. China National Cereals Oil and Foodstuffs Import & Export Co. 2. Jilin Grain Import & Export Co. Ltd.
	6	10061090	Rice in husk (paddy or rough), excl. for seeding	
	7	10062000	Husked (brown) rice	
	8	10063000	Semi-milled or wholly milled rice, whether or not polished or glazed	
	9	10064000	Broken rice	
CORN	10	10051000	Maize (corn) seed	
	11	10059000	Maize (corn), excl. for seeding	
	12	11042300	Other worked grains of maize (corn) (for example, hulled, pearled, sliced or kibbled)	
SOY BEAN	13	12010010	Seed of soya beans	
	14	12010091	Yellow soya beans, not for seeding, whether or not broken	
	15	12010092	Black soya beans, not for seeding, whether or not broken	
	16	12010093	Green soya beans, not for seeding, whether or not broken	
	17	12010099	Soya beans, nes, not for seeding, whether or not broken	
TUNGSTEN ORE	18	26110000	Tungsten ores & concentrates	1. China National Metals and Minerals Import & Export Co. 2. China National Non-ferrous Import & Export Co. 3. China Rare Earth and Metal Group Co. 4. China National Chemical Import & Export Co.
	19	26209010	Ash & residues containing mainly tungsten & compound thereof	
	20	26209090	Ash & residues containing metals & compound thereof, nes	
AMMONIUM PARATUNG-STATES	21	28418010	Ammonium paratungstate	
	22	28418040	Ammonium metatungstates	
TUNGSTATE PRODUCTS	23	28259011	Tungstic acid	
	24	28259012	Tungsten trioxides	
	25	28259019	Tungsten oxides and hydroxides, nes	
	26	28418020	Sodium tungstate	
	27	28418030	Calcium tungstate	
	28	28499020	Carbides of tungsten, whether or not chemically refined	
	29	81011000	Tungsten powders	
	30	81019100	Tungsten unwrought (incl. bars and rods simply sintered); tungsten waste and scrap	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
COAL	31	27011100	Anthracite, not agglomerated, whether or not pulverized	1. China National Coal Industry Import & Export Co. 2. China National Metals and Minerals Import & Export Co. 3. Shanxi Coal Import & Export Group Co. 4. Shenhua Group Ltd.
	32	27011210	Bituminous coking coal, not agglomerated, whether or not pulverized	
	33	27011290	Other bituminous coal, other than coking coal, not agglomerated, whether or not pulverized	
	34	27011900	Coal nes, not agglomerated, whether or not pulverized	
	35	27021000	Lignite, not agglomerated, whether or not pulverized	
CRUDE OIL	36	27090000	Petroleum oils & oils obtained from bituminous minerals, crude	1. China National Chemical Import & Export Co. 2. China International United Petroleum & Chemicals Co. 3. China National United Oil Co.
PROCESSED OIL	37	27100011	Motor gasoline & aviation gasoline	
	38	27100013	Naphtha	
	39	27100019	Gasoline distillages, nes & preparations thereof	
	40	27100023	Aviation kerosene	
	41	27100024	Lamp-kerosene	
	42	27100029	Kerosene distillages, nes & preparations thereof	
	43	27100031	Light diesel oil	
	44	27100033	Fuel oil No.5 to No.7 (National Code)	
	45	27100039	Diesel oils & preparations thereof and other fuel oils, nes	
	46	27100053	Lubricating greases	
	47	27100054	Lubricating oils	
	48	27100059	Heavy oils & preparations thereof, nes	
	49	27111100	Natural gas, liquefied	
SILK	50	50010010	Mulberry feeding silk-worm cocoons	China National Silk Import & Export Co.
	51	50010090	Silk-worn cocoons suitable for reeling (excl. Mulberry feeding silk-worm cocoons)	
	52	50020011	Plant reeled (Steam filature silk),not thrown	
	53	50020012	Steam filature silk ,home reeled, not thrown	
	54	50020013	Steam filature silk, doupion, not thrown	
	55	50020019	Steam filature raw silk (excl. Plant reeled, home reeled, doupion), not thrown	
	56	50020020	Tussah raw silk, not thrown	
	57	50020090	Raw silk, nes, not thrown	
	58	50031000	Silk waste (including cocoons unsuitable for reeling, yarn waste and garneted stock), not carded or combed	
	59	50039000	Silk waste (including cocoons unsuitable for reeling, yarn waste and garneted stock), carded or combed	
	60	50040000	Silk yarn (excl. spun from silk waste), not put up for retail sale	
	61	50050010	Yarn spun from noil, not put up for retail sale	
	62	50050090	Yarn spun from other silk waste (excl. Yarn spun from noil), not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
UN-BLEACHED SILK	63	50071010	Unbleached (unscoured or scoured) or bleached woven fabrics of noil silk	
	64	50072011	Unbleached (unscoured or scoured) or bleached woven fabrics, containing 85% or more by weight of mulberry silk	
	65	50072021	Unbleached (unscoured or scoured) or bleached woven fabrics of tussah silk, containing 85% or more by weight of tussah silk	
	66	50072031	Unbleached (unscoured or scoured) or bleached woven fabrics of spun silk, containing 85% or more by weight of tussah silk	
COTTON	67	52010000	Cotton, not carded or combed	1. China National Textiles Import & Export Co. 2. Qingdao Textiles United Import & Export Co. 3. Beijing No.2 Cotton Mill 4. Beijing No.3 Cotton Mill 5. Tianjin No.1 Cotton Mill 6. Shanghai Shenda Co. Ltd 7. Shanghai Huashen Textiles and Dying Co. (Group) 8. Dalian Huanqiu Textiles Group Co. 9. Shijiazhuang Changshan Textiles Group 10. Luoyang Cotton Mill, Henan Province
	68	52030000	Cotton, carded or combed	
COTTON YARN, containing 85% or more by weight of cotton*	69	52041100	Cotton sewing thread, cotton by weight ⩾ 85%,not put up for retail sale	
	70	52051100	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring ⩽14 metric number, not put up for retail sale	
	71	52051200	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring, >14 metric number but ⩽43 metric number, not put up for retail sale	
	72	52051300	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring >43metric number but ⩽ 52metric number, not put up for retail sale	
	73	52051400	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring >52metric number but ⩽ 80metric number, not put up for retail sale	
	74	52051500	Uncombed single cotton yarn, cotton by weight ⩾85%, measuring >80metric number, not put up for retail sale	
	75	52052100	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring ⩽14metric number, not put up for retail sale	
	76	52052200	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >14metric number but ⩽ 43metric number, not put up for retail sale	
	77	52052300	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >43metric number but ⩽ 52metric number, not put up for retail sale	
	78	52052400	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >52metric number but ⩽ 80metric number, not put up for retail sale	
	79	52052600	Combed single cotton yarn, cotton by weight ⩾ 85%, measuring >80metric number but ⩽ 94metric number, not put up for retail sale	
	80	52053100	Uncombed multiple or cabled cotton yarn, cotton by weight ⩾85%, measuring ⩽14metric number	
	81	52053200	Uncombed multiple or cabled cotton yarn, cotton by weight ⩾85%, measuring >14metric number but ⩽43metric number, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	82	52053300	Uncombed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >43metric number but ≤52metric number, not put up for retail sale	
	83	52053400	Uncombed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >52metric number but ≤80metric number, not put up for retail sale	
	84	52053500	Uncombed cabled cotton yarn, cotton by weight ≥85%, measuring >80metric number, not put up for retail sale	
	85	52054100	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring ≤14metric number, not put up for retail sale	
	86	52054200	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >14metric number but ≤43metric number, not put up for retail sale	
	87	52054300	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >43metric number but ≤52metric number, not put up for retail sale	
	88	52054400	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >52metric number but ≤80metric number, not put up for retail sale	
	89	52054600	Combed multiple or cabled cotton yarn, cotton by weight ≥85%, measuring >80metric number but ≤94metric number, not put up for retail sale	
	90	52071000	Cotton yarn (excl. sewing), put up for retail sale, cotton by weight ≥85%	
COTTON YARN, containing less than 85% by weight of cotton*	91	52041900	Cotton sewing thread, cotton by weight <85%, not put up for retail sale	11. Songyue Textiles Industry Group, Henan Province 12. Dezhou Cotton Mill 13. Wuxi No.1 Cotton Mill 14. Puxin Textiles Mill, Hubei Province 15. Northwest No.1 Cotton Mill 16. Chengdu Jiuxing Textiles Group Co. 17. Suzhou Sulun Textiles Joint Company (Group) 18. Northwest No.7 Cotton Mill 19. Xiangmian Group Co., Hubei Province 20. Handan Lihua Textiles Group Co.
	92	52061100	Uncombed single cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	93	52061200	Uncombed single cotton yarn, cotton by weight <85%, measuring >14metric number but ≤ 43metric number, not put up for retail sale	
	94	52061300	Uncombed single cotton yarn, cotton by weight <85%, measuring >43metric number but ≤ 52metric number, not put up for retail sale	
	95	52061400	Uncombed single cotton yarn, cotton by weight <85%, measuring >52metric number but ≤ 80metric number, not put up for retail sale	
	96	52061500	Uncombed single cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	
	97	52062100	Combed single cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	98	52062200	Combed single cotton yarn, cotton by weight <85%, measuring >14metric number but ≤ 43metric number, not put up for retail sale	
	99	52062300	Combed single cotton yarn, cotton by weight <85%, measuring >43metric number but ≤ 52metric number, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	100	52062400	Combed single cotton yarn, cotton by weight <85%, measuring >52metric number but ≤ 80metric number, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
	101	52062500	Combed single cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	21. Xinjiang Textiles Industry Co. (Group) 22. Anqing Textiles Mill 23. Jinan No.2 Cotton Mill 24. Tianjin No.2 Cotton Mill 25. Jinhua Textiles Mill, Shanxi Province 26. Jinwei Group Co., Zhejiang Province 27. Northwest No.5 Cotton Mill 28. Baoding No.1 Cotton Mill 29. Liaoyang Textiles Mill 30. Changchun Textiles Mill 31. Huaxin Cotton Mill, Henan Province 32. Baotou Textiles Mill 33. Ninbo Hefeng Textiles Group Co. 34. Northwest No.4 Cotton Mill 35. Xinjiang Shihezi Bayi Cotton Mill
	102	52063100	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	103	52063200	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >14metric number but ≤43metric number, not put up for retail sale	
	104	52063300	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >43metric number but ≤52metric number, not put up for retail sale	
	105	52063400	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >52metric number but ≤80metric number, not put up for retail sale	
	106	52063500	Uncombed multiple or cabled cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	
	107	52064100	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring ≤14metric number, not put up for retail sale	
	108	52064200	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >14metric number but ≤43metric number, not put up for retail sale	
	109	52064300	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >43metric number but ≤52metric number, not put up for retail sale	
	110	52064400	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >52metric number but ≤80metric number, not put up for retail sale	
	111	52064500	Combed multiple or cabled cotton yarn, cotton by weight <85%, measuring >80metric number, not put up for retail sale	
	112	52079000	Cotton yarn (excl. sewing), put up for retail sale, cotton by weight <85%	
WOVEN FABRICS OF COTTON, containing 85% or more by weight of cotton*	113	52081100	Unbleached plain cotton weave, cotton by weight ≥85%,a weight not exceeding 100g/m2	
	114	52081200	Unbleached plain cotton weave, cotton by weight ≥85%,a weight exceeding 100g/m2 but not exceeding 200g/m2	
	115	52081300	Unbleached 3 or 4-thread twill, cotton by weight ≥85%, a weight not exceeding 200g/m2	
	116	52081900	Unbleached woven cotton fabrics, nes, cotton by weight ≥85%, a weight not exceeding 200g/m2	
	117	52091100	Unbleached plain cotton weave, cotton by weight ≥85%, a weight exceeding 200g/m2	
	118	52091200	Unbleached 3 or 4-thread twill, cotton by weight ≥85%, a weight exceeding 200g/m2	
	119	52091900	Unbleached cotton fabrics, cotton by weight ≥ 85%, a weight exceeding 200g/m2, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	STATE TRADING ENTERPRISES
WOVEN FABRICS OF COTTON, containing less than 85% by weight of cotton*	120	52101100	Unbleached plain cotton weave, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight not exceeding 200g/m2	
	121	52101200	Unbleached 3 or 4-thread twill, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight not exceeding 200g/m2	
	122	52101900	Unbleached woven cotton fabrics, nes, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight not exceeding 200g/m2	
	123	52111100	Unbleached plain cotton weave, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight exceeding 200g/m2	
	124	52111200	Unbleached 3 or 4-thread twill, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight exceeding 200g/m2	
	125	52111900	Unbleached woven cotton fabrics, nes, cotton by weight <85%,mixed mainly or solely with man-made fibres, a weight exceeding 200g/m2	
ANTIMONY ORES	126	26171010	Crude antimony	1. China National Metals and Minerals Import & Export Co. 2. China National Non-ferrous Import & Export Co. 3. China Rare Earth and Metal Group Co.
	127	26171090	Antimony ores & concentrates, excl. crude	
ANTIMONY OXIDE	128	28258000	Antimony oxides	
ANTIMONY PRODUCTS	129	81100020	Antimony unwrought	
	130	81100030	Antimony waste and scrap; Antimony powders	
	131	81100090	Antimony and articles thereof, nes	
SILVER	132	71061000	Silver in powder	1. China Banknote Printing and Minting Corporation 2. China Copper Lead Zinc Group
	133	71069100	Silver (incl. Silver plated with gold or platinum) in unwrought forms	
	134	71069200	Silver (incl. Silver plated with gold or platinum) in semi-manufactured forms nes	

* Each of the 35 State Trading Enterprises listed under products "Cotton Yarn, containing 85% or more by weight of cotton", "Cotton Yarn, containing less than 85% by weight of cotton", "Woven Fabrics of Cotton, containing 85% or more by weight of cotton", "Woven Fabrics of Cotton, containing less than 85% by weight of cotton", may trade in Product Numbers 69 through 125.

ANNEX 2B

PRODUCTS SUBJECT TO DESIGNATED TRADING

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
NATURAL RUBBER	1	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	Liberalized within 3 years after accession.
	2	40012100	Smoked sheets of natural rubber	
	3	40012200	Technically specified natural rubber, in primary forms or in plates, sheets or strip	
	4	40012900	Natural rubber, in primary forms or in plates, sheets or strip, nes	
TIMBER	5	44020000	Wood charcoal (incl. shell or nut charcoal), whether or not agglomerated	Liberalized within 3 years after accession.
	6	44031000	Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, treated with paint, stains, creosote or other preservatives	
	7	44032000	Coniferous wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	8	44034910	Teak wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	9	44034990	Specified tropical wood in the rough, nes, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	10	44039100	Oak (Quercus spp.) wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	11	44039200	Beech (Fagus spp.) wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	12	44039910	Nan mu (Phoebe) wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	13	44039920	Camphor wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	14	44039930	Rosewood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	15	44039940	Kiri (Paulownia) wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	16	44039990	Wood, nes, in the rough, whether or not stripped of bark or sapwood, or roughly squared, excl. treated with preservatives	
	17	44041000	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked; chipwood and the like, coniferous	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	18	44042000	Hoopwood; split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise; wooden sticks, roughly trimmed but not turned, bent or otherwise worked; chipwood and the like, non-coniferous	
	19	44050000	Wood wool; wood flour	
	20	44061000	Railway or tramway sleepers (cross-ties) of wood, not impregnated	
	21	44069000	Railway or tramway sleepers (cross-ties) of wood, impregnated	
	22	44071000	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, conifers	
	23	44072400	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Virola, Mahogany (Swietenia spp.), Imbuia and Balsa	
	24	44072500	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Dark Red Meranti, Light Red Meranti and Meranti Bakau	
	25	44072600	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, White Lauan, White Meranti, White Seraya, Yellow Meranti and Alan	
	26	44072910	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm,Teak wood	
	27	44072990	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, specified tropical woods nes	
	28	44079100	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Oak (Quercus spp.) wood	
	29	44079200	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Beech (Fagus spp.) wood	
	30	44079910	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Nan mu, Camphor wood or Rosewood	
	31	44079920	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, Paulownia wood	
	32	44079990	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6mm, wood nes	
PLYWOOD	33	44121300	Plywood consisting solely of sheets of wood, each ply not exceeding 6mm thickness, with at least one outer ply of tropical wood specified	Liberalized within 3 years after accession.
	34	44121400	Plywood consisting solely of sheets of wood, each ply not exceeding 6mm thickness, with at least one outer ply of non-coniferous wood	
	35	44121900	Plywood consisting solely of sheets of wood, each ply not exceeding 6mm thickness, nes	

PRODUCTS	NO	HSNO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
WOOL	36	51011100	Greasy shorn wool, not carded or combed	Liberalized within 3 years after accession.
	37	51011900	Greasy wool (excl. shorn), not carded or combed	
	38	51012100	Degreased shorn wool, not carbonised, not carded or combed	
	39	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	
	40	51013000	Carbonized wool, not carded or combed	
	41	51031010	Noils of wool, excluding garnetted stock	
	42	51051000	Carded wool	
	43	51052100	Combed wool in fragments	
	44	51052900	Wool tops & combed wool (excl. Combed wool in fragments)	
ACRYLIC	45	54023910	Synthetic filament textured yarn of polypropylene, not for retail sale	Liberalized within 3 years after accession.
	46	54023990	Synthetic filament textured yarn, nes, not for retail sale	
	47	54024910	Single synthetic yarn of polypropylene, with ≤50 turns/m, not for retail sale	
	48	54024920	Single synthetic yarn of polyurethane, with ≤50 turns/m, not for retail sale	
	49	54024990	Single synthetic yarn, nes, with ≤50 turns/m, not for retail sale	
	50	54025910	Single filament yarn of polypropylene, with >50 turns/m, not for retail sale	
	51	54025990	Single synthetic filament yarn, nes, with >50 turns/m, not for retail sale	
	52	54026910	Multiple or cabled yarn of polypropylene not for retail sale	
	53	54026920	Multiple or cabled yarn of polyurethane, not for retail sale	
	54	54026990	Multiple or cabled yarn of synthetic filament, nes, not for retail sale	
	55	55013000	Synthetic filament tow of acrylic or modacrylic	
	56	55033000	Synthetic staple fibres, of acrylic or modacrylic, not carded, combed or otherwise processed for spinning	
	57	55063000	Synthetic staple fibres of acrylic or modacrylic, carded, combed or otherwise processed for spinning	
	58	55093100	Single yarn, with ≥85% acrylic or modacrylic staple fibres, not put up for retail sale	
	59	55093200	Multiple or cabled yarn, ≥85% acrylic/modacrylic staple fibres, not put up for retail sale	
	60	55096100	Yarn, <85% acrylic or modacrylic staple fibres, mixed mainly or solely with wool or fine animal hair, not put up for retail sale	
	61	55096200	Yarn, <85% acrylic or modacrylic staple fibres, mixed mainly or solely with cotton, not put up for retail sale	
	62	55096900	Yarn, <85% acrylic or modacrylic staple fibres, nes, not put up for retail sale	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
STEEL	63	72081000	Iron or non-alloy steel in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, with patterns in relief	Liberalized within 3 years after accession.
	64	72082500	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, pickled, of a thickness of 4.75mm or more	
	65	72082600	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, pickled, of a thickness of 3mm or more but less than 4.75mm	
	66	72082700	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, pickled, of a thickness of less than 3mm	
	67	72083600	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 10mm or more	
	68	72083700	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 4.75mm or more but less than 10mm	
	69	72083800	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 3mm or more but less than 4.75mm	
	70	72083900	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of less than 3mm	
	71	72084000	Flat-rolled products of iron or non-alloy steel not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, with patterns in relief	
	72	72085100	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 10mm or more	
	73	72085200	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 4.75mm or more but less than 10mm	
	74	72085300	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of 3mm or more but less than 4.75mm	
	75	72085400	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than hot-rolled, nes, of a thickness of less than 3mm	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	76	72089000	Flat-rolled products of iron or non-alloy steel, not clad or plated or coated, of a width of 600mm or more, hot-rolled, nes	
	77	72091500	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 3mm or more	
	78	72091600	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness exceeding 1mm but less than 3mm	
	79	72091700	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 0.5mm or more but not exceeding 1mm	
	80	72091800	Flat-rolled products of iron or non-alloy steel, in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of less than 0.5mm	
	81	72092500	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 3mm or more	
	82	72092600	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness exceeding 1mm but less than 3mm	
	83	72092700	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 0.5mm or more but not exceeding 1mm	
	84	72092800	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of less than 0.5mm	
	85	72099000	Flat-rolled products of iron or non-alloy steel, not clad or plated or coated, of a width of 600mm or more, cold-rolled, nes	
	86	72101100	Flat-rolled products of iron or non-alloy steel, plated or coated with tin, of a width of 600mm or more, of a thickness of 0.5mm or more	
	87	72101200	Flat-rolled products of iron or non-alloy steel, plated or coated with tin, of a width of 600mm or more, of a thickness of less than 0.5mm	
	88	72102000	Flat-rolled products of iron or non-alloy steel, plated or coated with lead, of a width of 600mm or more, including terneplate	
	89	72103000	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, electrolytically plated or coated with zinc	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	90	72104100	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, corrugated, plated or coated with zinc nes	
	91	72104900	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated with zinc, nes	
	92	72105000	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated with chromium oxides or with chromium and chromium oxides	
	93	72106100	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated with aluminium-zinc alloys	
	94	72106900	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated with aluminium, nes	
	95	72107000	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, painted or plated with plastics	
	96	72109000	Flat-rolled products of iron or non-alloy steel, of a width of 600mm or more, plated or coated, nes	
	97	72111300	Flat-rolled products of iron or non-alloy steel, not in coils, not clad or plated or coated, rolled on four faces or in a closed box pass, 150mm <width >600mm, and a thickness ⩾4mm, without patterns in relief, not further worked than hot-rolled	
	98	72111400	Flat-rolled products of iron or non-alloy steel, not further worked than hot-rolled, not clad or plated or coated, of a width of less than 600mm, of a thickness of 4.75mm or more, nes	
	99	72111900	Flat-rolled products of iron or non-alloy steel, not further worked than hot-rolled, not clad or plated or coated, of a width of less than 600mm, nes	
	100	72112300	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, not further worked than cold-rolled, containing by weight less than 0.25% of carbon	
	101	72112900	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, not further worked than cold-rolled, containing by weight not less than 0.25% of carbon	
	102	72119000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, nes	
	103	72121000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, plated or coated with tin	
	104	72122000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, electrolytically plated or coated with zinc	
	105	72123000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, plated or coated with zinc, nes	
	106	72124000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, painted or plated or coated with plastics	
	107	72125000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, plated or coated, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	108	72126000	Flat-rolled products of iron or non-alloy steel, of a width of less than 600mm, clad	
	109	72131000	Bars & rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel, containing indentations & ribs & grooves & other deformations produced during the rolling process	
	110	72132000	Bars & rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel, of free cutting steel	
	111	72139100	Bars & rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel, of circular cross-section measuring less than 14 mm in diameter, nes	
	112	72139900	Bars & rods, hot-rolled, in irregularly wound coils, of iron or non-alloy steel, nes	
	113	72141000	Bars & rods of iron or non-alloy steel, not further worked than forged, nes	
	114	72142000	Bars & rods of iron or non-alloy steel, not further worked than forged or hot-rolled or hot-drawn or hot-extruded, containing indentations & ribs & grooves & other deformations produced during the rolling process or twisted after rolling, nes	
	115	72143000	Bars & rods of iron or non-alloy steel, not further worked than forged or hot-rolled or hot-drawn or hot-extruded (incl. twisted after rolling), of free cutting steel, nes	
	116	72149100	Bars & rods of iron or non-alloy steel, not further worked than forged or hot-rolled or hot-drawn or hot-extruded (incl. twisted after rolling), of rectangular (excl. square) cross-section, nes	
	117	72149900	Bars & rods of iron or non-alloy steel, not further worked than forged or hot-rolled or hot-drawn or hot-extruded (incl. twisted after rolling), nes	
	118	72151000	Bars & rods of free cutting steel, not further worked than cold- formed or cold-finished, nes	
	119	72155000	Bars & rods of iron or non-alloy steel, not further worked than cold- formed or cold-finished, nes	
	120	72159000	Bars & rods of iron or non-alloy steel, nes	
	121	72161010	H sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height less than 80mm	
	122	72161090	U &I sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height less than 80mm	
	123	72162100	L sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height less than 80mm	
	124	72162200	T sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height less than 80mm	
	125	72163100	U sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	126	72163200	I sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more	
	127	72163300	H sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more	
	128	72164010	L sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more	
	129	72164020	T sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, of a height of 80mm or more	
	130	72165010	Z sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded	
	131	72165090	Angles & shapes & sections of iron or non-alloy steel, not further worked than hot-rolled or hot-drawn or hot-extruded, nes	
	132	72166100	Angles & shapes & sections of iron or non-alloy steel, not further worked than cold-rolled or cold-drawn or cold-extruded, obtained from flat-rolled products	
	133	72166900	Angles & shapes & sections of iron or non-alloy steel, not further worked than cold-rolled or cold-drawn or cold-extruded, nes	
	134	72169100	Angles & shapes & sections of iron or non-alloy steel, cold-rolled or cold-drawn or cold-extruded, obtained from flat-rolled products, nes	
	135	72169900	Angles & shapes & sections of iron or non-alloy steel, cold-rolled or cold-drawn or cold-extruded, nes	
	136	72171000	Wire of iron or non-alloy steel, not plated or coated, whether or not polished	
	137	72172000	Wire of iron or non-alloy steel, plated or coated with zinc	
	138	72173000	Wire of iron or non-alloy steel, plated or coated with other base metals	
	139	72179000	Wire of iron or non-alloy steel, nes	
	140	72181000	Ingots & other primary forms of stainless steel	
	141	72189100	Semi-finished products of stainless steel, of rectangular (other than square) cross-section	
	142	72189900	Semi-finished products of stainless steel, nes	
	143	72191100	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, in coils, of a thickness exceeding 10mm	
	144	72191200	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, in coils, of a thickness of 4.75mm or more but less than 10mm	
	145	72191300	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, in coils, of a thickness of 3mm or more but less than 4.75mm	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	146	72191400	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, in coils, of a thickness of less than 3mm	
	147	72192100	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, not in coils, of a thickness exceeding 10mm	
	148	72192200	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, not in coils, of a thickness of 4.75mm or more but less than 10mm	
	149	72192300	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, not in coils, of a thickness of 3mm or more but less than 4.75mm	
	150	72192400	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than hot-rolled, not in coils, of a thickness of less than 3mm	
	151	72193100	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 4.75mm or more	
	152	72193200	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 3mm or more but less than 4.75mm	
	153	72193300	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness exceeding 1mm but less than 3mm	
	154	72193400	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of 0.5mm or more but not exceeding 1mm	
	155	72193500	Flat-rolled products of stainless steel, of a width of 600mm or more, not further worked than cold-rolled, of a thickness of less than 0.5mm	
	156	72199000	Flat-rolled products of stainless steel, of a width of 600mm or more, nes	
	157	72201100	Flat-rolled products of stainless steel, of a width of less than 600mm, not further worked than hot-rolled, of a thickness of 4.75mm or more	
	158	72201200	Flat-rolled products of stainless steel, of a width of less than 600mm, not further worked than hot-rolled, of a thickness of less than 4.75mm	
	159	72202000	Flat-rolled products of stainless steel, of a width of less than 600mm, not further worked than cold-rolled	
	160	72209000	Flat-rolled products of stainless steel, of a width of less than 600mm, nes	
	161	72210000	Bars & rods of stainless steel, hot-rolled, in irregularly wound coils	
	162	72221100	Bars & rods of stainless steel, not further worked than hot-rolled or hot-drawn or extruded, of circular cross-section, nes	
	163	72221900	Bars & rods of stainless steel, not further worked than hot-rolled or hot-drawn or extruded, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	164	72222000	Bars & rods of stainless steel, not further worked than cold- formed or cold-finished	
	165	72223000	Bars & rods of stainless steel, nes	
	166	72224000	Angles, shapes & sections, stainless steel	
	167	72230000	Wire of stainless steel	
	168	72241000	Ingots & other primary forms of alloy steel, other than stainless	
	169	72249010	Raw casting forging stocks, individual piece weight of 10T or more, of alloy steel, other than stainless	
	170	72249090	Semi-finished products of alloy steel other than stainless, nes	
	171	72251100	Flat rolled products of Si-electrical steel, width≥ 600mm, grain-oriented	
	172	72251900	Flat rolled products of silicon-electrical steel, width≥ 600mm, nes	
	173	72252000	Flat rolled products of high speed steel, width≥600mm	
	174	72253000	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), in coils, not further worked than hot-rolled, width≥600mm	
	175	72254000	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), not further worked than hot-rolled, width≥600mm, nes	
	176	72255000	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), not further worked than cold-rolled, width≥600mm	
	177	72259100	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), nes, width≥ 600mm, electrolytically coated with zinc	
	178	72259200	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), nes, width≥ 600mm, otherwise coated with zinc	
	179	72259900	Flat rolled products, of alloy steel, width≥600mm, nes	
	180	72261100	Flat rolled products of silicon -electrical steel, width <600mm grain-oriented	
	181	72261900	Flat rolled products of silicon -electrical steel, width <600mm, nes	
	182	72262000	Flat rolled products of high speed steel, width <600mm	
	183	72269100	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), not further worked than hot-rolled, width <600mm	
	184	72269200	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), not further worked than cold-rolled, width <600mm	
	185	72269300	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), nes, width <600mm, electrolytically coated with zinc	
	186	72269400	Flat rolled products, of alloy steel (excl. stainless, silicon-electrical steel, high speed steel), nes, width <600mm, otherwise coated with zinc	
	187	72269900	Flat rolled products, of alloy steel, width <600mm, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	188	72271000	Bars & rods, of high speed steel, hot-rolled, in irregularly wound coils	
	189	72272000	Bars & rods, of silico-manganese steel, hot-rolled, in irregular wound coils	
	190	72279000	Bars & rods, of alloy steel, hot-rolled, in irregularly wound coils, nes	
	191	72281000	Bars & rods of high speed steel, nes	
	192	72282000	Bars & rods of silico-manganese steel, nes	
	193	72283000	Bars & rods of alloy steel other than stainless, not further worked than hot-rolled or hot-drawn or extruded, nes	
	194	72284000	Bars & rods of alloy steel other than stainless, not further worked than forged	
	195	72285000	Bars & rods of alloy steel other than stainless, not further worked than cold formed or finished	
	196	72286000	Bars & rods of alloy steel other than stainless, nes	
	197	72287010	Shapes of crawler tread of alloy steel other than stainless	
	198	72287090	Angles, shapes & sections of alloy steel other than stainless, nes	
	199	72288000	Bars & rods, hollow drill, of alloy or non-alloy steel	
	200	72291000	Wire of high speed steel	
	201	72292000	Wire of silico-manganese steel	
	202	72299000	Wire of alloy steel, nes	
	203	73011000	Sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements	
	204	73012000	Angles, shapes & sections, welded, of iron or steel	
	205	73021000	Rails, of iron or steel	
	206	73022000	Sleepers (cross-ties), of iron or steel	
	207	73023000	Switch blades & crossing frogs & point rods & other crossing pieces, of iron or steel	
	208	73024000	Fish plates & sole plates, of iron or steel	
	209	73029000	Rail or tramway construction material of iron or steel, nes	
	210	73030010	Tube, pipes of cast iron, of circular cross-section, inside diameter.≥500mm	
	211	73030090	Tubes, pipes & hollow profiles of cast iron, nes	
	212	73041000	Pipes, line, of iron (other than cast) or steel, seamless, of a kind used for oil or gas pipelines	
	213	73042100	Drill pipe, of iron (other than cast) or steel, seamless, for use in drilling for oil or gas	
	214	73042900	Casings, tubing pipe of iron (other than cast) or steel, seamless, for use in drilling for oil or gas	
	215	73043110	Boiler tubes & pipes, of iron (other than cast) or steel, seamless, of circular cross-section, cold drown or rolled	
	216	73043120	Geological casing & drill pipe, of iron (other than cast) or steel, seamless, of circular cross-section, cold drown or rolled	
	217	73043190	Tubes & pipe, of iron (other than cast) or steel, seamless, of circular cross-section, cold drown or rolled, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	218	73043910	Boiler tubes & pipes, of iron (other than cast) or steel, seamless, of circular cross-section, not cold drown or rolled	
	219	73043920	Geological casing & drill pipe, of iron (other than cast) or steel, seamless, of circular cross-section, not cold drown or rolled	
	220	73043990	Tubes & pipe, of iron (other than cast) or steel, seamless, of circular cross-section, not cold drown or rolled, nes	
	221	73044190	Tubes, pipe, of stainless steel, seamless, of circular cross-section, cold drown or rolled, nes	
	222	73044910	Boiler tubes & pipes, of stainless steel, seamless, of circular cross-section, not cold drown or rolled	
	223	73044990	Tubes & pipe, of stainless steel, seamless, of circular cross-section, cold drown or rolled, nes	
	224	73045110	Boiler tube & pipe, of alloy steel other than stainless, seamless, of circular cross-section, cold drown or rolled	
	225	73045120	Geological casing & drill pipe, of alloy steel other than stainless, seamless, of circular cross-section, cold drown or rolled	
	226	73045190	Tubes & pipe, of alloy steel other than stainless, seamless, of circular cross-section, cold drown or rolled, nes	
	227	73045910	Boiler tube & pipe, of alloy steel other than stainless, seamless, of circular cross-section, not cold drown or rolled	
	228	73045920	Geological casing & drill pipe, of alloy steel other than stainless, seamless, of circular cross-section, not cold drown or rolled	
	229	73045990	Tubes & pipe, of alloy steel other than stainless, seamless, of circular cross-section, not cold drown or rolled, nes	
	230	73049000	Tubes, pipe & hollow profiles, of iron (other than cast) or steel, seamless, nes	
	231	73051100	Line pipes for oil or gas pipelines, of iron or steel, of circular cross-section, external diameter >406.4mm, longitudinally submerged arc welded	
	232	73051200	Line pipes for oil or gas pipelines, of iron or steel, of circular cross-section, external diameter >406.4mm, longitudinally welded nes	
	233	73051900	Line pipes for oil or gas pipelines, of iron or steel, of circular cross-section, external diameter >406.4mm, nes	
	234	73052000	Casings used in drilling for oil or gas, of iron or steel, of circular cross-section, external diameter >406.4mm, nes	
	235	73053100	Tubes & pipe, of iron or steel, longitudinally welded, of circular cross-section, external diameter >406.4mm, nes	
	236	73053900	Tubes & pipe, of iron or steel, welded (excl. longitudinally welded), , external diameter >406.4mm	
	237	73059000	Tubes & pipe, of iron or steel, riveted or similarly closed, external diameter >406.4mm, nes	
	238	73061000	Line pipes for oil or gas pipelines, of iron or steel, welded or open seam or riveted or similarly closed, nes	

PRODUCTS	NO	HS NO	DESCRIPTION OF PRODUCTS	LIBERALIZATION PROGRAM
	239	73062000	Casings used in drilling for oil or gas, of iron or steel, welded or open seam or riveted or similarly closed, nes	
	240	73063000	Tubes & pipes, of iron and non-alloy steel, welded, of circular cross-section, nes	
	241	73064000	Tubes & pipes, of stainless steel, welded, of circular cross-section, nes	
	242	73065000	Tubes & pipes, of alloy steel other than stainless, welded, of circular cross-section, nes	
	243	73066000	Tubes, pipe & hollow profiles, of iron or steel, welded, of non-circular cross-section, nes	
	244	73069000	Tubes, pipe & hollow profiles, of iron or steel, welded or open seam or riveted or similarly closed, nes	
	245	73121000	Stranded wire & ropes & cables, of iron or steel, not electrically insulated	

ANNEX 3

NON-TARIFF MEASURES SUBJECT TO PHASED ELIMINATION

Table One
Products Subject to Import Licence, Import Quota and Import Tendering

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
1	17011100	Raw cane sugar, in solid form, not containing added flavouring or colouring matter	L	Q		upon accession	
2	17011200	Raw beet sugar, in solid form, not containing added flavouring or colouring matter	L	Q		upon accession	
3	17019910	Granulated sugar	L	Q		upon accession	
4	17019920	Superfine sugar	L	Q		upon accession	
5	24011010	Flue-cured tobacco, not stemmed/stripped	L	Q		upon accession	
6	24011090	Tobacco other than flue-cured, not stemmed/stripped	L	Q		upon accession	
7	24012010	Flue-cured tobacco, partly or wholly stemmed/stripped	L	Q		upon accession	
8	24012090	Tobacco other than flue-cured, partly or wholly stemmed/stripped	L	Q		upon accession	
9	24013000	Tobacco refuse	L	Q		upon accession	
10	24029000	Cigars, cheroots, cigarillos and cigarettes, of tobacco substitutes	L	Q		upon accession	
11	24039100	Homogenized or "reconstituted" tobacco	L	Q		upon accession	
12	27100011	Motor gasoline & aviation gasoline	L	Q		2004	1
13	27100013	Naphtha	L	Q		2004	1
14	27100019	Gasoline distillages, nes & preparations thereof	L	Q		2004	1
15	27100023	Aviation kerosene	L	Q		2004	1
16	27100024	Lamp-kerosene	L	Q		2004	1
17	27100031	Light diesel oil	L	Q		2004	1
18	27100033	Fuel oil No.5 to No.7 (National Code)	L	Q		2004	1
19	27100039	Diesel oils & preparations thereof and other fuel oils, nes	L	Q		2004	1
20	28371110	Sodium cyanide	L	Q		2002	2
21	31021000	Urea, whether or not in aqueous solution	L	Q		upon accession	
22	31022100	Ammonium sulphate	L	Q		2002	3
23	31022900	Double salts & mixtures of ammonium sulphate & ammonium nitrate	L	Q		2002	3
24	31023000	Ammonium nitrate, whether or not in aqueous solution	L	Q		2002	3
25	31024000	Mixtures of ammonium nitrate with calcium carbonate or other inorganic non-fertilizing substances	L	Q		2002	3
26	31025000	Sodium nitrate	L	Q		upon accession	
27	31026000	Double salts & mixtures of calcium nitrate & ammonium nitrate	L	Q		upon accession	
28	31027000	Calcium cyanamide	L	Q		upon accession	
29	31028000	Mixtures of urea & ammonium nitrate in aqueous or ammoniacal solution	L	Q		2002	3
30	31029000	Mineral or chemical fertilizers, nitrogenous , nes, incl. mixtures not specified in the foregoing subheadings	L	Q		2002	3
31	31031000	Superphosphates	L	Q		2002	3
32	31032000	Basic slag	L	Q		2002	3

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
33	31039000	Mineral or chemical fertilizers, phosphatic, nes	L	Q		2002	3
34	31041000	Carnallite, sylvite & other crude natural potassium salts	L	Q		upon accession	
35	31042000	Potassium chloride	L	Q		upon accession	
36	31043000	Potassium sulphate	L	Q		2002	3
37	31049000	Mineral or chemical fertilizers, potassic, nes	L	Q		upon accession	
38	31051000	Goods of chapter 31 in tables or similar forms or in packages of a gross weight ⩽10kg	L	Q		2002	3
39	31052000	Mineral or chemical fertilizers containing the three fertilizing elements nitrogen, phosphorus & potassium	L	Q		upon accession	
40	31053000	Diammonium hydrogenorthophosphate (diammonium phosphate)	L	Q		upon accession	
41	31054000	Ammonium dihydrogenorthophosphate (monoammonium phosphate) and mixtures thereof with diammonium hydrogenorthophosphate (diammonium phosphate)	L	Q		2002	3
42	31055100	Mineral or chemical fertilizers containing nitrates & phosphates	L	Q		2002	3
43	31055900	Mineral or chemical fertilizers containing the two fertilizing elements nitrogen & phosphorus, nes	L	Q		2002	3
44	31056000	Mineral or chemical fertilizers with phosphorus & potassium, nes	L	Q		2002	3
45	31059000	Mineral or chemical fertilizers, nes	L	Q		2002	3
46	39076011	Polyethylene terephthalate in slices or chips, high viscosity	L	Q		upon accession	
47	39076019	Polyethylene terephthalate in slices or chips, nes	L	Q		upon accession	
48	40011000	Natural rubber latex, in primary forms or in plates, sheets or strip	L	Q		2004	4
49	40012100	Smoked sheets of natural rubber	L	Q		2004	4
50	40012200	Technically specified natural rubber, in primary forms or in plates, sheets or strip	L	Q		2004	4
51	40012900	Natural rubber, in primary forms or in plates, sheets or strip, nes	L	Q		2004	4
52	40111000	New pneumatic tyres, of rubber of a kind used on motor cars	L	Q		2004	5
53	40112000	New pneumatic tyres, of rubber of a kind used on buses or lorries	L	Q		2004	5
54	40119100	New pneumatic tyres, of rubber, nes, of herring-bone or similar tread	L	Q		2002	5
55	40121010	Retreaded tyres of rubber used on automobiles	L	Q		2002	5
56	40122010	Used pneumatic tyres of rubber used on automobiles	L	Q		2002	5
57	40129020	Solid/cushion rubber tyres, etc, used on automobiles	L	Q		upon accession	
58	40131000	Inner tubes, of rubber of a kind used on motor cars, buses or lorries	L	Q		upon accession	
59	51011100	Greasy shorn wool, not carded or combed	L	Q		upon accession	
60	51011900	Greasy wool (excl. shorn), not carded or combed	L	Q		upon accession	
61	51012100	Degreased shorn wool, not carbonised, not carded or combed	L	Q		upon accession	
62	51012900	Degreased wool (excl. shorn), not carbonised, not carded or combed	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
63	51013000	Carbonized wool, not carded or combed	L	Q		upon accession	
64	51031010	Noils of wool, excluding garnetted stock	L	Q		upon accession	
65	51051000	Carded wool	L	Q		upon accession	
66	51052100	Combed wool in fragments	L	Q		upon accession	
67	51052900	Wool tops & combed wool (excl. Combed wool in fragments)	L	Q		upon accession	
68	52010000	Cotton, not carded or combed	L	Q		upon accession	
69	52030000	Cotton, carded or combed	L	Q		upon accession	
70	54022000	High tenacity yarn of polyesters	L	Q		upon accession	
71	54023310	Elastic filament of polyesters, not for retail sale	L	Q		upon accession	
72	54023390	Textured yarn of polyesters, nes, not for retail sale	L	Q		upon accession	
73	54023990	Synthetic filament textured yarn, nes, not for retail sale	L	Q		upon accession	
74	54024200	Single yarn of partially oriented polyesters, with ≤50 turns/m, not for retail sale	L	Q		upon accession	
75	54024300	Single yarn of polyesters, nes, with ≤50turns/m, not for retail sale	L	Q		upon accession	
76	54024990	Single synthetic yarn, nes, with ≤50 turns/m, not for retail sale	L	Q		upon accession	
77	54025200	Single yarn of polyesters, with >50 turns/m, not for retail sale	L	Q		upon accession	
78	54025990	Single synthetic filament yarn, nes, with >50 turns/m, not for retail sale	L	Q		upon accession	
79	54026200	Multiple or cabled yarn of polyesters, not for retail sale	L	Q		upon accession	
80	54026990	Multiple or cabled yarn of synthetic filament, nes, not for retail sale	L	Q		upon accession	
81	54033310	Single yarn of cellulose diacetate, not for retail sale	L	Q		upon accession	
82	54041000	Synthetic monofilament of ≥67 decitex, or more and of which no cross-sectional dimension exceeds 1mm	L	Q		upon accession	
83	55012000	Synthetic filament tow of polyesters	L	Q		upon accession	
84	55013000	Synthetic filament tow of acrylic or modacrylic	L	Q		upon accession	
85	55020010	Cellulose diacetate filament tow	L	Q		upon accession	
86	55032000	Synthetic staple fibres, of polyesters, not carded, combed or otherwise processed for spinning	L	Q		upon accession	
87	55033000	Synthetic staple fibres, of acrylic or modacrylic, not carded, combed or otherwise processed for spinning	L	Q		upon accession	
88	55062000	Synthetic staple fibres, of polyesters, carded, combed or otherwise processed for spinning	L	Q		upon accession	
89	55063000	Synthetic staple fibres of acrylic or modacrylic, carded, combed or otherwise processed for spinning	L	Q		upon accession	
90	55092100	Single yarn, with ≥85% polyester staple fibres, not put up for retail sale	L	Q		upon accession	
91	55092200	Multiple or cabled yarn, with ≥85% polyester staple fibres, not put up for retail sale	L	Q		upon accession	
92	55093100	Single yarn, with ≥85% acrylic or modacrylic staple fibres, not put up for retail sale	L	Q		upon accession	
93	55093200	Multiple or cabled yarn, ≥85% acrylic/modacrylic staple fibres, not put up for	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		retail sale					
94	55095100	Yarn, <85% polyester staple fibres, mixed mainly or solely with artificial staple fibres, not put up for retail sale	L	Q		upon accession	
95	55095200	Yarn, <85% polyester staple fibres, mixed mainly or solely with wool/fine animal hair, not put up for retail sale	L	Q		upon accession	
96	55095300	Yarn, <85% polyester staple fibres, mixed mainly or solely with cotton, not put up for retail sale	L	Q		upon accession	
97	55095900	Yarn, <85% polyester staple fibres, nes, not put up for retail sale	L	Q		upon accession	
98	55096100	Yarn, <85% acrylic or modacrylic staple fibres, mixed mainly or solely with wool or fine animal hair, not put up for retail sale	L	Q		upon accession	
99	55096200	Yarn, <85% acrylic or modacrylic staple fibres, mixed mainly or solely with cotton, not put up for retail sale	L	Q		upon accession	
100	55096900	Yarn, <85% acrylic or modacrylic staple fibres, nes, not put up for retail sale	L	Q		upon accession	
101	84073100	Reciprocation piston engines of a kind used for the prolusion of vehicles of Chapter 87, with a cylinder capacity not exceeding 50cc	L	Q		2003	6
102	84073200	Reciprocation piston engines of a kind used for the prolusion of vehicles of Chapter 87, with a cylinder capacity exceeding 50cc but not exceeding 250cc	L	Q		2003	6
103	84073300	Reciprocation piston engines of a kind used for the prolusion of vehicles of Chapter 87, with a cylinder capacity exceeding 250cc but not exceeding 1000cc	L	Q		2003	6
104	84079090	Spark-ignition reciprocation or rotary internal combustion piston engines not elsewhere specified or included	L	Q		2003	7
105	84082010	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines) for the prolusion of vehicles of Chapter 87, with an output 132.39KW (180H.P.)or more	L	Q		2003	7
106	84082090	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines) for the prolusion of vehicles of Chapter 87, with an output less than 132.39KW (180H.P.)	L	Q		2003	7
107	84089092	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines) not elsewhere specified or included with an output exceeding 14KW but less than 132.39KW(180H.P.)			T	2004	
108	84143011	Compressors for refrigerators or freezers driven by a motor, of a motor power not exceeding 0.4KW	L	Q		upon accession	
109	84143012	Compressors for refrigerators or freezers driven by a motor, of a motor power exceeding 0.4KW but not exceeding 5KW	L	Q		upon accession	
110	84143013	Compressors for air conditioning machinery driven by a motor, of a motor power exceeding	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		0.4KW but not exceeding 5KW					
111	84143019	Compressors of a kind used in refrigerating equipment driven by a motor, not elsewhere specified or included	L	Q		upon accession	
112	84143090	Compressors of a kind used in refrigerating equipment driven by a non-motor	L	Q		upon accession	
113	84145930	Centrifugal ventilation fans			T	upon accession	
114	84151000	Window or wall types air conditioning machinery, self-contained	L	Q		2002	8
115	84152000	Air conditioning machinery used for persons in motor vehicles	L	Q		2002	7
116	84158110	Air conditioning machinery incorporating a refrigerating unit and a valve for reversal of the cooling/heat cycle, of a refrigerating effect not exceeding 4000 Kcal per hour	L	Q		upon accession	
117	84158210	Air conditioning machinery incorporating a refrigerating unit, of a refrigerating effect not exceeding 4000 Kcal per hour, nes	L	Q		upon accession	
118	84181010	Combined refrigerator-freezers fitted with separate external doors, of a capacity exceeding 500L	L	Q		upon accession	
119	84181020	Combined refrigerator-freezers fitted with separate external doors, of a capacity exceeding 200L but not exceeding 500L	L	Q		upon accession	
120	84181030	Combined refrigerator-freezers fitted with separate external doors, of a capacity not exceeding 200L	L	Q		upon accession	
121	84182110	Household-compression-type refrigerators, of a capacity exceeding 150L	L	Q		upon accession	
122	84182120	Household-compression-type refrigerators, of a capacity exceeding 50 l but not exceeding 150L	L	Q		upon accession	
123	84182130	Household-compression-type refrigerators, of a capacity not exceeding 50L	L	Q		upon accession	
124	84182200	Household-absorption-type refrigerators, electrical	L	Q		upon accession	
125	84183010	Chest-type freezers of a refrigerating temperature of –40°C or lower, capacity not exceeding 800L	L	Q		upon accession	
126	84183021	Chest-type freezers of a refrigerating temperature higher than –40°C, capacity exceeding 500L but not exceeding 800L	L	Q		upon accession	
127	84183029	Chest-type freezers of a refrigerating temperature higher than –40° C, capacity not exceeding 500L	L	Q		upon accession	
128	84184010	Upright-type freezers of a refrigerating temperature of –40° C or lower, capacity not exceeding 900L	L	Q		upon accession	
129	84184021	Upright-type freezers of a refrigerating temperature higher than –40° C, capacity exceeding 500L but not exceeding 900L	L	Q		upon accession	
130	84184029	Upright-type freezers of a refrigerating temperature higher than –40° C, capacity not exceeding 500L	L	Q		upon accession	
131	84185000	Refrigerating or freezing chests, cabinets, display counters, show-cases and similar refrigerating or	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		freezing furniture, nes					
132	84254990	Hoists of a kind used for raising vehicles, not elsewhere specified or included			T	upon accession	
133	84261910	Overhead traveling Ship loading cranes			T	upon accession	
134	84261921	Overhead traveling Grab ship unloading cranes			T	upon accession	
135	84261929	Other Overhead traveling ship unloading cranes			T	upon accession	
136	84263000	Portal or pedestal jib cranes			T	upon accession	
137	84264110	Wheel-mounted cranes			T	upon accession	
138	84264190	Self-propelled machinery on tyres fitted with a crane, not elsewhere specified or included			T	upon accession	
139	84281010	Lifts and skip hoists designed for the transport of persons			T	2002	
140	84284000	Escalators and moving walkways			T	upon accession	
141	84291110	Track laying self-propelled bulldozers and angledozers with an engine of an output exceeding 235.36kW(320H.P.)			T	2004	
142	84294011	Self-propelled vibration-type road rollers, of a deadweight of 18t or more			T	2002	
143	84294019	Self-propelled road rollers, not elsewhere specified or included			T	2004	
144	84305020	Mining power shovels, self-propelled			T	upon accession	
145	84381000	Bakery machinery and machinery for the manufacture of macaroni, spaghetti or similar products			T	upon accession	
146	84391000	Machinery for making pulp of fibrous cellulosic material			T	2002	
147	84392000	Machinery for making paper or paperboard			T	2002	
148	84393000	Machinery for finishing paper or paperboard			T	2002	
149	84413090	Machinery for making cartons, boxes, cases, tubes, drums or similar containers in paper pulp, paper or paperboard, other than by moulding, not elsewhere specified or included			T	upon accession	
150	84414000	Machinery for moulding articles in paper pulp, paper or paperboard			T	upon accession	
151	84431910	Sheet fed offset printing machinery,			T	2004	
152	84431990	Offset printing machinery not elsewhere specified or included			T	2004	
153	84435912	Platen screen press printing machinery			T	upon accession	
154	84451110	Carding machinery, for cotton type fibres			T	upon accession	
155	84451120	Carding machinery, for wool type fibres			T	upon accession	
156	84451200	Combing machinery for textile fibres			T	upon accession	
157	84452020	Break spinning machinery (Rotor spinning frames)	L	Q		upon accession	
158	84454010	Automatic bobbin winders			T	upon accession	
159	84459010	Warping machinery for textile fibres			T	upon accession	
160	84463020	Rapier looms for weaving fabrics of a width exceeding 30cm			T	upon accession	
161	84463030	Carrier looms for weaving fabrics of width exceeding 30 cm			T	upon accession	
162	84501200	Washing machinery with built-in centrifugal drier, dry linen capacity not exceeding 10kg, including machinery which both wash and dry	L	Q		upon accession	
163	84501900	Washing machinery, dry linen capacity not exceeding 10kg, not elsewhere specified or	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		included, including machinery which both wash and dry					
164	84522110	Automatic sewing machinery, flat-seam type, other than book-sewing machinery of heading 84.40			T	upon accession	
165	84522190	Automatic sewing machinery, other than flat-seam type & book-sewing machinery of heading 84.40			T	upon accession	
166	84542010	Fining equipments, outside of converters, used in metallurgy or in metal foundry			T	upon accession	
167	84543010	Cold chamber die-casting machinery			T	upon accession	
168	84563010	Machine-tools for working any material by removal of material, numerically controlled, operated by electro-discharge processes			T	2004	
169	84569910	Cutting machinery of plasma arc, for working any material by removal of material			T	2004	
170	84569990	Machine-tools for working any material by removal of material, operated by electro-chemical, electron beam, ionic-beam processes, not elsewhere specified or included			T	2004	
171	84571010	Machining centers, vertical type, for working metal			T	2004	
172	84571020	Machining centers, horizontal type, for working metal			T	2004	
173	84571030	Machining centers, plano type, for working metal			T	2004	
174	84571090	Machining centers, not elsewhere specified or included, for working metal			T	2004	
175	84581100	Horizontal lathes (including turning centers) for removing metal, numerically controlled			T	2004	
176	84621090	Non-numerically controlled Forging or die-stamping machinery (including presses) and hammers for working metal			T	2002	
177	84659600	Splitting, slicing, paring machinery for working wood, cork, bone, hard rubber, hard plastics or similar hard materials			T	upon accession	
178	84714991	Processing machinery for distributed control systems, presented in the form of systems			T	2004	
179	84742010	Crushing, grinding machinery for earth stone, ores or other mineral substances in solid (incl. power or paste) form, toothing roller type			T	upon accession	
180	84742090	Crushing, grinding machinery for earth stone, ores or other mineral substances in solid (incl. power or paste) form, other than toothing roller type			T	upon accession	
181	84743100	Concrete or mortar mixers			T	2004	
182	84775900	Machinery for moulding or otherwise forming, for working rubber or plastics or for the manufacture of products from these materials, not elsewhere specified or included			T	2002	
183	84781000	Machinery for preparing or making up tobacco, not elsewhere specified or included			T	2002	
184	84789000	Parts, of machinery for preparing or making up tobacco, not elsewhere specified or included			T	upon accession	
185	84791021	Machinery for spreading bituminous concrete			T	2002	
186	84791022	Stabilizer spreading machinery			T	2002	
187	84804100	Injection or compression types moulds for metal			T	2002	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		or metal carbides					
188	84807100	Injection or compression types moulds for rubber or plastics			T	2002	
189	84834020	Planet decelerators			T	upon accession	
190	85042320	Liquid dielectric transformers, having a power handling capacity of 400MVA or more			T	2004	
191	85172100	Facsimile machinery			T	2002	
192	85175090	Apparatus for carrier-current line systems, not elsewhere specified or included			T	upon accession	
193	85184000	Audio-frequency electric amplifiers			T	2002	
194	85199910	Compact disc players for sound reproducing, not incorporating a sound recording device	L	Q		upon accession	
195	85203210	Digital audio cassette-tape recorders incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
196	85203290	Digital audio magnetic tape recorders incorporating sound reproducing apparatus, other than cassette-tape, not elsewhere specified or included	L	Q		upon accession	
197	85203300	Cassette-tape recorders incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
198	85203910	Open-reel tape recorders incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
199	85203990	Magnetic tape recorders incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
200	85209000	Magnetic tape recorders not incorporating sound reproducing apparatus; other sound recording apparatus, whether or not incorporating sound reproducing apparatus, not elsewhere specified or included	L	Q		upon accession	
201	85211011	Magnetic video tape recorders, broadcast quality, whether or not incorporating a video tuner	L	Q		2002	9
202	85211019	Magnetic video tape recorders, whether or not incorporating a video tuner, not elsewhere specified or included	L	Q		2002	9
203	85211020	Magnetic video tape reproducers, whether or not incorporating a video tuner	L	Q		2002	9
204	85219010	Laser video compact disk player, whether or not incorporating a video tuner	L	Q		2002	10
205	85219090	Video recording or reproducing apparatus, whether or not incorporating a video tuner, not elsewhere specified or included	L	Q		2002	10
206	85229021	Transport mechanisms of cassette magnetic tape recorders or reproducers, whether or not incorporating a magnetic head	L	Q		2002	11
207	85229030	Parts and accessories suitable for use solely or principally with the video recording or reproducing apparatus, not elsewhere specified or included	L	Q		2002	9
208	85252011	Satellite earth station for television, whether or			T	2004	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		not incorporating sound recording or reproducing apparatus					
209	85252019	Satellite earth station other than for television, whether or not incorporating sound recording or reproducing apparatus			T	upon accession	
210	85252022	Radio telephone handsets, including vehicle installed, whether or not incorporating sound recording or reproducing apparatus			T	2002	
211	85252029	Mobile communication equipment incorporating reception apparatus, whether or not incorporating sound recording or reproducing apparatus, not elsewhere specified or included			T	2002	
212	85252092	Mobile communication base station, whether or not incorporating sound recording or reproducing apparatus			T	2002	
213	85252093	Wireless subscriber communicating equipments, whether or not incorporating sound recording or reproducing apparatus			T	2002	
214	85173013	Digital program-controlled mobile communication switching systems			T	2002	
215	85173091	Analogical mobile communication switching systems			T	2002	
216	85253010	Television cameras, for special purposes	L	Q		2002	9
217	85253091	Television cameras not for special purposes, broadcast quality	L	Q		2002	9
218	85253099	Television cameras, not elsewhere specified or included	L	Q		2002	9
219	85254010	Still image video cameras and other video camera recorder, for special purposes	L	Q		2002	9
220	85254020	Household video camera recorders	L	Q		2002	9
221	85254030	Still image video cameras with digital image storage	L	Q		2002	9
222	85254090	Still image video cameras and other video camera recorders, not elsewhere specified or included	L	Q		2002	9
223	85271200	Pocket-size radio cassette-players capable of operating without an external source of power, including apparatus capable of receiving also radio-telephony or radio-telegraphy, whether or not combined with a clock in the same housing	L	Q		upon accession	
224	85271300	Radio-broadcast receivers combined with sound recording or reproducing apparatus capable of operating without an external source of power, including apparatus capable of receiving also radio-telephony or radio-telegraphy, nes	L	Q		upon accession	
225	85271900	Radio-broadcast receivers capable of operating without external power, whether or not combined with a clock in the same housing, nes	L	Q		upon accession	
226	85272100	Radio-broadcast receivers combined with sound recording or reproducing apparatus not capable of operating with an external source of power, of a kind used in motor vehicles, including apparatus capable of receiving also radio-telephony or	L	Q		upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		radio-telegraphy					
227	85272900	Radio-broadcast receivers not capable of operating with an external source of power, of a kind used in motor vehicles, including apparatus capable of receiving also radio-telephony or radio-telegraphy, nes	L	Q		upon accession	
228	85273100	Radio-broadcast receivers combined with sound recording or reproducing apparatus not capable of operating with an external source of power, including apparatus capable of receiving also radio-telephony or radio-telegraphy, nes	L	Q		upon accession	
229	85273200	Radio-broadcast receivers not combined with sound recording or reproducing apparatus but combined with a clock, nes, including apparatus capable of receiving also radio-telephony or radio-telegraphy	L	Q		upon accession	
230	85273900	Radio-broadcast receivers not capable of operating with an external source of power, including apparatus capable of receiving also radio-telephony or radio-telegraphy, not elsewhere specified or included	L	Q		upon accession	
231	85279010	Radio paging receivers			T	2002	
232	85281210	Colour satellite television receivers, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus			T	2004	
233	85281291	Colour television receivers, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus, with a diagonal measurement of the screen not exceeding 42cm	L	Q		upon accession	
234	85281292	Colour television receivers, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus, with a diagonal measurement of the screen exceeding 42cm but not exceeding 52cm	L	Q		upon accession	
235	85281293	Colour television receivers, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus, with a diagonal measurement of the screen exceeding 52cm	L	Q		2002	12
236	85282100	Colour video monitors	L	Q		2002	12
237	85283010	Colour video projectors	L	Q		2002	12
238	85291020	Aerials and aerial reflectors of all kinds and parts suitable for use therewith, for radio-broadcast receivers and their combinations or television receivers			T	2002	
239	85291090	Aerials and aerial reflectors of all kinds and parts suitable for use therewith, for apparatus of headings 85.25 to 85.28, not elsewhere specified or included			T	2004	
240	85299091	High frequency tuners, suitable for use solely or principally with television receivers			T	2004	
241	85311090	Burglar or fire alarms & similar apparatus, not elsewhere specified or included			T	2002	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
242	85352900	Automatic circuit breakers, for voltage exceeding 72.5 KV			T	2004	
243	85401100	Cathode-ray television picture tubes, including video monitor tubes, color	L	Q		2002	12
244	85404000	Color data/graphic display tubes, with a phosphor dot screen pitch smaller than 0.4mm	L	Q		2002	12
245	85445910	Electric cable (including co-axial cable), without connectors, for voltage exceeding 80V but not exceeding 1000 V			T	upon accession	
246	85447000	Optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors			T	upon accession	
247	86040099	Railway or tramway maintenance or service vehicles, whether or not self-propelled, not elsewhere specified or included			T	upon accession	
248	87012000	Road tractors for semi-trailers, other than tractors of heading 87.09	L	Q		2004	7
249	87019000	Tractors not elsewhere specified or included, other than tractors of heading 87.09			T	upon accession	
250	87021020	Motor vehicles for the transport of ten or more persons (including the driver), with compression-ignition internal combustion piston engine (diesel or semi-diesel), for transport of passengers at aerodrome	L	Q		2004	7
251	87021091	Motor vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), with 30 seats or more (including the driver)	L	Q		2004	7
252	87021092	Motor vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), with 20 seats or more, but not exceeding 29 seats (including the driver)	L	Q		2005	7
253	87021093	Motor vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), with 10 seats or more, but not exceeding 19 seats (including the driver)	L	Q		2005	7
254	87029010	Motor vehicles not elsewhere specified or included, with 30 seats or more (including the driver)	L	Q		2004	7
255	87029020	Motor vehicles not elsewhere specified or included, with 20 seats or more, but not exceeding 29 seats (including the driver)	L	Q		2005	7
256	87029030	Motor vehicles not elsewhere specified or included, with 10 seats or more, but not exceeding 19 seats (including the driver)	L	Q		2005	7
257	87031000	Vehicles specially designed for traveling on snow; golf cars and similar vehicles	L	Q		upon accession	
258	87032130	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity not exceeding 1000cc	L	Q		2005	7
259	87032190	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity not	L	Q		2005	7

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		exceeding 1000cc					
260	87032230	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1000cc but not exceeding 1500cc	L	Q		2005	7
261	87032240	Cross-country cars (4WD), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1000cc but not exceeding 1500cc	L	Q		2005	7
262	87032250	Station wagons (with 9 seats or less), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1000cc but not exceeding 1500cc	L	Q		2005	7
263	87032290	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1000cc but not exceeding 1500cc	L	Q		2005	7
264	87032314	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
265	87032315	Cross-country cars (4WD), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
266	87032316	Station wagons (with 9 seats or less), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
267	87032319	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
268	87032334	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 2500cc but not exceeding 3000cc	L	Q		2005	7
269	87032335	Cross-country cars (4WD), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 2500cc but not exceeding 3000cc	L	Q		2005	7
270	87032336	Station wagons (with 9 seats or less), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 2500cc but not exceeding 3000cc	L	Q		2005	7
271	87032339	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 2500cc but not exceeding 3000cc	L	Q		2005	7
272	87032430	Saloon cars, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 3000cc	L	Q		2005	7
273	87032440	Cross-country cars (4WD), with spark-ignition	L	Q		2005	7

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		internal combustion reciprocating piston engine, of a cylinder capacity exceeding 3000cc					
274	87032450	Station wagons (with 9 seats or less), with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 3000cc	L	Q		2005	7
275	87032490	Vehicles not elsewhere specified or included, with spark-ignition internal combustion reciprocating piston engine, of a cylinder capacity exceeding 3000cc	L	Q		2005	7
276	87033130	Saloon cars, with compression-ignition internal combustion piston engine (diesel or semi-diesel) of a cylinder capacity not exceeding 1500cc	L	Q		2005	7
277	87033140	Cross-country cars (4WD), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity not exceeding 1500cc	L	Q		2005	7
278	87033150	Station wagons (with 9 seats or less), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity not exceeding 1500cc	L	Q		2005	7
279	87033190	Vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity not exceeding 1500cc	L	Q		2005	7
280	87033230	Saloon cars, with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
281	87033240	Cross-country cars (4WD), with compression-ignition internal combustion reciprocating piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
282	87033250	Station wagons (with 9 seats or less), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
283	87033290	Vehicles not elsewhere specified or included, with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 1500cc but not exceeding 2500cc	L	Q		2005	7
284	87033330	Saloon cars, with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 2500cc	L	Q		2005	7
285	87033340	Cross-country cars (4WD), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 2500cc	L	Q		2005	7
286	87033350	Station wagons (with 9 seats or less), with compression-ignition internal combustion piston engine (diesel or semi-diesel), of a cylinder capacity exceeding 2500cc	L	Q		2005	7
287	87033390	Vehicles not elsewhere specified or included, with compression-ignition internal combustion piston	L	Q		2005	7

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		engine (diesel or semi-diesel), of a cylinder capacity exceeding 2500cc					
288	87039000	Motor cars and other motor vehicles principally designed for the transport of persons, not elsewhere specified or included, including station wagons and racing cars	L	Q		2005	7
289	87041030	Electromobile dumpers for the transport of goods, designed for off-highway use			T	2004	
290	87042100	Motor vehicles for the transport of goods, with compression-ignition internal combustion piston engine (diesel or semi-diesel), gross vehicle weight not exceeding 5 tons, excl. dumpers for off-highway use	L	Q		2004	7
291	87042230	Motor vehicles for the transport of goods, with compression-ignition internal combustion piston engine (diesel or semi-diesel), gross vehicle weight exceeding 5 tons but not exceeding 14 tons, excl. dumpers for off-highway use	L	Q		2004	7
292	87042240	Motor vehicles for the transport of goods, with compression-ignition internal combustion piston engine (diesel or semi-diesel), gross vehicle weight exceeding 14 tons but not exceeding 20 tons, excl. dumpers for off-highway use	L	Q		2004	7
293	87042300	Motor vehicles for the transport of goods, with compression-ignition internal combustion piston engine (diesel or semi-diesel), gross vehicle weight exceeding 20 tons, excl. dumpers for off-highway use	L	Q		2004	7
294	87043100	Motor vehicles for the transport of goods, with spark-ignition internal combustion reciprocating piston engine, gross vehicle weight not exceeding 5 tons, excl. dumpers for off-highway use	L	Q		2004	7
295	87043230	Motor vehicles for the transport of goods, with spark-ignition internal combustion reciprocating piston engine, gross vehicle weight exceeding 5 tons but not exceeding 8 tons, excl. dumpers for off-highway use	L	Q		2002	7
296	87043240	Motor vehicles for the transport of goods, with spark-ignition internal combustion reciprocating piston engine, gross vehicle weight exceeding 8 tons, excl. dumpers for off-highway use	L	Q		2002	7
297	87049000	Motor vehicles for the transport of goods, not elsewhere specified or included	L	Q		2002	7
298	87051021	All-road crane lorries, of maximum lifting capacity not exceeding 50 tons	L	Q		2004	13
299	87051022	All-road crane lorries, of maximum lifting capacity exceeding 50 tons but not exceeding 100 tons	L	Q		2004	13
300	87051023	All-road crane lorries, of maximum lifting capacity exceeding 100 tons	L	Q		2004	13
301	87051091	Crane lorries not elsewhere specified or included, of maximum lifting capacity not exceeding 50 tons	L	Q		2004	13
302	87051092	Crane lorries not elsewhere specified or included, of maximum lifting capacity exceeding 50 tons but not exceeding 100 tons	L	Q		2004	13

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
303	87051093	Crane lorries not elsewhere specified or included, of maximum lifting capacity exceeding 100 tons	L	Q		2004	13
304	87052000	Mobile drilling derricks	L	Q		2002	7
305	87053010	Fire fighting vehicles, mounted with scaling ladder	L	Q		2002	7
306	87053090	Fire fighting vehicles, not elsewhere specified or included	L	Q		2002	7
307	87054000	Concrete-mixer lorries	L	Q		2002	7
308	87059020	Mobile radiological units	L	Q		2002	7
309	87059030	Mobile environmental monitoring units	L	Q		2002	7
310	87059040	Mobile clinics	L	Q		2002	7
311	87059051	Airplane charging vehicles (frequency= 400Hz)	L	Q		2002	7
312	87059059	Mobile electric generator sets, not elsewhere specified or included	L	Q		2002	7
313	87059060	Mobile vehicles for aircraft refueling, air-conditioners or deicing	L	Q		2002	7
314	87059070	Snow sweep vehicles for cleansing streets airfield runways	L	Q		2002	7
315	87059080	Petroleum well logging trucks, fracturing unit trucks and mixing sand trucks	L	Q		2002	7
316	87059090	Special purpose motor vehicles, not elsewhere specified or included, other than those principally designed for the transport if persons or goods	L	Q		2002	7
317	87060040	Chassis fitted with engines for crane lorries	L	Q		2004	13
318	87071000	Bodies for the vehicles of heading 87.03	L	Q		2004	7
319	87111000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of a cylinder capacity not exceeding 50cc	L	Q		2004	6
320	87112000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of a cylinder capacity exceeding 50cc but not exceeding 250cc	L	Q		2004	6
321	87113010	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of cylinder capacity exceeding 250cc but not exceeding 400cc	L	Q		2004	6
322	87113020	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of cylinder capacity exceeding 400cc but not exceeding 500cc	L	Q		2004	6
323	87114000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of cylinder capacity exceeding 500cc but not exceeding 800cc	L	Q		2004	6
324	87115000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with reciprocating internal combustion piston engine, of cylinder capacity exceeding 800cc	L	Q		2004	6
325	87119000	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, not elsewhere specified or included; side-cars	L	Q		2004	6

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
326	87141900	Parts and accessories of motorcycle (including moped), excl. saddles	L	Q		2004	6
327	89012011	Finished oil tankers, loading not exceeding 100000t			T	2004	
328	89012012	Finished oil tankers, loading exceeding 100000t, not exceeding 300000t			T	2004	
329	89012013	Finished oil tankers, loading exceeding 300000t			T	2004	
330	89012021	Crude oil tankers, loading not exceeding 150000t			T	2004	
331	89012022	Crude oil tankers, loading exceeding 150000t, not exceeding 300000t			T	2004	
332	89012023	Crude oil tankers, loading exceeding 300000t			T	2004	
333	89012031	Liquified petroleum gas carriers, volume with 20000m3 or less			T	2004	
334	89012032	Liquified petroleum gas carriers, volume exceeding 20000m3			T	2004	
335	89012041	Liquified natural gas carriers, volume not exceeding 20000m3			T	2004	
336	89012042	Liquified natural gas carriers, volume exceeding 20000m3			T	2004	
337	89012090	Tankers, not elsewhere specified or included			T	2004	
338	89013000	Refrigerated vessels other than those of subheading 8901.20			T	upon accession	
339	89019021	Motor container vessels, capable loading standard containers with 6000 or less			T	2004	
340	89019022	Motor container vessels, capable loading standard containers more than 6000			T	2004	
341	89019031	Motor Ro-Ro carriers, loading not exceeding 2000t			T	2004	
342	89019032	Motor Ro-Ro carriers, loading exceeding 2000t			T	2004	
343	89019041	Motor bulk carriers, loading not exceeding 150000t			T	2004	
344	89019042	Motor bulk carriers, loading exceeding 150000t, not exceeding 300000t			T	2004	
345	89019043	Motor bulk carriers, loading exceeding 300000t			T	2004	
346	89019050	Multi-purposes motor vessels			T	2004	
347	89019080	Motor vessels for the transport of goods and motor vessels for the transport of both persons and goods, not elsewhere specified or included			T	2004	
348	89020010	Fishing vessels, factory ships and other vessels for processing or preserving fishery products, motorized			T	upon accession	
349	89040000	Tugs and pusher craft			T	2004	
350	89051000	Dredgers			T	2004	
351	90061010	Electronic colour scanners used for preparing printing plates or cylinders	L	Q		upon accession	
352	90065100	Cameras with a through-the-lens viewfinder (single lens reflex (SLR)), for roll film of a width not exceeding 35mm	L	Q		2003	14
353	90065200	Cameras for roll film of a width less than 35mm, not elsewhere specified or included	L	Q		2003	14
354	90065300	Cameras for roll film of a width of 35mm, not elsewhere specified or included	L	Q		2003	14
355	90065900	Cameras not elsewhere specified or included	L	Q		2003	14
356	90083010	Orthographical image projectors, other than cinematographic			T	upon accession	

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
357	90121000	Microscopes other than optical microscopes; and diffraction apparatus	L	Q		upon accession	
358	90158000	Surveying, hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses, not elsewhere specified or included			T	upon accession	
359	90181210	B-ultrasonic diagNotic equipment			T	upon accession	
360	90181291	Chromoscope ultrasonic diagNotic equipment			T	upon accession	
361	90184910	Dentists' chairs incorporating dental equipment			T	upon accession	
362	90189090	Instruments and appliances used in Medical, surgical or veterinary sciences, not elsewhere specified or included			T	upon accession	
363	90221300	X-ray apparatus for dental use			T	upon accession	
364	90221400	X-ray apparatus for medical, surgical or veterinary uses, not elsewhere specified or included			T	upon accession	
365	90221990	X-ray apparatus, not elsewhere specified or included, other than for medical use			T	upon accession	
366	90222100	Apparatus based on the use of alpha, beta or gamma radiations, including radiography or radio rapy apparatus, for medical surgical, dental or veterinary			T	upon accession	
367	90278090	Instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like, measuring or checking quantities of heat, sound or light; Instruments and apparatus for physical or chemical analysis, nes			T	upon accession	
368	90301000	Instruments and apparatus for measuring or detecting ionizing radiations			T	upon accession	
369	90304010	Frequency meters, digital, of test frequency less than 12.4GHz			T	upon accession	
370	90318010	Optical telecommunication and optical fibre performance testing instruments			T	upon accession	
371	90311000	Machines for balancing mechanical parts			T	2004	
372	91011100	Electrically operated wrist-watches, with mechanical display only, whether or not incorporating a stop-watch facility, with case of precious metal or of metal clad with precious metal	L	Q		2003	15
373	91012100	Non-electrically operated wrist-watches, automatic winding, whether or not incorporating a stop-watch facility, with case of precious metal or of metal clad with precious metal	L	Q		2003	15
374	91012900	Non-electrically operated wrist-watches, not elsewhere specified and included, whether or not incorporating a stop-watch facility, with case of precious metal or of metal clad with precious metal	L	Q		2003	15
375	91021100	Electrically operated wrist-watches, with mechanical display only, whether or not incorporating a stop-watch facility, other than those of heading 91.01	L	Q		2003	15
376	91022100	Non-electrically operated wrist-watches, automatic winding, whether or not incorporating a	L	Q		2003	15

Serial NO	HS NO	DESCRIPTION OF PRODUCTS	L	Q	T	Phasing-out Period	Quota Category
		stop-watch facility, other than those of heading 91.01					
377	91022900	Non-electrically operated wrist-watches, not elsewhere specified and included, whether or not incorporating a stop-watch facility, other than those of heading 91.01	L	Q		2003	15

Notes:

1. "L" stands for "import licence";
"Q" stands for "import quota"; and
"T" stands for "specific import tendering requirements for machinery and electronic products".

2. The NTMs will be eliminated as of 1 January of each calendar year as specified in the column of Phasing-out Period.

3. The products covered by the Agreement on Trade in Civil Aircraft are not subject to any NTMs specified herein.

Table Two
Product Quota
(Initial Quota Volume/Value and Annual Growth Rate)

Quota Category		Product Coverage (Serial No in Table One)	Unit	Initial Quota Volume/Value	Annual Growth Rate
1	Processed oil	12-19	Million Metric Tons	16.58	15%
2	Sodium cyanide	20	Million Metric Tons	0.018	15%
3	Chemical fertilizer	22-25, 29-33, 36, 38, 41-45	Million Metric Tons	8.9	15%
4	Natural rubber	48-51	Million Metric Tons	0.429	15%
5	Tires of rubber used on automobiles	52-56	Million Pieces	0.81	15%
6	Motorcycles and key parts	101-103, 319-326	US$ Million	286	15%
7	Automobiles and key parts	104-106, 115, 248, 250-256, 258-288, 290-297, 304-316, 318	US$ Million	6000	15%
8	Air conditioners and compressors	114	US$ Million	286	15%
9	Recording apparatus and key parts	201-203, 207, 216-222	US$ Million	293	15%
10	Magnetic sound and video recording apparatus	204, 205	US$ Million	38	15%
11	Recorders and transport mechanisms	206	US$ Million	387	15%
12	Color TV set and TV tuners	235-237, 243, 244	US$ Million	325	15%
13	Crane lorries and chassis	298-303, 317	US$ Million	88	15%
14	Cameras	352-355	US$ Million	14	15%
15	Wrist watches	372-377	US$ Million	33	15%

Table Three

Products Subject to Import Licence Only

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Phasing-out Period
1	10011000	Durum wheat	L	upon accession
2	10019010	Seed of wheat & maslin, excl. durum wheat	L	upon accession
3	10019090	Wheat & maslin, excl. for seeding and durum wheat	L	upon accession
4	10059000	Maize (corn), excl. for seeding	L	upon accession
5	10061010	Rice in husk (paddy or rough) seed	L	upon accession
6	10061090	Rice in husk (paddy or rough), excl. for seeding	L	upon accession
7	10062000	Husked (brown) rice	L	upon accession
8	10063000	Semi-milled or wholly milled rice, whether or not polished or glazed	L	upon accession
9	10064000	Broken rice	L	upon accession
10	15071000	Crude soya-bean oil, whether or not degummed, but not chemically modified	L	upon accession
11	15079000	Soya-bean oil and its fractions, refined, but not chemically modified	L	upon accession
12	15081000	Crude ground-nut oil, but not chemically modified	L	upon accession
13	15089000	Ground-nut oil and its fractions, refined, but not chemically modified	L	upon accession
14	15111000	Crude palm oil, but not chemically modified	L	upon accession
15	15119000	Palm oil and its fractions, refined, but not chemically modified	L	upon accession
16	15121100	Crude sunflower-seed or safflower oil, but not chemically modified	L	upon accession
17	15122100	Crude cotton-seed oil, whether or not gossypol has been moved, but not chemically modified	L	upon accession
18	15122900	Cotton-seed oil and its fractions, refined, but not chemically modified	L	upon accession
19	15141010	Crude rape, colza oil, but not chemically modified	L	upon accession
20	15141090	Crude mustard oil, but not chemically modified	L	upon accession
21	15149000	Rape, colza or mustard oil and fractions thereof, refined, but not chemically modified	L	upon accession
22	15152100	Crude maize (corn) oil, but not chemically modified	L	upon accession
23	15155000	Sesame oil and its fractions, whether or not refined, but not chemically modified	L	upon accession
24	22051000	Vermouth & other wine of fresh grapes flavoured with plants or aromatic substance, in containers holding ≤2L	L	upon accession
25	22059000	Vermouth & other wine of fresh grapes, flavoured with plants or aromatic substance, in containers holding >2L	L	upon accession
26	22071000	Undenatured ethyl alcohol of an alcoholic strength by volume ≥80%	L	upon accession
27	22082000	Spirits from distilling grape wine or marc	L	upon accession
28	22083000	Whiskeys	L	upon accession
29	22084000	Rum & tafia	L	upon accession
30	22085000	Gin & Geneva	L	upon accession
31	22087000	Liqueurs and cordials	L	upon accession
32	22089000	Undenaturated ethyl alcohol of an alcoholic strength by volume <80%; spirituous beverages, nes	L	upon accession
33	37013090	Photographic plates, in the flat, sensitized, unexposed, of any material other than paper, paperboard or textiles, any side exceeding 255mm, nes	L	upon accession
34	37019100	Photographic plates and film for colour photography, in the flat, sensitized, unexposed, of any material other than paper, paperboard or textiles, any side ≤ 255mm	L	upon accession
35	37023100	Photographic film rolls, unexposed, without perforations, for colour photography , of any material other than paper, paperboard or textiles, width ≤105mm	L	upon accession

NO	HS NO	DESCRIPTION OF PRODUCTS	L	Phasing-out Period
36	37024100	Film rolls, for colour photography, unexposed, without perforations, of any material other than paper, paperboard or textiles , width >610mm, length >200m	L	upon accession
37	37024390	Film rolls, unexposed, without perforations, width >610mm, length ≤200m, of any material other than paper, paperboard or textiles, nes	L	upon accession
38	37024490	Film rolls , unexposed, without perforations, 105mm< width ≤ 610mm, of any material other than paper, paperboard or textiles, nes	L	upon accession
39	37025100	Film rolls for colour photography, unexposed, width ≤16mm,& length ≤14m, of any material other than paper, paperboard or textiles nes	L	upon accession
40	37025200	Film rolls for colour photography, unexposed, width ≤16mm, length >14m, of any material other than paper, paperboard or textiles, nes	L	upon accession
41	37025410	Film rolls for colour photography other than for slides, unexposed, width =35mm and length ≤2m, of any material other than paper, paperboard or textiles	L	upon accession
42	37025490	Film rolls for colour photography other than for slides, unexposed, 16 mm<width <35 mm, 2 m<length ≤30m, of any material other than paper, paperboard or textiles	L	upon accession
43	37025590	Colour film rolls for colour photography, unexposed, 16mm<width ≤35mm, length >30m, excl. cinematographic film	L	upon accession
44	37025690	Film in rolls for colour photography, unexposed, width >35mm, of any material other than paper, paperboard or textiles , excl. cinematographic film	L	upon accession
45	37029100	Film rolls of neutral colour , unexposed, width ≤16mm, length ≤ 14m, of any material other than paper, paperboard or textiles	L	upon accession
46	37031010	Photographic paper & paperboard in rolls, sensitized, unexposed, width >610mm	L	upon accession
47	37032010	Photographic paper and paperboard for colour photography, sensitized, unexposed, not in rolls or width ≤610mm	L	upon accession

ANNEX 4

PRODUCTS AND SERVICES SUBJECT TO PRICE CONTROLS

Products Subject to State Pricing

NO	PRODUCTS	HS NO	DESCRIPTION OF PRODUCTS
1	TOBACCO	24011010	Flue-cured tobacco, not stemmed/stripped
		24011090	Tobacco other than flue-cured, not stemmed/stripped
		24012010	Flue-cured tobacco, partly or wholly stemmed/stripped
		24012090	Tobacco other than flue-cured, partly or wholly stemmed/stripped
2	EDIBLE SALT	25010010	Salt, whether or not in aqueous solution or containing added anticaking or free-flowing agents
3	NATURAL GAS	27112100	Natural gas in gaseous state
4	PHARMA-CEUTICALS	30011000	Glands & other organs, dried, whether or not powdered
		30012000	Extracts of glands or other organs or of their secretions
		30019010	Heparin & its salts
		30019090	Substances of human or animal origin, for therapeutic or prophylactic uses, nes
		30021000	Antisera & other blood fractions & modified immunological products, whether or not obtained by means of biotechnological processes
		30022000	Vaccines for human medicine
		30023000	Vaccines for veterinary medicine
		30029010	Saxitoxin
		30029020	Ricitoxin
		30029090	Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic uses; other toxins, cultures of micro-organisms (excl. yeasts) and similar products, nes
		30041011	Medicaments containing ampicillin, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30041012	Medicaments containing amoxycillin, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30041013	Medicaments containing penicillins V, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30041019	Medicaments containing penicillins , nes, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30041090	Medicaments containing penicillins or derivatives thereof nes, or streptomycins or their derivatives, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042011	Medicaments containing cefotaxime, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042012	Medicaments containing ceftazidime, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042013	Medicaments containing cefoxitin, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042014	Medicaments containing ceftezole, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale

NO	PRODUCTS	HS NO	DESCRIPTION OF PRODUCTS
		30042015	Medicaments containing cefaclor, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042016	Medicaments containing cefuroxime, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042017	Medicaments containing ceftriaxone, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042018	Medicaments containing cefoperazone, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms of packing for retail sale
		30042019	Medicaments containing other cephamycines, consisting of mixed or unmixed products for therapeutic or prophylactic uses,put up in measured doses or in forms of packing for retail sale, nes
		30042090	Medicaments containing other antibiotics, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30043100	Medicaments containing insulin, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30043200	Medicaments containing of adrenal cortical hormones, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30043900	Medicaments containing other hormones, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30044010	Medicaments containing quinine or its salts, but not containing antibiotics or products of heading 29.37, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30044090	Medicaments containing alkaloids or their derivatives, but not containing hormones or other products of heading 29.37 or antibiotics, consisting of mixed or unmixed products put up in measured does or in forms of packing for retail sale, nes
		30045000	Other medicaments containing vitamins or other products of 29.36, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30049010	Medicaments containing sulfa drugs, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30049020	Medicaments containing biphenyl dicarbxybte, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30049053	Bai Yao, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale
		30049059	Medicaments of Chinese type, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30049090	Medicaments of products for therapeutic, prophylactic or diagnostic uses, consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured does or in forms of packing for retail sale, nes
		30051010	Adhesive plasters, impregnated or coated with pharmaceutical substances or put up in forms of packing for retail sale for medical, surgical, dental or veterinary purposes

NO	PRODUCTS	HS NO	DESCRIPTION OF PRODUCTS
		30063000	Opacifying preparations for X-ray examinations; diagnostic reagents designed to be administered to the patient
		30066000	Chemical contraceptive preparations based on hormones or spermicides
		40141000	Sheath contraceptives

Products Subject to Government Guidance Pricing

NO	PRODUCTS	HS NO	DESCRIPTION OF PRODUCTS
1	GRAIN	10011000	Durum wheat
		10019010	Seed of wheat & maslin, excl. durum wheat
		10019090	Wheat & maslin, excl. for seeding and durum wheat
		10051000	Maize (corn) seed
		10059000	Maize (corn), excl. for seeding
		10061010	Rice in husk (paddy or rough) seed
		10061090	Rice in husk (paddy or rough), excl. for seeding
		10062000	Husked (brown) rice
		10063000	Semi-milled or wholly milled rice, whether or not polished or glazed
		12010010	Seed of soybeans
		12010091	Yellow soybeans, not for seeding, whether or not broken
		12010092	Black soybeans, not for seeding, whether or not broken
		12010093	Green soybeans, not for seeding, whether or not broken
		12010099	Soybeans, nes, not for seeding, whether or not broken
2	VEGETABLE OIL	15071000	Crude soybean oil, whether or not degummed, but not chemically modified
		15079000	Soya-bean oil and its fractions, refined, but not chemically modified
		15141010	Crude rape, colza oil, but not chemically modified
		15141090	Crude mustard oil, but not chemically modified
3	PROCESSED OIL	27100011	Motor gasoline & aviation gasoline
		27100013	Naphtha
		27100023	Aviation kerosene
		27100024	Lamp-kerosene
		27100031	Light diesel oil
		27100033	Fuel oil No.5 to No.7 (National Code)
		27100039	Diesel oils & preparations thereof and other fuel oils, nes
4	FERTILIZER	31021000	Urea, whether or not in aqueous solution
5	SILKWORM COCOONS	50010010	Mulberry feeding silk-worm cocoons
		50010090	Other silk-worn cocoons suitable for reeling
6	COTTON	52010000	Cotton, not carded or combed

Public Utilities Subject to Government Pricing

NO	CPC	PUBLIC UTILITIES
1	1720	Price of gas for civil use.
2	1800	Price of tap water.
3	1710	Price of electricity.
4	1730	Price of heating power.
5	1800	Price of water supplied by irrigation works.

Service Sectors Subject to Government Pricing

NO	CPC	SERVICE	NOTES
1	7511 7512 7521 7522	Postal and telecommunication services charges	Including postal services charges, national and trans-provincial telecommunication services charges.
2	964	Entrance fee for tour sites	Referring to significant historical relics and natural landscape under protection.
3	921 922 923	Education services charges	

Service Sectors Subject to Government Guidance Pricing

NO	CPC	SERVICE	NOTES
1	7214 745** 731 7111 7112 743 7131 7139	Transport services charges	Including rail transport of both passenger and freight, air transport of freight, port services, and pipeline transport.
2	861 862 8671 8672	Professional services charges	Including architectural and engineering services, legal services, assets assessment services, authentication, arbitration, notarization and inspection.
3	621	Charges for commission agents' services	Including commission for trademark, advertisement taxation and bidding agents.
4	81339**	Charges for settlement, clearing and transmission services of banks	Including settlement, clearing and transmission services of the RMB, transaction fees and seat charges of national securities exchanges, as well as seat charges for China Foreign Exchange Center
5	82101	Selling price and renting fee of residential apartments	
6	931	Health related services	

Notes:

1. CPC classification is added to the service sectors subject to state pricing in this Annex in accordance with the GATT document MTN.GNS/W/120, 10 July 1991, which provided services sectoral classification for the purpose of services negotiations during the Uruguay Round.

2. The government pricing in the service sectors which are listed in China's Schedule of Specific Commitments shall be applied in a manner consistent with Article 6 of GATS and the Reference Paper on Basic Telecommunication.

ANNEX 5A

NOTIFICATION PURSUANT TO ARTICLE XXV OF THE *AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES*

I. SUBSIDIES FROM CENTRAL BUDGET PROVIDED TO CERTAIN STATE-OWNED ENTERPRISES WHICH ARE RUNNING AT A LOSS

1. Title of the subsidy program
Subsidies provided to certain State-owned enterprises which are running at a loss.

2. Period covered by the notification
1990-1998.

3. Policy objective and/or purpose of the subsidy
To promote restructuring of those State-owned enterprises which are running at a loss, while keeping employment by means of promoting rationalization and maintaining stable production and safety of the society(compensation for the lack of social security system).

4. Background and authority for the subsidy
Ministry of Finance.

5. Legislation under which it is granted
Assistance by budget.

6. Form of the subsidy
Grant and Tax Forgiving

7. To whom and how the subsidy is provided
Subsidy is provided to severe loss-making State-owned enterprises due to either fixed price of the products they produce or the increasing cost of exploitation of the resources.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy

Unit: 100 million RMB

Sector/Year	1990	1991	1992	1993	1994	1995	1996	1997	1998
Metallurgic industry	1.16	1.46	1.35	3.13	4.07	3.02	5.04	10.96	8.36
Ferrous-metal industry	0.63	0.86	1.28	1.51	5.80	5.86	4.78	6.58	4.65
Machinery industry	3.80	5.07	14.61	3.98	14.09	8.34	9.67	11.17	8.38
Coal industry	55.86	66.70	70.14	49.80	47.19	12.13	13.21	16.83	14.85
Oil industry	42.53	54.36	52.89	28.08	0.00	0.00	0.00	6.78	3.28
Chemical industry	3.83	4.03	3.70	4.11	6.90	3.47	4.26	5.32	4.96
Textile industry	1.90	2.39	2.07	3.09	2.65	3.38	6.97	16.41	15.36
Light industry	6.65	7.88	6.31	9.30	3.99	1.52	2.63	6.82	2.35
Tobacco industry	0.00	0.00	0.00	0.00	12.00	8.62	9.26	10.25	8.83
Total of the nine sectors	116.36	142.75	152.35	103.00	96.69	46.34	55.92	91.12	71.02
Other sectors	1.65	1.94	1.99	1.53	1.24	0.42	1.28	4.62	3.67
Total	118.01	144.69	154.34	104.53	97.93	46.76	57.2	95.74	74.69

9. Duration of the subsidy and/or any other time-limits attached to it
1949-2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

II. SUBSIDIES FROM LOCAL BUDGET PROVIDED TO LOSS MAKING STATE OWNED ENTERPRISES

1. Title of the subsidy program
Subsidies provided to certain State-owned enterprises which are running at a loss.

2. Period covered by the notification
1990-1999.

3. Policy objective and/or purpose of the subsidy
To promote restructuring of those State-owned enterprises which are running at a loss, while keeping employment by means of promoting rationalization and maintaining stable production and safety of the society(compensation for the lack of social security system).

4. Background and authority for the subsidy
Ministry of Finance and local governments.

5. Legislation under which it is granted
Assistance by local budget.

6. Form of the subsidy
Grant and Tax Forgiving

7. To whom and how the subsidy is provided
Subsidy is provided to severe loss-making State-owned enterprises due to either fixed price of the products they produce or the increasing cost of exploitation of the resources and restructuring of state owned enterprises.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy

Unit:100 million RMB

	1990	1991	1992	1993	1994	1995	1996	1997	1998
Beijing						57.69	59.28	63.26	63.11
Tianjin						9.23	8.79	7.29	7.29
Hebei						6.84	5.89	4.76	4.91
Shanxi						5.52	6.05	5.42	5.75
Inner-Mongolia						3.53	2.77	2.22	2.29
Liaoning						18.02	17.10	16.63	13.14
Jilin						6.07	5.88	5.75	4.02
Heilongjiang						11.77	7.07	5.21	4.47
Shanghai						44.95	45.50	45.88	45.94
Jiangsu						11.75	10.46	8.81	9.15
Zhejiang						25.06	30.10	34.79	37.85
Anhui						4.17	7.11	6.69	5.41
Fujian						2.53	1.40	1.05	0.78
Jiangxi						0.67	0.65	0.52	0.50
Shandong						8.48	8.12	6.37	4.92
Henan						4.27	3.80	3.66	2.66
Hubei						11.60	10.99	10.92	9.83
Hunan						4.57	5.16	4.23	5.18
Guangdong						17.52	17.35	15.39	13.60
Guangxi						2.22	2.01	1.60	1.33
Hainan						0.70	0.43	0.32	0.61
Chongqing								3.18	1.93
Sichuan						5.99	6.37	2.01	1.89
Guizhou						1.48	1.55	2.25	1.46
Yunnan						7.51	7.82	6.49	3.22
Tibet						0.87	1.16	1.19	1.18
Shaanxi						4.67	4.46	4.66	4.09
Gansu						0.47	0.22	0.18	0.56
Qinghai						0.91	0.96	0.51	0.44
Ningxia						0.18	0,16	0.20	0.19
Xingjiang						1.74	1.54	1.27	1.08
Total	460.87	365.55	290.62	306.76	268.29	281.01	280.20	272.75	258.81

9. Duration of the subsidy and/or any other time-limits attached to it
1949-2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

III. THE PRIORITY IN OBTAINING LOANS AND FOREIGN CURRENCIES BASED ON EXPORT PERFORMANCE

1. Title of the subsidy program
The priority in obtaining loans and foreign currencies based on export performance.

2. Period covered by the notification
1994-1999.

3. Policy objective and/or purpose of the subsidy
To promote the exportation of automobiles.

4. Background and authority for the subsidy
State Planning Commission.

5. Legislation under which it is granted
State Council Circular on Industrial Policy on Automobiles..

6. Form of the subsidy
Priority in obtaining loans and foreign currencies.

7. To whom and how the subsidy is provided
Priority is given to:

(1) Automotive production enterprises whose export of whole vehicle products has reached the percentage points in the volume of their sales as indicated in the following chart;

Vehicles Types	Category	Percentages
Passenger Vehicles	M1	3%
	M2	5%
	M3	8%
Freight Vehicles	N1	5%
	N2, N3	4%
Motorcycles	L	10%

and

(2) Automobile and motorcycle components manufacturing enterprises whose exports account for 10 per cent of their total annual sales.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
Zero, because no enterprises have reached the level for enjoying the priority up till now.

9. Duration of the subsidy and/or any other time-limits attached to it
China commits itself to eliminate this measure by the year of 2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
Zero.

IV. PREFERENTIAL TARIFF RATES BASED ON LOCALIZATION RATE OF AUTOMOTIVE PRODUCTION.

1. Title of the subsidy program
Preferential tariff rates based on localization rate of automotive production.

2. Period covered by the notification
1994-1999.

3. Policy objective and/or purpose of the subsidy
To promote the localization process of automobile industry of China.

4. Background and authority for the subsidy
State Planning Commission.

5. Legislation under which it is granted
State Council Circular on Industrial Policy on Automobiles.

6. Form of the subsidy
Preferential tariff rates.

7. To whom and how the subsidy is provided
The preferential tariff rates are granted to the automotive enterprises whose localization reaches the following ratios:

(1) Localization rate reaches 40 per cent, 60 per cent or 80 per cent on products that incorporate imported technology on whole vehicles of M Category;

(2) Localization rate reaches 50 per cent, 70 per cent or 90 per cent on products that incorporate imported technology on whole vehicles of N and L Categories; and

(3) Localization rate reaches 50 per cent, 70 per cent or 90 per cent on products that incorporate imported technology on automobile and motorcycle assemblies and key components.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
Not available.

9. Duration of the subsidy and/or any other time-limits attached to it
China commits itself to phase out this measure by the year of 2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
The trade effect is negligible.

V. PREFERENTIAL POLICIES FOR THE SPECIAL ECONOMIC ZONES (EXCLUDING THE PUDONG AREA OF SHANGHAI)

1. Title of the subsidy program
Preferential income tax policies for foreign-invested enterprises in the Special Economic Zones of Shenzhen, Zhuhai, Shantou, Xiamen, Hainan.

2. Period covered by the notification
1984 - now.

3. Policy objective and/or purpose of the subsidy
To promote regional development and absorb foreign investment.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Before 1991, Income Tax Law of the People's Republic of China Concerning Chinese-Foreign Equity Joint Ventures and Income Tax Law of the People's Republic of China for Foreign Enterprises.
After 1991, Income Tax Law of the People's Republic of China for Enterprises with Foreign Investment and Foreign Enterprises.

6. Form of the subsidy
Application of preferential income tax rate, and exemption of income tax.

7. To whom and how the subsidy is provided
(1) For foreign-invested enterprises established in the Special Economic Zones and foreign enterprises engaging in production and business operation in the Special Economic Zones, preferential income tax rate of 15 per cent shall be applied.

(2) For foreign-invested productive enterprises established in the old areas of the cities where the Special Economic Zones are located, preferential income tax rate of 24 per cent shall be applied; for technology intensive projects, projects having foreign investment more than $ 30 million with a long paying back period, and projects within sectors encouraged by the State such as energy, transportation etc., preferential income tax rate may further be reduced to 15 per cent.

(3) For enterprises in services sectors with foreign investment more than US$ 5 million and operation term over 10 years, income tax for the first year shall be exempted and that for the second and third years shall be reduced by 50 per cent, subject to the application and approval by the local taxation authorities. The base year shall be the first profit-making year of the enterprises.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
The preferential income tax rate applied is 24 or 15 per cent.

9. Duration of the subsidy and/or any other time-limits attached to it
1984 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

VI. PREFERENTIAL POLICIES FOR THE ECONOMIC AND TECHNOLOGY DEVELOPMENT AREAS

1. Title of the subsidy program
Preferential income tax policies for foreign-invested enterprises in the economic and technology development areas in Dalian, Qinhuangdao, Tianjin, Yantai, Qingdao, Lianyungang, Nantong, Ningbo, Fuzhou, Guangzhou, Zhanjiang, Shanghai (Minhang, Hongqiao, Caohejing), Beihai, Shenyang, Wenzhou, Harbin, Changchun, Hangzhou, Wuhan, Chongqing, Wuhu, Xiaoshan, Huizhou, Nansha, Kunshan, Rongqiao, Weihai, Yingkou, Dongshan.

2. Period covered by the notification
1984 - now.

3. Policy objective and/or purpose of the subsidy
To accelerate the opening-up of the region and absorb foreign investment.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Before 1991, Income Tax Law of the People's Republic of China Concerning Chinese-Foreign Equity Joint Ventures and Income Tax Law of the People's Republic of China for Foreign Enterprises.
After 1991, Income Tax Law of the People's Republic of China for Enterprises with Foreign Investment and Foreign Enterprises.

6. Form of the subsidy
Application of preferential income tax rate, and exemption of income tax..

7. To whom and how the subsidy is provided
(1) For foreign-invested productive enterprises established in the economic and technology development areas, preferential income tax rate of 15 per cent shall be applied.

(2) For foreign-invested productive enterprises established in the old areas of the cities where the economic and technology development areas are located, preferential income tax rate of 24 per cent shall be applied; for technology intensive projects, projects having foreign investment more than $ 30 million with a long paying back period, and projects within sectors encouraged by the State such as energy, transportation etc., preferential income tax rate may further be reduced to 15 per cent.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
The preferential income tax rate applied is 24 or 15 per cent.

9. Duration of the subsidy and/or any other time-limits attached to it
1984 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

VII. PREFERENTIAL POLICIES FOR THE SPECIAL ECONOMIC ZONE OF THE PUDONG AREA OF SHANGHAI

1. Title of the subsidy program
Preferential income tax policies for foreign-invested enterprises in the Special Economic Zone of the Pudong area of Shanghai.

2. Period covered by the notification
1991 - now.

3. Policy objective and/or purpose of the subsidy
To accelerate the opening-up of the region and absorb foreign investment.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Income Tax Law of the People's Republic of China for Enterprises with Foreign Investment and Foreign Enterprises.

6. Form of the subsidy
Application of preferential income tax rate, and exemption of income tax.

7. To whom and how the subsidy is provided
(1) For foreign-invested productive enterprises established in the Special Economic Zone of the Pudong area of Shanghai and for foreign-invested enterprises established there to engage in infrastructure constructions, preferential income tax rate of 15 per cent shall be applied.

(2) For foreign-invested enterprises established in the Special Economic Zone of the Pudong area of Shanghai, engaged in such energy and transportation construction projects as airport, ports, railways, power stations etc. with operation term longer than 15 years, income tax for the first five years shall be exempted and that for the sixth to the tenth years shall be reduced by 50 per cent. The base year shall be the first profit-making year of the enterprises.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
The preferential income tax rate applied is 15 per cent.

9. Duration of the subsidy and/or any other time-limits attached to it
1991 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

VIII. PREFERENTIAL POLICIES FOR FOREIGN INVESTED ENTERPRISES

1. Title of the subsidy program
Preferential income tax policies for foreign-invested enterprises in China.

2. Period covered by the notification
1985 - now.

3. Policy objective and/or purpose of the subsidy
To absorb foreign investment and expand economic cooperation.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Before 1991, Income Tax Law of the People's Republic of China Concerning Chinese-Foreign Equity Joint Ventures and Income Tax Law of the People's Republic of China for Foreign Enterprises.
After 1991, Income Tax Law of the People's Republic of China for Enterprises with Foreign Investment and Foreign Enterprises.

6. Form of the subsidy
Application of preferential income tax rate, and exemption of income tax.

7. To whom and how the subsidy is provided

(1) For foreign-invested productive enterprises with operation term more than 10 years, the income tax for the first two years shall be exempted and that for the third to the fifth year shall be reduced by 50 per cent. The base year shall be the first profit-making year of the enterprises.

(2) For Chinese-foreign joint enterprises engaged in the construction of ports, docks and berths, preferential income tax rate of 15 per cent shall be applied, and for those with operation term longer than 15 years, income tax for the first five years shall be exempted and that for the sixth to the tenth years shall be reduced by 50 per cent. The base year shall be the first profit-making year of the enterprises.

(3) For foreign-invested advanced technology enterprises, in case that the technologies they possess or provide are still regarded as advanced when the initial income tax exemption and reduction period expires, income tax reduction of 50 per cent may continue to be applied, for another 3 years.

(4) For foreign-invested enterprises engaged in agriculture, forestry and animal husbandry, and for foreign-invested enterprises established in remote areas with less developed economic level, income tax reduction of 15 to 30 per cent may continue to be applied for another ten years after the initial exemption and reduction period expires, subject to application and approval of local taxation authorities.

(5) For foreign-invested enterprises of industries and sectors in which foreign investment is encouraged by the State, provincial government may determine whether to reduce or exempt the local part of income tax.

(6) For profits of foreign investors which are re-invested into the enterprises to increase the register capital, or to set up other new enterprises with operation term more than 5 years, 40 per cent of their income tax payment for the re-invested profits shall be refunded subject to application and approval from the local taxation authorities. In case that the new or the expanded enterprises with the re-investment are hi-tech enterprises, or that profits are from foreign-invested enterprises in Hainan Special Economic Zone and re-invested into infrastructure projects or agriculture development projects of the same Special Economic Zone, 100 per cent of the paid income tax for the re-investment shall be refunded.

(7) For dividends, interests, rentals, franchising fees and other forms of income of foreign investors who have no commercial establishments in China, preferential income tax rate of 20 per cent shall be applied except for profits of foreign investors gained from the enterprises they have invested in China, which are subject to 100 per cent income tax exemption. For franchising fees gained from provision of special technology to scientific research, energy development, transportation development, agriculture, forestry and animal husbandry, preferential income tax rate of 10 per cent may be applied, subject to application and approval of local taxation authorities; in case that the technology is advanced or is provided with favorable conditions, income tax exemption may be applied.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy

The preferential income tax rate applied is 20, 15 or 10 per cent.

9. Duration of the subsidy and/or any other time-limits attached to it

1985-

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

IX. LOANS FROM THE STATE POLICY BANKS

1. Title of the subsidy program
Loans of the State Policy Banks (the State Development Bank, the Export and Import Bank of China, and the Agriculture Development Bank of China).

2. Period covered by the notification
For the State Development Bank, 1994 - 1996;
For the Export and Import Bank of China, 1991 - 1995
For the Agriculture Development Bank of China., 1994 - 1996.

3. Policy objective and/or purpose of the subsidy
To adjust investment structure.

4. Background and authority for the subsidy
There are three State Policy Banks in China: the State Development Bank, the Export and Import Bank of China, and the Agriculture Development Bank of China. The three State Policy Banks accumulate capital by issuing treasury bonds to commercial banks and the market. Generally the State budget does not provide interest rate subsidy to the State Policy Banks. The interest rates of the State Policy Banks loans are usually the same as the market interest rates.

5. Legislation under which it is granted
None.

6. Form of the subsidy
Loans.

7. To whom and how the subsidy is provided
Loans from the State Development Bank are mainly directed to infrastructure constructions in energy, transportation, telecommunications and water conservancy, resources development in the middle and western parts of China, as well as technology renovation of some enterprises.
Loans from the Export and Import Bank of China are mostly directed to guarantee for export credit of commercial banks, and a small part is for direct export credit.
Loans from the Agriculture Development Bank of china are mainly provided for purchase and storage of agricultural and side-line products, forestry construction and water conservancy development.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
RMB 200 billion for the State Development Bank, and 9.6 per cent of which is directed to the manufacturing industry;
RMB 21 billion export credit (mainly sellers' credit) for the Export and Import Bank of China;
RMB 500 billion for the Agriculture Development of China.

9. Duration of the subsidy and/or any other time-limits attached to it
1991 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

X. FINANCIAL SUBSIDIES FOR POVERTY ALLEVIATION

1. Title of the subsidy program
Financial subsidies for poverty alleviation.

2. Period covered by the notification
For direct allocation of funds, 1991 - now
For poverty alleviation loans, 1994 - now.

3. Policy objective and/or purpose of the subsidy
To alleviate poverty.

4. Background and authority for the subsidy
For direct allocation of funds, State Planning Commission and Ministry of Finance.
For poverty alleviation loans, the Agriculture Development Bank of China.

5. Legislation under which it is granted
Assistance by budget.

6. Form of the subsidy
Direct appropriation and provision of poverty alleviation loans.

7. To whom and how the subsidy is provided
The subsidies are provided to regions in China where annual income per capita is less than RMB 400.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
For direct appropriation from the central budget, the total from 1991 to 2000 is RMB 103.6 billion (RMB 18.3 billion from 1991 to 1995, RMB 4 billion in 1996, RMB 15.2 billion in 1997, RMB 17.8 billion for 1998, RMB 24.3 billion in 1999 and RMB 24.0 billion being planned in 2000).

For poverty alleviation loans, RMB 30 billion.

9. Duration of the subsidy and/or any other time-limits attached to it
1991 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XI. FUNDS FOR TECHNOLOGY RENOVATION, RESEARCH AND DEVELOPMENT

1. Title of the subsidy program
Funds for technology renovation, research and development.

2. Period covered by the notification
1991 - 1998

3. Policy objective and/or purpose of the subsidy
To encourage scientific research and technology development, and to promote application of science and technology in the rural areas.

4. Background and authority for the subsidy
Ministry of Finance

5. Legislation under which it is granted
State Council Circular No. 99, 1987.

6. Form of the subsidy
Grant and loans.

7. To whom and how the subsidy is provided
To scientific research institutes and some enterprises.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
RMB 301.9 billion (RMB 18.1 billion for 1991, RMB 22.3 billion for 1992, RMB 42.1 billion for 1993, RMB 41.5 billion for 1994, RMB 49.5 billion for 1995 and RMB 52.6 billion for 1996, RMB 64.3 billion for 1997, RMB 64.1 billion for 1998).

9. Duration of the subsidy and/or any other time-limits attached to it
1991 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XII. INFRASTRUCTURE CONSTRUCTION FUNDS FOR AGRICULTURAL WATER CONSERVANCY AND FLOOD PROTECTING PROJECTS

1. Title of the subsidy program
Infrastructure construction funds for agricultural water conservancy projects

2. Period covered by the notification
1991 - 1999

3. Policy objective and/or purpose of the subsidy
To improve agricultural irrigation systems and flood-defending facilities.

4. Background and authority for the subsidy
Ministry of Finance and the Provincial Bureau of Finance

5. Legislation under which it is granted
Assistance by budget.

6. Form of the subsidy
Grant.

7. To whom and how the subsidy is provided
To key infrastructure projects in water conservancy and flood protection.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
RMB 35.5 billion (RMB 7.5 billion for 1991, RMB 8.5 billion for 1992, RMB 9.5 billion for 1993, RMB 10 billion for 1994, RMB 11.0 billion for 1995, RMB 14.1 billion for 1996, RMB 15.9 billion for 1997, RMB 20.89 billion for 1998 and 21.36 for 1999).

9. Duration of the subsidy and/or any other time-limits attached to it
1991 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XIII. TAX AND TARIFF REFUND FOR EXPORT PRODUCTS

1. Title of the subsidy program
Tariff refund for imported contents of export products, and value-added tax refund for export products.

2. Period covered by the notification
1985 - now.

3. Policy objective and/or purpose of the subsidy
To alleviate unreasonable tax and tariff burdens of export enterprises.

4. Background and authority for the subsidy
For tariff refund, taxation and customs authorities; and for tax refund, taxation authorities.

5. Legislation under which it is granted
State Council Circular No. 43, 1985.

6. Form of the subsidy
Tax and tariff refund.

7. To whom and how the subsidy is provided
For raw materials, spare parts, assemblies and packing materials imported for the purpose of processing and assembling for overseas clients or manufacturing products for export, tariffs shall be exempted, or in the case that tariffs have been collected, refund of the collected tariffs shall be made, according to quantities of the final products exported.

For agricultural products subject to the official value-added tax rate of 10%, the refund rate is 3%.

For industrial products subject to the official value-added tax rate of 17%, which take agricultural products as their raw materials, the refund rate is 6%.

For other products subject to the official value-added tax rate of 17%, the refund rate is 9%.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1985 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XIV. TARIFF AND IMPORT DUTIES REDUCTION AND EXEMPTION FOR ENTERPRISES

1. Title of the subsidy program
Tariff and import duties reduction and exemption for enterprises.

2. Period covered by the notification
1985 - 2000.

3. Policy objective and/or purpose of the subsidy
To attract foreign investment, to encourage technology renovations in domestic enterprises, and to promote such trade forms as border trade, processing trade, compensation trade etc..

4. Background and authority for the subsidy
Taxation and customs authorities.

5. Legislation under which it is granted
Regulation of import and export tariff of the People's Republic of China.

6. Form of the subsidy
Tariff and import duties reduction and exemption.

7. To whom and how the subsidy is provided
China adopted new taxation system on April 1, 1997. Under this new system, all domestic enterprises and institutes shall be subject to tariff and import duties in accordance with official rate except for the following few cases where tariff and import duties reduction and exemption are still applied:

(1) goods imported for embassies, and offices of international organizations in China, donations from foreign governments and international organizations, and goods imported by Chinese diplomats, Chinese students studying abroad and etc. for personal consumption;

(2) imports into the Yangpu Economic Development Area in Hainan Province, a bonded area;

(3) equipment and materials imported during the period of 1996 to 2000 for drilling, petroleum and natural gas exploitation;

(4) aircraft imported by domestic civil airlines during the period of 1996 to 2000;

(5) spare parts of cars, of which tariff and import duties reduction and exemption shall be determined according to the localization rate;

(6) materials imported for domestic manufacturing of aircraft.
Tariff and import duties reduction and exemption before April 1, 1996 of imported equipment and materials for foreign-invested enterprises, for domestic technology renovation and infrastructure construction projects, for Special Economic Zones and Economic and Technology Development Areas, and for border trade, processing trade and compensation trade, shall be terminated except for the following transitional period:

(1) for foreign-invested enterprises with total investment less than US$ 30 million approved before April 1, 1996, tariff and import duties reduction and exemption of their imported equipment and materials shall remain valid within the transitional period till December 31, 1996; for those enterprises with total investment more than US$ 30 million, the transitional period shall end on December 31, 1997;

(2) for industrial projects in such areas as energy, transportation, metallurgical industry with total investment more than RMB 50 million, and for technology renovation projects in manufacturing industries with total investment more than RMB 30 million, which were approved before April 1, 1996, tariff and import duties for their equipment importation shall be subject to 50 per cent reduction within the transitional period till December 31, 1997;

(3) goods imported into the five Special Economic Zones of Shenzhen, Zhuhai, Shantou, Xiamen, Hainan, as well as those into the Pudong area in Shanghai and the Industrial Development Zone in Suzhou, shall be subject to tariff and import duties after 1 April 1996 in accordance with the official tariff and import duties rates. However, refund of the tariff and import duties will be applied within the transitional period from 1996 to 2000, with the volume decreasing annually. The refund will terminate after the year 2000.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1985 - 2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XV. PROVISION OF LOW-PRICE INPUTS FOR SPECIAL INDUSTRIAL SECTORS

1. Title of the subsidy program
State low pricing for certain percentage of coal for electricity generating, and for certain percentage of crude oil.

2. Period covered by the notification
1987 - now.

3. Policy objective and/or purpose of the subsidy
State pricing for certain percentage of the industrial inputs is to maintain the overall price level stable.

4. Background and authority for the subsidy
Reform of China's planning economic system began first with the reform of the pricing system, and by now 95 per cent of the commodities and services in China have already been determined by the market forces. State pricing remains only for certain percentage of those crucial products to maintain the ability of the government to curb the overall price level in emergent cases.

5. Legislation under which it is granted
Provisional regulation of the People’s Republic of China on Pricing.

6. Form of the subsidy
State low pricing for inputs of certain industrial sectors.

7. To whom and how the subsidy is provided

37 per cent of coal in 1995 was subject to state pricing, and 70 per cent of the land oil production was subject to state pricing, price of the remaining 30 per cent as well as of all the off-shore oil production was determined by the market.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1987 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XVI. SUBSIDY TO CERTAIN ENTERPRISES IN THE FORESTRY INDUSTRY

1. Title of the subsidy program
Subsidy to the forestry industry.

2. Period covered by the notification
1994 - now.

3. Policy objective and/or purpose of the subsidy
To encourage full utilization of forest resources.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Value added Tax.

6. Form of the subsidy
Refund of value-added tax.

7. To whom and how the subsidy is provided
For certain enterprises in the forestry industry, when their products are based on the utilization of deficient timber resources, the collected value-added tax shall be refunded.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available as the quantity is minimal.

9. Duration of the subsidy and/or any other time-limits attached to it
1994 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XVII. PREFERENTIAL INCOME TAX TREATMENT TO HIGH-TECH ENTERPRISES

1. Title of the subsidy program
Preferential Income tax treatment to high-tech enterprises.

2. Period covered by the notification

1994 - now.

3. Policy objective and/or purpose of the subsidy
To accelerate the development of high-tech industries.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Enterprises Income Tax.

6. Form of the subsidy
Income tax reduction and exemption.

7. To whom and how the subsidy is provided
For high-tech enterprises in the high-tech development zones approved by the State Council, the income tax rate applied shall be reduced to 15 per cent; for newly-established high-tech enterprises, income tax shall be exempted for the first two years since the operation.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1994 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XVIII. PREFERENTIAL INCOME TAX TREATMENT TO ENTERPRISES UTILIZING WASTE

1. Title of the subsidy program
Preferential income tax treatment to enterprises utilizing waste.

2. Period covered by the notification
1993 - now.

3. Policy objective and/or purpose of the subsidy
To encourage resources recycle.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Enterprises Income Tax.

6. Form of the subsidy
Income tax reduction and exemption.

7. To whom and how the subsidy is provided
For enterprises utilizing waste gas, waste water and solid waste as major production inputs, income tax shall be reduced or exempted for five years.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1993 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XIX. PREFERENTIAL INCOME TAX TREATMENT TO ENTERPRISES IN POVERTY STRICKEN REGIONS

1. Title of the subsidy program
Preferential Income tax treatment to enterprises in poverty stricken regions

2. Period covered by the notification
1993 - now.

3. Policy objective and/or purpose of the subsidy
To alleviate poverty.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Enterprises Income Tax.

6. Form of the subsidy
Income tax reduction and exemption.

7. To whom and how the subsidy is provided
For newly-established enterprises in remote regions, poverty stricken regions, and regions with ethnic groups residence, income tax shall be reduced or exempted for three years.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1993 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XX. PREFERENTIAL INCOME TAX TREATMENT TO ENTERPRISES TRANSFERRING TECHNOLOGIES

1. Title of the subsidy program
Preferential Income tax treatment to enterprises transferring technologies.

2. Period covered by the notification
1993 - now.

3. Policy objective and/or purpose of the subsidy
To encourage technology transfer and extension.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Enterprises Income Tax.

6. Form of the subsidy
Income reduction and exemption.

7. To whom and how the subsidy is provided
For income of enterprises generated from transferring technologies, or from such relevant services as technology consultancy, training and etc., income tax shall be exempted when such annual net income is below RMB 300 thousand; however, in the case that the income exceeds RMB 300 thousand, for the part which exceeds RMB 300 thousand, income tax shall be applied as usual.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1993 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XXI. PREFERENTIAL INCOME TAX TREATMENT TO DISASTER STRICKEN ENTERPRISES

1. Title of the subsidy program
Preferential Income tax treatment to disaster stricken enterprises

2. Period covered by the notification
1993 - now.

3. Policy objective and/or purpose of the subsidy
To bring down disaster losses.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Enterprises Income Tax.

6. Form of the subsidy
Income tax reduction and exemption.

7. To whom and how the subsidy is provided
In case that enterprises suffer from such disasters as fire, flood, tornado, earthquake and etc., income tax shall be exempted for one year subject to application to and approval from local taxation authorities.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1993 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XXII. PREFERENTIAL INCOME TAX TREATMENT TO ENTERPRISES WHICH PROVIDE JOB OPPORTUNITIES FOR THE UNEMPLOYED

1. Title of the subsidy program
Preferential income tax treatment to enterprises which provide job opportunities for the unemployed

2. Period covered by the notification
1993 - now

3. Policy objective and/or purpose of the subsidy
To increase job opportunities.

4. Background and authority for the subsidy
State Administration of Taxation and local taxation authorities.

5. Legislation under which it is granted
Provisional regulation of the People's Republic of China on Enterprises Income Tax.

6. Form of the subsidy
Income tax reduction and exemption.

7. To whom and how the subsidy is provided
For newly-established township enterprises, in case that the new jobs they provide in one certain year exceed 60 per cent of their total jobs, income tax shall be exempted for a period of three years, subject to their application to and approval from local taxation authorities. In the same year when the three year exemption period expires, in case the enterprises provide another 30 per cent more job opportunities, income tax shall be reduced by 50 per cent for another two years, subject to their application to and approval from local taxation authorities.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1993 -

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

XXIII STATISTICS OF INCOME TAX REBATE TO ENTERPRISES SUBJET TO NOTIFICATION XVII, XVIII, XIX, XX, XXI, XXII

Unit: 10,000 RMB

	1995	**1996**	**1997**
Beijing	19424	17492	33156
Tianjin	12793	6945	632
Hebei	184	50	5
Shanxi	11216	1519	1465
Inner-Mongolia	2525	445	129
Liaoning	665	477	8515
Jilin	130	1170	791
Heilongjiang	1218	734	1345
Shanghai	41960	110207	63659
Jiangsu	1343	1369	9
Zhejiang	41710	42220	61045
Anhui	14285	17490	23939
Fujian	2563	12953	15183
Jiangxi	28	2	0
Shandong	11586	3737	4277
Henan	192	918	221
Hubei	494	994	12230
Hunan	7019	12179	11915
Guangdong	10835	165	52
Guangxi	9013	6211	7716
Hainan	1194	1371	300
Chongqing			230
Sichuan	3548	3777	998
Guizhou	647	2006	3259
Yunnan	9027	6418	6563
Tibet	506	1173	228
Shaanxi	7320	4228	1230
Gansu	7519	251	1073
Qinghai	357	378	1815
Ningxia	532	465	2309
Xingjiang	6633	2812	1354
Total	226466	260156	265643

XXIV. TARIFF AND VAT EXEMPTION FOR IMPORTED TECHNOLOGY AND EQUIPMENT OF THE INVESTERS INVESTING IN AREAS ENCOURAGED BY THE GOVERNMENT

1. Title of the subsidy program
Tariff and VAT exemption for imported technologies and equipment imported by investors investing in the industrial areas encouraged by the state.

2. Period covered by the notification
1998 - 2000.

3. Policy objective and/or purpose of the subsidy
Reduce the investment cost of importing technologies and equipment from abroad, so as to attract foreign direct investment and promote domestic investment as well.

4. Background and authority for the subsidy
The State Council.

5. Legislation under which it is granted
The circular No. 37(1997) issued by the State Council.

6. Form of the subsidy
Tariff and VAT exemption for imported technologies and equipment.

7. To whom and how the subsidy is provided
For foreign investors investing in the encouraged industrial areas defined by the "The Industrial catalogues for Foreign Direct Investment"(jointly issued by SDPC, SETC and MOFTEC), their imported technologies and equipment can enjoy treatment of tariff and VAT exemption.
For domestic investors investing in the encouraged industrial areas defined by the "The Catalogues of Current Priorities of Industrial Sectors, Products and Technologies Encouraged by the State" (issued by The State Development Planning Commission), their imported technologies and equipment can enjoy treatment of tariff and VAT exemption.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
No specific statistics available.

9. Duration of the subsidy and/or any other time-limits attached to it
1998 - 2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
The importation of technologies and equipment has been encouraged by the subsidies, no specific import volume has been calculated.

ANNEX 5B

SUBSIDIES TO BE PHASED OUT

I. SUBSIDIES PROVIDED TO CERTAIN STATE-OWNED ENTERPRISES WHICH ARE RUNNING AT A LOSS

1. Title of the subsidy program
Subsidies provided to certain State-owned enterprises which are running at a loss.

2. Period covered by the notification
1990-1998.

3. Policy objective and/or purpose of the subsidy
To promote structural adjustment of those State-owned enterprises which are running at a loss, especially those in coal-mining and oil-drilling sectors, while keeping employment by means of promoting rationalization and maintaining stable production and safety.

4. Background and authority for the subsidy
Ministry of Finance.

5. Legislation under which it is granted
Assistance by budget.

6. Form of the subsidy
Grant and tax forgiving

7. To whom and how the subsidy is provided
Subsidy is provided to severe loss-making State-owned enterprises due to either fixed price of the products they produce or the increasing cost of exploitation of the resources.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy

Unit: 100 million RMB

Sector/Year	1990	1991	1992	1993	1994	1995	1996	1997	1998
Metallurgic industry	1.16	1.46	1.35	3.13	4.07	3.02	5.04	10.96	8.36
Ferrous-metal industry	0.63	0.86	1.28	1.51	5.80	5.86	4.78	6.58	4.65
Machinery industry	3.80	5.07	14.61	3.98	14.09	8.34	9.67	11.17	8.38
Coal industry	55.86	66.70	70.14	49.80	47.19	12.13	13.21	16.83	14.85
Oil industry	42.53	54.36	52.89	28.08	0.00	0.00	0.00	6.78	3.28
Chemical industry	3.83	4.03	3.70	4.11	6.90	3.47	4.26	5.32	4.96
Textile industry	1.90	2.39	2.07	3.09	2.65	3.38	6.97	16.41	15.36
Light industry	6.65	7.88	6.31	9.30	3.99	1.52	2.63	6.82	2.35
Tobacco industry	0.00	0.00	0.00	0.00	12.00	8.62	9.26	10.25	8.83
Total of the nine sectors	116.36	142.75	152.35	103.00	96.69	46.34	55.92	91.12	71.02
Other sectors	1.65	1.94	1.99	1.53	1.24	0.42	1.28	4.62	3.67
Total	118.01	144.69	154.34	104.53	97.93	46.76	57.2	95.74	74.69

9. Duration of the subsidy and/or any other time-limits attached to it
1949-2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
Not available.

II. THE PRIORITY IN OBTAINING LOANS AND FOREIGN CURRENCIES BASED ON EXPORT PERFORMANCE

1. Title of the subsidy program
The priority in obtaining loans and foreign currencies based on export performance.

2. Period covered by the notification
1994-1999.

3. Policy objective and/or purpose of the subsidy
To promote the exportation of automobiles.

4. Background and authority for the subsidy
State Planning Commission.

5. Legislation under which it is granted
State Council Circular on Industrial Policy on Automobiles..

6. Form of the subsidy
Priority in obtaining loans and foreign currencies.

7. To whom and how the subsidy is provided
Priority is given to:

(1) Automotive production enterprises whose export of whole vehicle products has reached the percentage points in the volume of their sales as indicated in the following chart;

Vehicles Types	Category	Percentages
Passenger Vehicles	M1	3%
	M2	5%
	M3	8%
Freight Vehicles	N1	5%
	N2, N3	4%
Motorcycles	L	10%

and

(2) Automobile and motorcycle components manufacturing enterprises whose exports account for 10 per cent of their total annual sales.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
Zero, because no enterprises have reached the level for enjoying the priority up till now.

9. Duration of the subsidy and/or any other time-limits attached to it
China commits itself to eliminate this measure by the year of 2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
Zero.

III. PREFERENTIAL TARIFF RATES BASED ON LOCALIZATION RATE OF AUTOMOTIVE PRODUCTION

1. Title of the subsidy program
Preferential tariff rates based on localization rate of automotive production.

2. Period covered by the notification
1994-1999

3. Policy objective and/or purpose of the subsidy
To promote the localization process of automobile industry of China.

4. Background and authority for the subsidy
State Planning Commission.

5. Legislation under which it is granted
State Council Circular on Industrial Policy on Automobiles.

6. Form of the subsidy
Preferential tariff rates.

7. To whom and how the subsidy is provided
The preferential tariff rates are granted to the automotive enterprises whose localization reaches the following ratios:

(1) Localization rate reaches 40 per cent, 60 per cent or 80 per cent on products that incorporate imported technology on whole vehicles of M Category;

(2) Localization rate reaches 50 per cent, 70 per cent or 90 per cent on products that incorporate imported technology on whole vehicles of N and L Categories; and

(3) Localization rate reaches 50 per cent, 70 per cent or 90 per cent on products that incorporate imported technology on automobile and motorcycle assemblies and key components.

8. Subsidy per unit, or in cases where this is not possible, the total amount or the annual amount budgeted for that subsidy
Not available.

9. Duration of the subsidy and/or any other time-limits attached to it
China commits itself to phase out this measure by the year of 2000.

10. Statistical data permitting an assessment of the trade effects of a subsidy
The trade effect is negligible.

ANNEX 6

PRODUCTS SUBJECT TO EXPORT DUTY

NO	HS NO	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE (%)
1	03019210	Live eels fry	20.0
2	05061000	Ossein and bones treated with acid	40.0
3	05069010	Powder and waste of bones	40.0
4	05069090	Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinized, excl. Ossein and bones treated with acid	40.0
5	26070000	Lead ores & concentrates	30.0
6	26080000	Zinc ores & concentrates	30.0
7	26090000	Tin ores & concentrates	50.0
8	26110000	Tungsten ores & concentrates	20.0
9	26159000	Niobium, tantalum & vanadium ores & concentrates	30.0
10	26171010	Crude antimony	20.0
11	28047010	Yellow phosphorus (white phosphorus)	20.0
12	28047090	Phosphorus, nes	20.0
13	28269000	Fluorosilicates and fluoroaluminates and complex fluorine salts, nes	30.0
14	29022000	Benzene	40.0
15	41031010	Slabs of goats, fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared, whether or not dehaired or split	20.0
16	72011000	Non-alloy pig iron containing by weigh<0.5% of phosphorus in pigs, blocks or other primary forms	20.0
17	72012000	Non-alloy pig iron containing by weight >0.5% of phosphorus in pigs, blocks or other primary forms	20.0
18	72015000	Alloy pig iron and spiegeleisen, in pigs, blocks or other primary forms	20.0
19	72021100	Ferro-manganese, containing by weight more than 2% of carbon	20.0
20	72021900	Ferro-manganese, nes	20.0
21	72022100	Ferro-silicon, containing by weight more than 55% of silicon	25.0
22	72022900	Ferro-silicon, nes	25.0
23	72023000	Ferro-silico-manganese	20.0
24	72024100	Ferro-chromium containing by weight more than 4% of carbon	40.0
25	72024900	Ferro-chromium, nes	40.0
26	72041000	Waste & scrap, of cast iron	40.0
27	72042100	Waste & scrap, of stainless steel	40.0
28	72042900	Waste & scrap of alloy steel, other than stainless steel	40.0
29	72043000	Waste & scrap, of tinned iron or steel	40.0
30	72044100	Ferrous waste & scrap, nes, from turnings, shavings, chips, milling waste, sawdust, filings, trimmings and stampings, whether or not in bundles	40.0
31	72044900	Ferrous waste & scrap of iron or steel, nes	40.0
32	72045000	Remelting scrap ingots of iron or steel	40.0
33	74020000	Copper unrefined; copper anodes for electrolytic refining	30.0
34	74031100	Cathodes & sections of cathodes, of refined copper, unwrought	30.0
35	74031200	Wire bars, of refined copper, unwrought	30.0
36	74031300	Billets, of refined copper, unwrought	30.0
37	74031900	Refined copper, unwrought, nes	30.0
38	74032100	Copper-zinc base alloys (brass), unwrought	30.0
39	74032200	Copper -tin base alloys (bronze), unwrought	30.0
40	74032300	Copper - nickel base alloys (cupronickel) or copper-nickel-zinc base alloys (silver), unwrought	30.0

NO	HS NO	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE (%)
41	74032900	Copper alloys, unwrought (other than master alloys of heading 74.05)	30.0
42	74040000	Waste & scrap, of copper or copper alloys	30.0
43	74071000	Bars, rods & profiles of refined copper	30.0
44	74072100	Bars, rods & profiles, of copper-zinc base alloys	30.0
45	74072200	Bars, rods & profiles, of copper - nickel base alloys or copper-nickel-zinc base alloys	30.0
46	74072900	Bars, rods & profiles, of copper alloy nes	30.0
47	74081100	Wire of refined copper, of which the maximum cross-sectional dimension >6mm	30.0
48	74081900	Wire of refined copper, of which the maximum cross-sectional dimension ≤6mm	30.0
49	74082100	Wire of copper-zinc base alloys	30.0
50	74082200	Wire of copper - nickel base alloys or copper-nickel-zinc base alloy	30.0
51	74082900	Wire, of copper alloy nes	30.0
52	74091100	Plate, sheet & strip, thickness >0.15mm, of refined copper, in coil	30.0
53	74091900	Plate, sheet & strip, thickness >0.15mm, of refined copper, not in coil	30.0
54	74092100	Plate, sheet & strip, thickness >0.15mm, of copper-zinc base alloys, in coil	30.0
55	74092900	Plate, sheet & strip, thickness >0.15mm, of copper-zinc base alloys, not in coil	30.0
56	74093100	Plate, sheet & strip, thickness >0.15mm, of copper-tin base alloys, in coil	30.0
57	74093900	Plate, sheet & strip, thickness >0.15mm, of copper-tin base alloys, not in coil	30.0
58	74094000	Plate, sheet & strip, thickness >0.15mm, of copper - nickel base alloys or copper-nickel-zinc base alloy	30.0
59	74099000	Plate, sheet & strip, thickness >0.15mm, of copper alloy nes	30.0
60	75021000	Unwrought nickel, not alloyed	40.0
61	75022000	Unwrought nickel alloys	40.0
62	75089010	Electroplating anodes of nickel	40.0
63	76011000	Unwrought aluminium, not alloyed	30.0
64	76012000	Unwrought aluminium alloys	30.0
65	76020000	Aluminium waste & scrap	30.0
66	76041000	Bars, rods & profiles of aluminium, not alloyed	20.0
67	76042100	Hollow profiles of aluminium alloys	20.0
68	76042900	Bars, rods & profiles (excl. hollow profiles), of aluminium alloys	20.0
69	76051100	Wire of aluminium ,not alloyed, with the maximum cross-sectional dimension >7mm	20.0
70	76051900	Wire of aluminium, not alloyed, with the maximum cross-sectional dimension ≤7mm	20.0
71	76052100	Wire of aluminium alloys, with the maximum cross sectional dimension >7mm	20.0
72	76052900	Wire of aluminium alloys, with the maximum cross sectional dimension ≤7mm	20.0
73	76061120	Plates & sheets & strip, rectangular (incl. square), of aluminium, not alloyed, 0.30mm ≤ thickness ≤0.36mm	20.0
74	76061190	Plates & sheets & strip, rectangular (incl. square), of aluminium, not alloyed, 0.30mm > thickness >0.2mm	20.0
75	76061220	Plates & sheets & strip, rectangular (incl. square), of aluminium alloys, 0.2mm<thickness <0.28mm	20.0
76	76061230	Plates & sheets & strip, rectangular (incl. square), of aluminium alloys, 0.28mm ≤ thickness ≤0.35mm	20.0

NO	HS NO	DESCRIPTION OF PRODUCTS	EXPORT DUTY RATE (%)
77	76061240	Plates & sheets & strip, rectangular (incl. square), of aluminium alloys, 0.35mm<thickness	20.0
78	76069100	Plates & sheets & strip, of aluminium, not alloyed, thickness >0.2mm, nes	20.0
79	76069200	Plates & sheets & strip, of aluminium alloys, thickness >0.2mm, nes	20.0
80	79011100	Unwrought zinc, not alloyed, containing by weight ≥99.99% of zinc	20.0
81	79011200	Unwrought zinc, not alloyed, containing by weight<99.99% of zinc	20.0
82	79012000	Unwrought zinc alloys	20.0
83	81100020	Antimony unwrought	20.0
84	81100030	Antimony waste and scrap; Antimony powders	20.0

Note:

China confirmed that the tariff levels included in this Annex are maximum levels which will not be exceeded. China confirmed furthermore that it would not increase the presently applied rates, except under exceptional circumstances. If such circumstances occurred, China would consult with affected members prior to increasing applied tariffs with a view to finding a mutually acceptable solution.

ANNEX 7

RESERVATIONS BY WTO MEMBERS

Argentina: restrictions maintained on imports from China

Argentina intends to maintain restrictions on certain products originating in China, such as textiles and clothing, footwear not used for sporting activities and toys, after the accession of China, as follows:

PRODUCT	HS CODE
Textiles and Clothing	51.11; 51.12; 51.13; 52.08; 52.09; 52.10; 52.11; 52.12; 53.09; 53.10; 53.11; 54.07; 54.08; 55.12; 55.13; 55.14; 55.15; 55.16; 56.02; 56.03; 57.01; 57.02; 57.03; 57.04; 57.05; 58.01; 58.02; 58.03; 58.04; 58.05; 58.06; 58.07; 58.08; 58.09; 58.10; 58.11; 59.03; 60.01; 60.02; 61.01; 61.02; 61.03; 61.04; 61.05; 61.06; 61.07; 61.08; 61.09; 61.10; 61.11; 61.12; 61.13; 61.14; 61.15; 61.16; 61.17; 62.01; 62.02; 62.03; 62.04; 62.05; 62.06; 62.07; 62.08; 62.09; 62.10; 62.11; 62.12; 62.13; 62.14; 62.15; 62.16; 62.17; 63.01; 63.02; 63.03; 63.04; 63.05; 63.06; 63.07; 63.08; 63.09; 63.10
Footwear not used for sporting activities	64.01; 64.02; 64.03; 64.04; 64.05
Toys	95.02; 95.03

Quotas (Resolution 862/1999): to be eliminated by 31 July 2002.

Specific duties: phasing out will be in line with the following methodology:

1. The base level of specific duties will be that in force at the time of the accession of China and the *ad valorem* equivalent of each specific duty applied to each tariff position.

2. The transition period will be five years from the date of accession of China, after which a 35% *ad valorem* duty will apply.

3. Duties in excess of 35% will be phased out as follows:

   — **First year**: a 10% reduction of the amount in excess of 35%
   — **Second year**: a 20% reduction
   — **Third year**: a 40% reduction
   — **Fourth year**: a 60% reduction
   — **Fifth year**: an 80% reduction
   — **Sixth year:** As of 1 January of the sixth year, the ceiling of the 35% *ad valorem* equivalent to the minimum specific import duties (DIEMs) will apply.

European Communities: phasing-out timetable of industrial (non-textile) quotas on imports from China

Product	HS/CN Code	2001	2002	2003	2004	2005
Footwear falling within HS/CN codes	ex 6402 99 [3]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6403 51 6403 59	5% increase	10% increase	15% increase	15% increase	proposed removal
	ex 6403 91[2] ex 6403 99[2]	5% increase	5% increase	10% increase	15% increase	proposed removal
	ex 6404 11[4]	5% increase	5% increase	10% increase	15% increase	proposed removal
	6404 19 10	5% increase	5% increase	10% increase	15% increase	proposed removal
Tableware, kitchenware of porcelain or china	6911 10	15% increase	15% increase	15% increase	15% increase	proposed removal
Ceramic tableware or kitchenware	6912 00	15% increase	15% increase	15% increase	15% increase	proposed removal

[3] Excluding footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

[4] Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bats or the like, with a non-injected sole;

(b) footwear involving special technology: shoes which have a cif price per pair of not less than ECU 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

Hungary: quantitative restrictions maintained on imports from China

Hungary undertakes to phase out these restrictions by the year 2005. The restraint levels are based on the import data of the year 1999. The annual quota growth and the carry over and carry forward rates in the case of textiles and clothing products are included in the notification.

Product	HS	Import from China in 1999	Increase of quotas in per cent				
			2001	2002	2003	2004	2005
Footwear falling within HS codes	6401	71 000 pairs	5	5	10	15	proposed removal
	6402	10 625 000 pairs	5	5	10	15	proposed removal
	6403	600 000 pairs	5	5	10	15	proposed removal
	6404	4 450 000 pairs	5	5	10	15	proposed removal
	6405	2 140 000 pairs	5	5	10	15	proposed removal
Overwear Flexibility rates: 10% of which carry forward shall not represent more than 5%	4203, ex 4303, ex 4304, 6101, 6102, 6103, 6104, 6106, 6110, 6112, 6113, 6114, 6201, 6202, 6203, 6204, 6206, 6210, 6211	15 900 000 $	6	6	6	6	proposed removal
Other clothing and ready-made clothing products Flexibility rates: 10% of which carry forward shall not represent more than 5%	ex 4303, ex 4304, 6117, 6213, 6214, 6215, 6301, 6302, 6304, 6306, 6307, 9404	4 570 000 $	6	6	6	6	proposed removal

Mexico: anti-dumping measures maintained against imports from China

Notwithstanding any other provisions of this Protocol, during six years after the accession of China, Mexico's existing measures listed below shall not be subject to the provisions of either the WTO Agreement or the anti-dumping provisions of this Protocol.

PRODUCT	TARIFF CLASSIFICATION
Bicycles	8712.00.01 8712.00.02 8712.00.03 8712.00.04 8712.00.99
Footwear and parts thereof	56 tariff lines covered under the headings 6401, 6402, 6403, 6404, 6405
Brass padlocks	8301.10.01
Baby carriages	8715.00.01
Door knob locks	8301.40.01
Malleable iron connections	7307.19.02 7307.19.03 7307.19.99 7307.99.99
Non-refillable pocket lighters, gas-fuelled	9613.10.01
Fluorite	2529.22.01
Furazolidone	2934.90.01
Tools	48 tariff lines under the headings 8201, 8203, 8204, 8205, 8206

PRODUCT	TARIFF CLASSIFICATION
Textiles (yarns and fabrics of artificial and synthetic fiber)	403 tariff lines under the headings 3005 5204, 5205, 5206, 5207, 5208, 5209, 5210, 5211, 5212, 5307, 5308, 5309, 5310, 5311 5401, 5402, 5404, 5407, 5408, 5501, 5506, 5508, 5509, 5510, 5511, 5512, 5513, 5514, 5515, 5516 5803, 5911
Toys	21 tariff lines under the headings 9501, 9502, 9503, 9504, 9505, 9506
Pencils	9609.10.01
Bicycle tires and inner tubes	4011.50.01 4013.20.01
Electrical machines, appliances and equipment and parts thereof	78 tariff lines under the headings 8501, 8502, 8503, 8504, 8506, 8507, 8509, 8511, 8512, 8513, 8515, 8516, 8517, 8518, 8519, 8520, 8523, 8525, 8527, 8529, 8531, 8532, 8533, 8536, 8537, 8544
Parathion-methyl	3808.10.99
Clothing	415 tariff lines under the headings 6101, 6102, 6103, 6104, 6105, 6106, 6107, 6108, 6109, 6110, 6111, 6112, 6113, 6114, 6115, 6116, 6117, 6201, 6202, 6203, 6204, 6205, 6206, 6207, 6208, 6209, 6210, 6211, 6212, 6213, 6214, 6215, 6216, 6217, 6301, 6302, 6303, 6304, 6305, 6306, 6307, 6308, 6309, 6310,
Organic chemicals	258 tariff lines under the headings 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2909, 2910, 2911, 2912, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2921, 2922, 2923, 2924, 2925, 2926, 2927
Ceramic and porcelain dishware and loose articles	6911.10.01 6912.00.01
Iron and steel valves	8481.20.01 8481.20.04 8481.20.99 8481.30.04 8481.30.99 8481.80.04 8481.80.18 8481.80.20 8481.80.24
Candles	3406.00.01

Poland: anti-dumping measures and safeguard measures maintained on imports from China

Poland intends to continue the application of the below mentioned measures after China's accession.

1. Anti-dumping duties:

PCN 9613 10 00 0 (pocket lighters, gas fuelled, non-fillable)

PCN 9613 20 90 0 (pocket lighters, gas fuelled refillable, with other ignition system)

The bringing of these measures into conformity with the WTO Agreement[5] will be effected by the end of 2002.

2. Safeguard measures:

PCN 6402 (other footwear with outer soles and uppers of rubber or plastics).

PCN 6403 (footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather).

PCN 6404 (footwear with outer soles of rubber, plastics, leather or composition leather and upper of textile materials).

PCN 6405 (other footwear)

PCN 8516 40 10 0 (electric smoothing irons, steam smoothing)

PCN 8516 40 90 0 (electric smoothing irons, other)

The phasing out of these measures will be effected by the end of 2004.

Slovak Republic: quantitative restrictions maintained on imports from China

The Slovak Republic has concluded the bilaterals talks with China over the quantitative restrictions on imports of footwear falling within HS/CN Code 6401, 6402, 6403, 6404 and 6405.

Phasing-out Timetable on Footwear Quotas by the Slovak Republic

HS/CN Code	2001	2002	2003	2004	2005
6401 to 6405	15% increase	15% increase	15% increase	15% increase	proposed removal

[5] The WTO Agreement as defined in the Draft Protocol on the Accession of China, Section 1, para. 2.

Turkey: quantitative restrictions for non-textile products maintained on imports from China

Turkey maintains quantitative restrictions on the goods specified below. Turkey undertakes to eliminate these restrictions by 1 January 2005.

	CN CODE	DESCRIPTION OF GOODS	Quota (2000)
(1)	6402.99	Footwear	110 000 Pairs
	6403.51) 6403.59)	Footwear	26 826 Pairs
(1) (1)	6403.91) 6403.99)	Footwear	185 742 Pairs
(2)	6404.11.00.00.00	Footwear	754 350 Pairs
	6404.19.10.00.11) 6404.19.10.00.12) 6404.19.10.00.13)	Footwear	472 300 Pairs
	6911.10	Tableware, kitchenware of porcelain or china	15 225 kg
	6912.00	Ceramic tableware or kitchenware, other than of porcelain or china	45 675 kg

(1) Excluding footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

(2) Excluding:

(a) footwear which is designed for a sporting activity and has, or has provision for the attachment of spikes, springs, stops, clips, bats or the like, with a non-injected sole,

(b) footwear involving special technology: shoes which have a c.i.f. price per pair of not less than $ 11,5 for use in sporting activities, with a single- or multi-layered moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

ANNEX 8

SCHEDULE CLII – PEOPLE'S REPUBLIC OFCHINA: PART I – GOODS

Circulated in document WT/ACC/CHN/49/Add.1.

ANNEX 9

SCHEDULE CLII – PEOPLE'S REPUBLIC OF CHINA: PART II – SERVICES

Circulated in document WT/ACC/CHN/49/Add.2

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

RESTRICTED

WT/ACC/CHN/49/Add.1
1 October 2001
(01-4792)

Working Party on the Accession of China

Original: English/ anglais/ inglés

REPORT OF THE WORKING PARTY ON THE ACCESSION OF CHINA

Addendum

Schedule CLII – People's Republic of China

Part I –Schedule of Concessions and Commitments on Goods [1]

As indicated in paragraph 343 of the Report of the Working Party on the Accession of China (WT/ACC/CHN/49), the Schedule of Concessions and Commitments on Goods resulting from the negotiations between the People's Republic of China and WTO Members is annexed to the Protocol of Accession of China and is reproduced hereunder.

Groupe de travail de l'accession de la Chine

RAPPORT DU GROUPE DE TRAVAIL DE L'ACCESSION DE LA CHINE

Addendum

Liste CLII – République populaire de Chine

Partie I - Liste de concessions et d'engagements concernant les marchandises[1]

Comme il est indiqué au paragraphe 343 du rapport du Groupe de travail de l'accession de la Chine (WT/ACC/ALB/49), la liste de concessions et d'engagements concernant les marchandises résultant des négociations entre la République populaire de Chine et les Membres de l'OMC est annexée au Protocole d'accession de la Chine. Ce document est reproduit ci-après.

Grupo de Trabajo sobre la Adhesión de China

INFORME DEL GRUPO DE TRABAJO SOBRE LA ADHESIÓN DE CHINA

Addendum

Lista CLII – República Popular China

Parte I - Lista de concesiones y compromisos en materia de mercancías[1]

Como se indica en el párrafo 343 del informe del Grupo de Trabajo sobre la Adhesión de China (WT/ACC/CHN/49), la lista de concesiones y compromisos en materia de mercancías resultante de las negociaciones entre la República Popular China y los Miembros de la OMC figura anexa al Protocolo de Adhesión de China y se reproduce a continuación.[1]

[1] In English only./En anglais seulement./En inglés solamente.

WORLD TRADE ORGANIZATION

RESTRICTED

WT/ACC/CHN/49/Add.2
1 October 2001

(01-4767)

Working Party on the Accession of China

REPORT OF THE WORKING PARTY ON THE ACCESSION OF CHINA

Addendum

Schedule CLII – The People's Republic of China

Part II –Schedule of Specific Commitments on Services
List of Article II MFN Exemptions

As indicated in paragraph 343 of the Report of the Working Party on the Accession of China (WT/ACC/CHN/49), the Schedule of Specific Commitments on Services resulting from the negotiations between the People's Republic of China and WTO Members is annexed to the Protocol of Accession of China and is reproduced hereunder.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	(3) In China, foreign invested enterprises include foreign capital enterprises (also referred to as wholly foreign-owned enterprises) and joint venture enterprises and there are two types of joint venture enterprises: equity joint ventures and contractual joint ventures.[1] The proportion of foreign investment in an equity joint venture shall be no less than 25 per cent of the registered capital of the joint venture. The establishment of branches by foreign enterprises is unbound, unless otherwise indicated in specific sub-sectors, as the laws and regulations on branches of foreign enterprises are under formulation. Representative offices of foreign enterprises are permitted to be established in China, but they shall not engage in any profit-making activities except for the representative offices under CPC 861, 862, 863, 865 in the sectoral specific commitments.	(3) Unbound for all the existing subsidies to domestic services suppliers in the sectors of audio-visual, aviation and medical services.	

[1] The terms of the contract, concluded in accordance with China's laws, regulations and other measures, establishing a "contractual joint venture" govern matters such as the manner of operation and management of the joint venture as well as the investment or other contributions of the joint venture parties. Equity participation by all parties to the contractual joint venture is not required, but is determined pursuant to the joint venture contract.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	The conditions of ownership, operation and scope of activities, as set out in the respective contractual or shareholder agreement or in a licence establishing or authorizing the operation or supply of services by an existing foreign service supplier, will not be made more restrictive than they exist as of the date of China's accession to the WTO. The land in the People's Republic of China is State-owned. Use of land by enterprises and individuals is subject to the following maximum term limitations: (a) 70 years for residential purposes; (b) 50 years for industrial purposes; (c) 50 years for the purpose of education, science, culture, public health and physical education; (d) 40 years for commercial, tourist and recreational purposes; (e) 50 years for comprehensive utilization or other purposes. (4) Unbound except for measures concerning the entry and temporary stay of natural persons who fall into one of the following categories:	(4) Unbound except for the measures concerning the entry and temporary stay of natural persons who fall into the categories referred to in the market access column.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	(a) Managers, executives and specialists defined as senior employees of a corporation of a WTO Member that has established a representative office, branch or subsidiary in the territory of the People's Republic of China, temporarily moving as intra-corporate transferees, shall be permitted entry for an initial stay of three years; (b) Managers, executives and specialists defined as senior employees of a corporation of WTO Members, being engaged in the foreign invested enterprises in the territory of the People's Republic of China for conducting business, shall be granted a long-term stay permit as stipulated in the terms of contracts concerned or an initial stay of three years, whichever is shorter; (c) Service salespersons – persons not based in the territory of the People's Republic of China and receiving no remuneration from a source located within China, and who are engaged in activities related to representing a service supplier for the purpose of negotiation for the sale of services of that supplier where: (a) such sales are not directly made to the general public and (b) the salesperson is not engaged in supplying the service: entry for salespersons is limited to a 90-day period.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
II. SPECIFIC COMMITMENTS			
A. Professional Services a. Legal Services (CPC 861, excluding Chinese law practice)	(1) None (2) None (3) Foreign law firms can provide legal services only in the form of representative offices in Beijing, Shanghai, Guangzhou, Shenzhen, Haikou, Dalian, Qingdao, Ningbo, Yantai, Tianjin, Suzhou, Xiamen, Zhuhai, Hanghou, Fuzhou, Wuhan, Chengdu, Shenyang and Kunming only. Representative offices can engage in profit-making activities. Representative offices in China shall be no less than the number established upon the date of accession. A foreign law firm can only establish one representative office in China. The above-mentioned geographic and quantitative limitations will be eliminated within one year after China's accession to the WTO.	(1) None (2) None (3) All representatives shall be resident in China no less than six months each year. The representative office shall not employ Chinese national registered lawyers outside of China.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	Business scope of foreign representative offices is only as follows: (a) to provide clients with consultancy on the legislation of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work, and on international conventions and practices; (b) to handle, when entrusted by clients or Chinese law firms, legal affairs of the country/region where the lawyers of the law firm are permitted to engage in lawyer's professional work; (c) to entrust, on behalf of foreign clients, Chinese law firms to deal with the Chinese legal affairs; (d) to enter into contracts to maintain long-term entrustment relations with Chinese law firms for legal affairs; (e) to provide information on the impact of the Chinese legal environment. Entrustment allows the foreign representative office to directly instruct lawyers in the entrusted Chinese law firm, as agreed between both parties.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	The representatives of a foreign law firm shall be practitioner lawyers who are members of the bar or law society in a WTO member and have practiced for no less than two years outside of China. The Chief representative shall be a partner or equivalent (e.g., member of a law firm of a limited liability corporation) of a law firm of a WTO member and have practiced for no less than three years. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	
b. Accounting, auditing and bookkeeping services (CPC 862)	(1) None (2) None (3) Partnerships or incorporated accounting firms are limited to Certified Public Accountants (CPAs) licensed by the Chinese authorities. (4) Unbound except as indicted in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicted in Horizontal Commitments.	- Foreign accounting firms are permitted to affiliate with Chinese firms and enter into contractual agreements with their affiliated firms in other WTO members. - Upon accession to the WTO, issuance of licenses to those foreigners who have passed the Chinese national CPA examination shall be accorded national treatment. - Applicants will be informed of results in writing no later than 30 days after submission of their applications. - Existing contractual joint venture accounting firms are not limited only to CPAs licensed by Chinese authorities. - Accounting firms providing services in CPC 862 can engage in taxation and management consulting services. They will not be subject to requirements on form of establishment in CPC 865 and 8630.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
c. Taxation services (CPC 8630)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. None, within six years of China's accession, foreign firms will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
d. Architectural services (CPC 8671) e. Engineering services (CPC 8672) f. Integrated engineering services (CPC 8673) g. Urban planning services (except general urban planning) (CPC 8674)	(1) None for scheme design Co-operation with Chinese professional organisations is required except scheme design (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. Within five years after China's accession to the WTO, wholly foreign-owned enterprises will be permitted (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) Foreign service suppliers shall be registered architects/engineers, or enterprises engaged in architectural/engineering/urban planning services, in their home country (4) Unbound, except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
h. Medical and dental services (CPC 9312)	(1) None (2) None (3) Foreign service suppliers are permitted to establish joint venture hospitals or clinics with Chinese partners with quantitative limitations in line with China's needs, with foreign majority ownership permitted. (4) Unbound, except as indicated in Horizontal Commitments and as follows: Foreign doctors with professional certificates issued by their home country shall be permitted to provide short-term medical services in China after they obtain licenses from the Ministry of Public Health. The term of service is six months and may extend to one year.	(1) None (2) None (3) The majority of doctors and medical personnel of the joint venture hospital and clinics shall be of Chinese nationality. (4) Unbound, except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
B. Computer and Related Services a. Consultancy services related to the installation of computer hardware (CPC 841)	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	
b. Software implementation services (CPC 842) - Systems and software consulting services (CPC 8421) - Systems analysis services (CPC 8422) - Systems design services (CPC 8423) - Programming services (CPC 8424) - Systems maintenance services (CPC 8425) c. Data processing services (CPC 843) - Input preparation services (CPC 8431)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	
- Data processing and tabulation services (CPC 8432) - Time-sharing services (CPC 8433)	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: certified engineers, or personnel with Bachelor's degree (or above) and three years of experience in these fields.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
D. Real Estate Services	(1) None (2) None	(1) None (2) None	
a. Real estate services involving own or leased property (CPC 821)	(3) None except for the following: Wholly foreign-owned enterprises are not permitted for high standard real estate projects[2], such as apartments and office buildings, but excluding luxury hotels. (4) Unbound except as indicated in Horizontal Commitments.	(3) None (4) Unbound except as indicated in Horizontal Commitments.	
b. Real estate services on a fee or contract basis (CPC 822)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

[2] High standard real estate projects refer to the real estate projects with construction costs per unit two times more than the average construction costs per unit in the same city.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
F. Other Business Services a. Advertising Services (CPC 871)	(1) Only through advertising agents registered in China who have the right to provide foreign advertising services. (2) Only through advertising agents registered in China who have the right to provide foreign advertising services. (3) Foreign service suppliers are permitted to establish advertising enterprises in China only in the form of joint ventures with foreign investment no more than 49 per cent. Within two years after China's accession, foreign majority ownership will be permitted and within four years after China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
c. Management Consulting services (CPC 865)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. None, within six years of China's accession, foreign firms will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
e. Technical testing and analysis services (CPC 8676) and freight inspection covered by CPC 749, excluding statutory inspection services for freight inspection services	(1) None (2) None (3) Foreign services suppliers which have been engaged in inspection services in their home countries for more than three years are permitted to establish joint venture technical testing, analysis and freight inspection companies with no less than US$ 350,000 in registered capital. Within two years after China's accession, foreign majority ownership will be permitted and within four years after China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
f. Services incidental to agriculture, forestry, hunting and fishing (CPC 881, 882) m. Related scientific technical consulting services (CPC 8675)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
- Offshore oil-field services geological, geophysical and other scientific prospecting services (CPC 86751) Sub-surface surveying services (CPC 86752)	(1) None (2) None (3) Only in the form of petroleum exploitation in cooperation with Chinese partners (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- Onshore oil-field services	(1) None (2) None (3) Only in the form of petroleum exploitation in cooperation with China National Petroleum Corp. (CNPC) in the designated areas approved by the Chinese government. 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. 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. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) The foreign service supplier shall furnish CNPC accurately and promptly with the reports on the petroleum operations, and shall submit to CNPC the data and samples as well as various technological, economic, accounting and administrative reports related to petroleum operations. CNPC shall have the ownership of all of the data records, samples, vouchers and other original information acquired during the implementation of the petroleum operations. The investment of foreign service suppliers shall be made in US dollars or other hard currencies. (4) Unbound except as indicated in Horizontal Commitments.	
p. Photographic services (CPC 875)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
q. Packaging services (CPC 876)	(1) None (2) None (3) Foreign service suppliers will be permitted to establish joint venture in China. Within one year after China's accession, foreign majority ownership will be permitted. Within three years after China's accession, foreign service suppliers will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	
s. Convention services (CPC 87909)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
t. Translation and interpretation services (CPC 87905)	(1) None (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Qualifications are as follows: three years of experience in translation or interpretation and a good command of the working language(s).	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- Maintenance and repair services (CPC 63, 6112 and 6122) - Maintenance and repair services of office machinery and equipment including computers (CPC 845 and 886) - Rental and leasing services (CPC 831, 832, excluding CPC 83202)	(1) None (2) None (3) Only in the form of joint ventures. Within one year after China's accession, foreign majority ownership will be permitted. Within three years after China's accession, wholly foreign-owned subsidiaries will be permitted. For Rental and Leasing services, service suppliers will have global assets of US$ 5 million. (4) Unbound, except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
2. COMMUNICATION SERVICES			
B. Courier Services (CPC 75121, except for those currently specifically reserved to Chinese postal authorities by law)	(1) None (2) None (3) Upon accession, foreign service suppliers will be permitted to establish joint ventures with foreign investment not exceeding 49 per cent. Within one year after China's accession, foreign majority ownership will be permitted. Within four years after China's accession, foreign service suppliers will be permitted to establish wholly foreign-owned subsidiaries. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	
C. Telecommunication Services[3] Value-added Services Including the following: h. Electronic mail 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)	(1) See mode 3 (2) None (3) Foreign service suppliers will be permitted to establish joint venture value-added telecommunication enterprises, without quantitative restrictions, and provide services in the cities of Shanghai, Guangzhou and Beijing. Foreign investment in joint venture shall be no more than 30 per cent. Within one year after China's accession, the areas will be expanded to include Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo,	(1) None (2) None (3) None	China undertakes the obligations contained in the Reference Paper in Annex I attached hereto.

[3] China's commitments are scheduled in accordance with the following: Notes for Scheduling Basic Telecom Services Commitments (S/GBT/W/2/REV/1) and Market Access Limitations on Spectrum Availability (S/GBT/W/3) attached hereto.

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.

Further liberalization of this sector, including with respect to the level of equity participation permitted, will be discussed in the services negotiations during the new round of trade talks.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	Qingdao, Shenyang, Shenzhen, Xiamen, Xi'an, Taiyuan and Wuhan and foreign investment shall be no more than 49 per cent. Within two years after China's accession, there will be no geographic restriction and foreign investment shall be no more than 50 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	
Basic Telecommunication Services - Paging Services	(1) See mode 3 (2) None (3) Foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in joint venture shall be no more than 30 per cent. Within one year after China's accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xi'an, Taiyuan and Wuhan and foreign investment shall be no more than 49 per cent. Within two years after China's accession, there will be no geographic restriction and foreign investment shall be no more than 50 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	China undertakes the obligations contained in the Reference Paper in Annex 1 attached hereto.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
Mobile Voice and Data Services: - Analogue / Digital / Cellular Services - Personal Communication Services	(1) See mode 3 (2) None (3) Upon China's accession, foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in the joint venture shall be no more than 25 per cent. Within one year after accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xi'an, Taiyuan and Wuhan and foreign investment shall be no more than 35 per cent. Within three years after accession, foreign investment shall be no more than 49 per cent. Within five years after accession, there will be no geographic restriction. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- 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 - International Services 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)	(1) See mode 3 (2) None (3) Within three years after China's accession, foreign service suppliers will be permitted to establish joint venture enterprises, without quantitative restrictions, and provide services in and between the cities of Shanghai, Guangzhou and Beijing. Foreign investment in the joint venture shall be no more than 25 per cent. Within five years after accession, the areas will be expanded to include services in and between Chengdu, Chongqing, Dalian, Fuzhou, Hangzhou, Nanjing, Ningbo, Qingdao, Shenyang, Shenzhen, Xiamen, Xi'an, Taiyuan and Wuhan. And foreign investment shall be no more than 35 per cent. Within six years after accession, there will be no geographic restriction and foreign investment shall be no more than 49 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
D. Audiovisual Services - Videos, including entertainment software and (CPC 83202), distribution services - Sound recording distribution services	(1) None (2) None (3) Upon accession, foreign services suppliers will be permitted to establish contractual joint ventures with Chinese partners to engage in the distribution of audiovisual products, excluding motion pictures, without prejudice to China's right to examine the content of audio and video products (see footnote 1). (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	Without prejudice to compliance with China's regulations on the administration of films, upon accession, China will allow the importation of motion pictures for theatrical release on a revenue-sharing basis and the number of such imports shall be 20 on an annual basis.
- Cinema Theatre Services	(1) None (2) None (3) Upon accession, foreign services suppliers will be permitted to construct and/or renovate cinema theatres, with foreign investment no more than 49 per cent. (4) Unbound, except as indicated in Horizontal Commitments	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
(CPC 511, 512, 513[4], 514, 515, 516, 517, 518[5])	(1) Unbound* (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. Within three years after China's accession to the WTO, wholly foreign-owned enterprises will be permitted. Wholly foreign-owned enterprises can only undertake the following four types of construction projects. 1. Construction projects wholly financed by foreign investment and/or grants. 2. Construction projects financed by loans of international financial institutions and awarded through international tendering according to the terms of loans. 3. Chinese-foreign jointly constructed projects with foreign investment equal to or more than 50 per cent; and Chinese-foreign jointly constructed projects with foreign investment less than 50 per cent but technically difficult to be implemented by Chinese construction enterprises alone	(1) Unbound* (2) None (3) None except for the following: (a) The existing registered capital requirements for joint venture construction enterprises are slightly different from those of the domestic enterprises. (b) Joint venture construction enterprises have the obligation to undertake foreign-invested construction projects. Within three years after China's accession to the WTO, none.	

[4] Including dredging services relating to infrastructure construction.
[5] 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.
* Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	4. Chinese invested construction projects which are difficult to be implemented by Chinese construction enterprises alone can be jointly undertaken by Chinese and foreign construction enterprises with the approval of provincial government (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
4. DISTRIBUTION SERVICES			
(as defined in Annex 2) A. Commission Agents' Services (excluding salt, tobacco) B. Wholesale Trade Services[6] (excluding salt, tobacco)	(1) Unbound (2) None (3) Within one year after China's accession to the WTO, foreign service suppliers may establish joint ventures to engage in the commission agents' business and wholesale business of all imported and domestically produced products, except those products that immediately follow. For these products, foreign service suppliers will be permitted to engage in the distribution of books, newspapers, magazines, pharmaceutical products, pesticides and mulching films within three years after China's accession, and to engage in the distribution of chemical fertilizers, processed oil and crude oil within five years after China's accession. Within two years after China's accession to the WTO, foreign majority ownership will be permitted and no geographic or quantitative restrictions will apply. None, within three years after accession, except for chemical fertilizers, processed oil and crude oil within five years after accession. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	Foreign-invested enterprises are permitted to distribute their products manufactured in China, including the products listed in the market access or sector or sub-sector column, and provide subordinate services as defined in Annex 2. Foreign service suppliers are permitted to provide the full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.

[6] The restrictions on mode 1 shall not undermine the rights of WTO Members to the right to trade as stipulated in Chapter 5 of China's Protocol of accession to the WTO.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
C. Retailing Services (excluding tobacco).	(1) Unbound except for mail order. (2) None (3) Foreign service suppliers may supply services only in forms of joint ventures in five Special Economic Zones (Shenzhen, Zhuhai, Shantou, Xiamen and Hainan) and six cities (Beijing, Shanghai, Tianjin, Guangzhou, Dalian and Qingdao). In Beijing and Shanghai, a total of no more than four joint venture retailing enterprises are permitted respectively. In each of the other cities, no more than two joint venture retailing enterprises will be permitted. Two joint venture retailing enterprises among the four to be established in Beijing may set up their branches in the same city (i.e. Beijing). Upon China's accession to the WTO, Zhengzhou and Wuhan will be immediately open to joint venture retailing enterprises. Within two years after China's accession to the WTO, foreign majority control will be permitted in joint venture retailing enterprises and all provincial capitals, Chongqing and Ningbo will be open to joint venture retailing enterprises. Foreign service suppliers will be permitted to engage in the retailing of all products, except for the retailing of books, newspapers and magazines within one year after accession, the retailing of pharmaceutical products, pesticides, mulching films and processed oil	(1) Unbound except for mail order. (2) None (3) None	Foreign-invested enterprises may distribute their products manufactured in China, including those excepted products as listed in the market access or sector or sub-sector column, and provide subordinate services as defined in Annex 2. Foreign service suppliers are permitted to provide full range of related subordinate services, including after sales services, as defined in Annex 2, for the products they distribute.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	within three years after accession and retailing of chemical fertilizers within five years after accession. None, within three years after accession, except for: - retailing of chemical fertilizers, within five years after accession; and- those chain stores which sell products of different types and brands from multiple suppliers with more than 30 outlets. For such chains stores with more than 30 outlets, foreign majority ownership will not be permitted if those chain stores distribute any of the following products: motor vehicles (for a period of five years after accession at which time the equity limitation will have been eliminated), and products listed above and in Annex 2a of the Protocol of China's WTO Accession. The foreign chain store operators will have the freedom of choice of any partner, legally established in China according to China's laws and regulations. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
D. Franchising	(1) None (2) None (3) Within three years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Within three years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	
E. Wholesale or retail trade services away from a fixed location.	(1) None (2) None (3) Within three years after China's accession to the WTO, none[7]. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Within three years after China's accession to the WTO, none. (4) Unbound except as indicated in Horizontal Commitments.	

[7] See paragraph 309 of the Working Party Report.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
5. EDUCATIONAL SERVICES			
(Excluding special education services e.g. military, police, political and party school education) A. Primary education services (CPC 921, excluding national compulsory education in CPC 92190) B. Secondary education services (CPC 922, excluding national compulsory education in CPC 92210) C. Higher education services (CPC 923) D. Adult education services (CPC 924) E. Other education services (CPC 929, including English language training)	(1) Unbound (2) None (3) Joint schools will be established, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments and the following: foreign individual education service suppliers may enter into China to provide education services when invited or employed by Chinese schools and other education institutions.	(1) Unbound (2) None (3) Unbound (4) Qualifications are as follows: possession of Bachelor's degree or above; and an appropriate professional title or certificate, with two years' professional experiences.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
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)	(1) Unbound except for environmental consultation services. (2) None (3) Foreign services suppliers engaged in environmental services are permitted to provide services only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
7. FINANCIAL SERVICES			
A. All Insurance and Insurance-Related Services[8] a. Life, health and pension/annuities 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. (2) Unbound for brokerage. Other, none. (3) A. <u>Form of establishment</u> Foreign non-life insurers will be permitted to establish as a branch or as a joint venture with 51 per cent foreign ownership. Within two years after China's accession, foreign non-life insurers will be permitted to establish as a wholly-owned subsidiary; i.e., with no form of establishment restrictions. Upon accession, foreign life insurers will be permitted 50 per cent foreign ownership in a joint venture with the partner of their choice. The joint venture partners can freely agree the terms of their engagement, provided they remain within the limits of the commitments contained in this schedule. For brokerage for insurance of large scale commercial risks and brokerage for reinsurance and brokerage for international marine,	(1) None (2) None (3) None, except for: - Foreign insurance institutions shall not engage in the statutory insurance business. - Upon accession, a 20 per cent cession of all lines of the primary risks for non-life, personal accident and health insurance business with an appointed Chinese Reinsurance Company shall be required; one year after accession, 15 per cent shall be required; two years after accession, ten per cent shall be required; and three years after accession, five per cent shall be required; and four years after accession, no compulsory cession shall be required.	

[8] Any further authorization provided to foreign insurers after accession under more favorable 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 (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	aviation, and transport insurance and reinsurance: upon accession, joint venture with foreign equity no more than 50 per cent will be permitted; within three years after China's accession, foreign equity share shall be increased to 51 per cent; within five years after China's accession, wholly foreign owned subsidiary will be permitted. For other brokerage services: Unbound. Internal branching for an insurance firm will be permitted consistent with the phase out of geographic restrictions. B. Geographic Coverage Upon accession, foreign life and non-life insurers, and insurance brokers will be permitted to provide services in Shanghai, Guangzhou, Dalian, Shenzhen and Foshan. Within two years after China's accession, foreign life and non-life insurers, and insurance brokers will be permitted to provide services in the following cities: Beijing, Chengdu, Chongqing, Fuzhou, Suzhou, Xiamen, Ningbo, Shenyang, Wuhan and Tianjin. Within three years after China's accession, there will be no geographic restrictions.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	C. <u>Business Scope</u> Upon accession, foreign non-life insurers will be 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 will be permitted to provide "Master policy" no later than Chinese brokers, under conditions no less favourable. Foreign non-life insurers are permitted to provide insurance of enterprises abroad as well as property insurance, related liability insurance and credit insurance of foreign-invested enterprises in China upon accession. Within 2 years after China's accession, foreign non-life insurers will be permitted to provide the full range of non-life insurance services to both foreign and domestic clients. Foreign insurers are permitted to provide individual (not group) insurance to foreigners and Chinese citizens; within three years after accession, foreign insurers will be permitted to provide health insurance, group insurance and pension/annuities insurance to foreigners and Chinese.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	Upon accession, foreign insurers will be permitted to provide reinsurance services for life and non-life insurance as a branch, joint venture, or wholly foreign-owned subsidiary, without geographic or quantitative restrictions on the number of licenses issued. D. Licenses Upon accession, licenses will be issued with no economic needs test or quantitative limits on licenses. Qualifications for establishing a foreign insurance institution are as follows: - the investor shall be a foreign insurance company with more than 30 years of establishment experience in a WTO member; - it shall have a representative office for two consecutive years in China; - it shall have total assets of more than US $5 billion at the end of the year prior to application, except for insurance brokers. Insurance brokers shall have total assets of more than US$ 500 million. Within one year after accession, they shall have total assets of more than US$ 400 million. Within two years after accession, they shall have total assets of more than US$ 300 million Within four years after accession, they shall have total assets of more than US$ 200 million. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
B. Banking and Other Financial Services (excluding insurance and securities) Banking services as listed below: a. Acceptance of deposits and other repayable funds from the public; b. Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transaction; c. Financial leasing; 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.	(1) Unbound except for the following: - 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. (2) None (3) A. <u>Geographic coverage</u> For foreign currency business, there will be no geographic restriction upon accession. For local currency business, the geographic restriction will be phased out as follows: Upon accession, Shanghai, Shenzhen, Tianjin and Dalian; Within one year after accession, Guangzhou, Zhuhai, Qingdao, Nanjing and Wuhan; within two years after accession, Jinan, Fuzhou, Chengdu and Chongqing; within three years after accession, Kunming, Beijing and Xiamen; Within four years after accession, Shantou, Ningbo, Shenyang and Xi'an. Within five years after accession, all geographic restrictions will be removed.	(1) None (2) None (3) Except for geographic restrictions and client limitations on local currency business (listed in the market access column), 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.	For financial leasing services, foreign financial leasing corporations will be permitted to provide financial leasing service at the same time as domestic corporations.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	B. Clients For foreign currency business, foreign financial institutions will be permitted to provide services in China without restriction as to clients upon accession. For local currency business, within two years after accession, foreign financial institutions will be permitted to provide services to Chinese enterprises. Within five years after accession, foreign financial institutions will be permitted to provide services to all Chinese clients. Foreign financial institutions licensed for local currency business in one region of China may service clients in any other region that has been opened for such business. C. Licensing Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). Within five years after accession, any existing non-prudential measures restricting ownership, operation, and juridical form of foreign financial institutions, including on internal branching and licenses, shall be eliminated. Foreign financial institutions who meet the following condition are permitted to establish a subsidiary of a foreign bank or a foreign finance company in China:		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	- total assets of more than US $10 billion at the end of the year prior to filing the application. Foreign financial institutions who meet the following condition are permitted to establish a branch of a foreign bank in China: - total assets of more than US $20 billion at the end of the year prior to filing the application. Foreign financial institutions who meet the following condition are permitted to establish a Chinese-foreign joint bank or a Chinese-foreign joint finance company in China: - total assets of more than US $10 billion at the end of the year prior to filing the application. Qualifications for foreign financial institutions to engage in local currency business are as follows: - three years business operation in China and being profitable for two consecutive years prior to the application, otherwise, none. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- Motor vehicle financing by non-bank financial institutions	(1) Unbound except for the following: - 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. (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal 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 research and advice, advice on acquisitions and on corporate restructuring and strategy.	(1) None (2) None (3) None (Criteria for authorization to deal in China's financial services sector are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). Branches of foreign institutions are permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- Securities	(1) Unbound except for the following: - Foreign securities institutions may engage directly (without Chinese intermediary) in B share business. (2) None (3) a. Unbound, except for the following: - Upon accession, representative offices in China of foreign securities institutions may become Special Members of all Chinese stock exchanges. - Upon accession, foreign service suppliers will be permitted to establish joint ventures with foreign investment up to 33 per cent to conduct domestic securities investment fund management business. Within three years after China's accession, foreign investment shall be increased to 49 per cent. Within three years after accession, foreign securities institutions will be permitted to establish joint ventures, with foreign minority ownership not exceeding 1/3, to engage (without Chinese intermediary) in underwriting A shares and in underwriting and trading of B and H shares as well as government and corporate debts, launching of funds. b. Criteria for authorization to deal in China's financial industry are solely prudential (i.e., contain no economic needs test or quantitative limits on licenses). (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotels (including apartment buildings) and Restaurants (CPC 641-643)	(1) None (2) None (3) Foreign services suppliers may construct, renovate and operate hotel and restaurant establishments in China in the form of joint ventures with foreign majority ownership permitted. None, within four years after accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound, except as indicated in Horizontal Commitments and as follows: - Foreign managers, specialists including chefs and senior executives who have signed contracts with joint venture hotels and restaurants in China shall be permitted to provide services in China.	(1) None (2) None (3) None (4) Unbound, except as indicated in Horizontal Commitments.	
B. Travel Agency and Tour Operator (CPC 7471)	(1) None (2) None (3) Foreign services suppliers who meet the following conditions are permitted to provide services in the form of joint venture travel agencies and tour operators in the holiday resorts designated by the Chinese government and in the cities of Beijing, Shanghai, Guangzhou and Xi'an upon accession: a) a travel agency and tour operator mainly engaged in travel business; b) Annual world-wide turnover exceeds US$ 40 million.	(1) None (2) None (3) None except that joint ventures or wholly-owned travel agencies and tour operators are not permitted to engage in the activities of Chinese travelling abroad and to Hong Kong China, Macao China and Chinese Taipei.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	The registered capital of joint venture travel agency/tour operator shall be no less than RMB 4 million. Within three years after China's accession, the registered capital shall be no less than RMB 2.5 million. Within three years after accession foreign majority ownership will be permitted. Within six years after accession, wholly foreign-owned subsidiaries will be permitted and geographic restrictions will be removed. The business scope of the travel agency/ tour operator is as follows: a) travel and hotel accommodation services for foreign travellers which can be made directly with transportation and hotel operators in China covering such operations; b) travel services and hotel accommodation services for domestic travellers which can be made directly with transportation and hotel operators in China covering such operations; c) conducting of tours within China for both domestic and foreign travellers, and d) travellers check cashing services within China. None within six years after accession, there will be no restriction on the establishment of branches of the joint venture travel agency/tour operator and the requirement on registered capital of foreign-invested travel agency/tour operator will be the same as that of Chinese travel agency/tour operator.		

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	4) Unbound, except as indicated in Horizontal Commitments.	(4) Unbound, except as indicated in Horizontal Commitments	
11. TRANSPORT SERVICES			
A. Maritime Transport Services - International transport (freight and passengers) (CPC 7211 and 7212 less cabotage transport services)	(1) (a) Liner shipping (including passenger transportation): None (b) Bulk, tramp and other international shipping (including passenger transportation): None (2) None (3) (a) Establishment of registered companies for the purpose of operating a fleet under the national flag of the People's Republic of China: - Foreign service suppliers are permitted to establish joint venture shipping companies. - Foreign investment shall not exceed 49 per cent of the total registered capital of the joint venture. - The chairman of board of directors and the general manager of the joint venture shall be appointed by the Chinese side. (b) Other forms of commercial presence for the supply of international maritime transport services: Unbound (4) (a) Ship's crew: Unbound except as indicated in Horizontal Commitments. (b) Key personnel employed by Commercial Presence as defined under mode (3) (b) above: Unbound except as indicated in Horizontal Commitments.	(1) (a) None (b) None (2) None (3) (a) None (b) Unbound (4) (a) Unbound except as indicated in Horizontal Commitments. (b) Unbound except as indicated in Horizontal Commitments.	The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: 1. Pilotage 2. Towing and tug assistance 3. Provisioning, fuelling and watering 4. Garbage collecting and ballast waste disposal 5. Port Captain's services 6. Navigation aids 7. Shore-based operational services essential to ship operations, including communications, water and electrical supplies 8. Emergency repair facilities 9. Anchorage, berth and berthing services.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
H. Auxiliary Services a. Maritime cargo-handling services (CPC 741) c. Customs clearance services for maritime transport	(1) Unbound* (2) None (3) Only in the form of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
d. Container station and depot services	(1) Unbound* (2) None (3) Only in forms of joint ventures, with foreign majority ownership permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
e. Maritime agency services	(1) None (2) None (3) Only in forms of joint ventures, with foreign equity share no more than 49 per cent. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	

* Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
B. Internal Waterways Transport b. Freight transport (CPC 7222)	(1) Only international shipping in ports open to foreign vessels shall be permitted. (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	(1) Limitations as indicated under market access column. (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments	
C. Air Transport Services d. Aircraft repair and maintenance services (CPC 8868)	(1) Unbound* (2) None (3) Foreign service suppliers are permitted to establish joint venture aircraft repair and maintenance enterprises in China. The Chinese side shall hold controlling shares or be in a dominant position in the joint ventures. Licenses for the establishments of joint ventures are subject to economic needs test. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound* (2) None (3) The joint ventures have the obligation to undertake business in the international market. (4) Unbound except as indicated in Horizontal Commitments.	

* Unbound due to lack of technical feasibility.

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- Computer Reservation System (CRS) services	(1) A. Foreign Computer Reservation System, when having agreements with Chinese aviation enterprises and Chinese Computer Reservation System, may provide services to Chinese aviation enterprises and Chinese aviation agents by connecting with Chinese Computer Reservation System. B. 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. C. 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 General Administration of Civil Aviation of China (CAAC). (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) Unbound (4) Unbound except as indicated in Horizontal Commitments.	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
E. Rail Transport Services F. Road Transport Services - Freight transportation by rail (CPC 7112) - Freight transportation by road in trucks or cars (CPC 7123)	(1) None (2) None (3) Only in the form of joint ventures, with foreign investment not to exceed 49 per cent. For rail transport, within three years after China's accession, foreign majority ownership will be permitted and within six years after China's accession, wholly foreign-owned subsidiaries will be permitted. For road transport, within one year after China's accession, foreign majority ownership will be permitted, within three years after China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) None (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments.	
H. Services Auxiliary to all Modes of Transport - Storage and warehousing services (CPC 742)	1) Unbound 2) None 3) Upon accession, only in the form of joint ventures, with foreign investment not to exceed 49 per cent. Within one year after China's accession, foreign majority ownership will be permitted. None within three years of China's accession, wholly foreign-owned subsidiaries will be permitted. (4) Unbound except as indicated in Horizontal Commitments.	(1) Unbound (2) None (3) None (4) Unbound except as indicated in Horizontal Commitments	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
- Freight forwarding agency services (CPC 748 and 749 excluding freight inspection)	(1) None (2) None (3) Upon accession, foreign freight forwarding agencies which have at least three consecutive years experience are permitted to set up freight forwarding agency joint ventures in China, with foreign investment not to exceed 50 per cent; within one year after China's accession, foreign majority ownership will be permitted. Within four years after China's accession, wholly foreign-owned subsidiaries will be permitted. The minimum registered capital of the joint venture shall be no less than US$ 1 million. Within four years after accession, national treatment will be accorded in this respect. Operation term of the joint ventures shall not exceed 20 years. After one year operating in China, the joint venture can set up branches when the registered capital of both sides has been provided. Another US$ 120,000 shall be added to the original registered capital of the joint venture for the set-up of each branch. Within two years after China's accession to the WTO, this additional registered capital requirement will be implemented on the national treatment basis.	(1) None (2) None (3) None	

Modes of supply: (1) Cross-border supply (2) Consumption abroad (3) Commercial presence (4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitation on national treatment	Additional commitments
	A foreign freight forwarding agency may set up a second joint venture after its first joint venture has been in operation for five years. Within two years after China's accession to WTO, this requirement will be reduced to two years. (4) Unbound except as indicated in Horizontal Commitments.	(4) Unbound except as indicated in Horizontal Commitments.	

LIST OF ARTICLE II EXEMPTIONS FOR CHINA

Sector or Sub-sector	Description of Measures Indicating its Inconsistency with Article II	Countries to Which the Measures Applies	Intended Duration	Conditions Creating the Need for the Exemption
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.	Unforeseeable.	According to present state of trade between signatories.
	Agreements of cargo sharing.	Algeria, Argentina, Bangladesh, Brazil, Thailand, USA, Zaire.	Subject to the effective duration of the agreements concerned.	According to present state of trade between signatories.

ANNEX 1

Reference Paper

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that

(a) are exclusively or predominantly provided by a single or limited number of suppliers; and
(b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

(a) control over essential facilities; or
(b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

(a) engaging in anti-competitive cross-subsidization;
(b) using information obtained from competitors with anti-competitive results; and
(c) not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

2.2 Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided.

(a) under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;
(b) in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and
(c) upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4 Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

(a) at any time; or
(b) after a reasonable period of time which has been made publicly known

to an independent domestic body, which may be a regulatory body as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

(a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence; and
(b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Independent regulators

The regulatory body is separate from, and not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely, transparent and non-discriminatory manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.

WORLD TRADE ORGANIZATION

S/GBT/W/2/Rev.1
16 January 1997

(97-0173)

Group on Basic Telecommunications

Note by the Chairman

Revision

It has been suggested by a number of delegations that it might be helpful to produce a brief and simple note on assumptions applicable to the scheduling of commitments in basic telecoms. The purpose of the attached note is to assist delegations in ensuring the transparency of their commitments and to promote a better understanding of the meaning of commitments. This note is not intended to have or acquire any binding legal status.

NOTES FOR SCHEDULING BASIC TELECOM SERVICES COMMITMENTS

1. Unless otherwise noted in the sector column, any basic telecom service listed in the sector column:

(a) encompasses local, long distance and international services for public and non-public use;

(b) may be provided on a facilities-basis or by resale; and

(c) may be provided through any means of technology (e.g., cable[9], wireless, satellites).

2. Subsector (g) --private leased circuit services -- involves the ability of service suppliers to sell or lease any type of network capacity for the supply of services listed in any other basic telecom service subsector unless otherwise noted in the sector column. This would include capacity via cable, satellite and wireless network.

3. In view of points 1 and 2 above, it should not be necessary to list cellular or mobile services as a separate subsector. However, a number of Members have done so, and a number of offers have commitments only in these subsectors. Therefore, in order to avoid extensive changes in schedules, it would seem appropriate for Members to maintain separate entries for these subsectors.

[9]Including all types of cable.

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3 February 1997

(97-0415)

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Group on Basic Telecommunications

CHAIRMAN'S NOTE

Market Access Limitations on Spectrum Availability

Many Members have entries in the market access column of their schedules indicating that commitments are "subject to availability of spectrum/frequency" or similar wording. In light of the physical nature of spectrum and the constraints inherent in its use, it is understandable that Members may have sought to rely on these words to adequately protect legitimate spectrum management policies. There is, however, doubt that words such as "subject to availability of spectrum/frequency" as listed in the market access column of many Members' schedules achieve that objective.

Spectrum/frequency management is not, *per se*, a measure which needs to be listed under Article XVI. Furthermore under the GATS each Member has the right to exercise spectrum/frequency management, which may affect the number of service suppliers, provided that this is done in accordance with Article VI and other relevant provisions of the GATS. This includes the ability to allocate frequency bands taking into account existing and future needs. Also, Members which have made additional commitment in line with the Reference Paper on regulatory principles are bound by its paragraph 6.

Therefore, words such as "subject to availability of spectrum/frequency" are unnecessary and should be deleted from Members' schedules.

ANNEX 2

Distribution Services

Distribution trade services are comprised of four main sub-sectors:

- commission agents services;
- wholesaling;
- retailing; and
- franchising.

The principal services rendered in each subsector can be characterized as reselling merchandise, accompanied by a variety of related subordinated services, including inventory management; assembly, sorting and grading of bulk lots; breaking bulk lots and redistributing into smaller lots; delivery services; refrigeration, storage, warehousing and garage services; sales promotion, marketing and advertising, installation and after sales services including maintenance and repair and training services. Distribution services are generally covered by CPC 61, 62, 63 and 8929.

Commission Agents' Services consist of sales on a fee or contract basis by an agent, broker or auctioneer or other wholesalers of goods/merchandise and related subordinated services.

Wholesaling consist of the sale of goods/merchandise to retailers to industrial, commercial, institutional, or other professional business users, or to other wholesalers and related subordinated services.

Retailing services consist of the sale of goods/merchandise for personal or household consumption either from a fixed location (e.g., store, kiosk, etc.) or away from a fixed location and related subordinated services.

Franchising services consist of the sale of the use of a product, trade name or particular business format system in exchange for fees or royalties. Product and trade name franchising involves the use of a trade name in exchange for fees or royalties and may include an obligation for exclusive sale of trade name products. Business format franchising involves the use of an entire business concept in exchange for fees and royalties, and may include the use of a trade name, business plan, and training materials and related subordinated services.

ANNEX 3

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 authorized 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 can not be underwritten or co-insured by insurers located other than where the subject-insured are located, or covered under a master policy.

WORLD TRADE ORGANIZATION

RESTRICTED

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5 October 2001

(01-4839)

Working Party on the Accession of China

REPORT OF THE WORKING PARTY

ON THE ACCESSION OF CHINA

Corrigendum

In paragraph 342, 7th line, delete the reference to paragraph No. 239, i.e. "238-242" should read "238, 240-242".

[1] In English only.



中国加入世界贸易组织谈判文件资料选编

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