

ANNEX I TO CHAPTER 12 (GOVERNMENT PROCUREMENT)**LIST OF ENTITIES AND COVERED GOODS AND SERVICES****For Hong Kong, China:*****Section A: List of Entities***

1. Agriculture, Fisheries and Conservation Department
2. Architectural Services Department
3. Audit Commission
4. Auxiliary Medical Service
5. Buildings Department
6. Census and Statistics Department
7. Civil Aid Service
8. Civil Aviation Department
9. Civil Engineering and Development Department
10. Companies Registry
11. Correctional Services Department
12. Customs and Excise Department
13. Department of Health
14. Department of Justice
15. Drainage Services Department
16. Electrical and Mechanical Services Department
17. Environmental Protection Department
18. Fire Services Department
19. Food and Environmental Hygiene Department
20. Government Flying Service
21. Government Laboratory
22. Government Logistics Department
23. Government Property Agency
24. Government Secretariat
25. Highways Department
26. Home Affairs Department
27. Hong Kong Monetary Authority
28. Hong Kong Observatory
29. Hong Kong Police Force (including Hong Kong Auxiliary Police Force)
30. Immigration Department
31. Independent Commission Against Corruption
32. Information Services Department
33. Inland Revenue Department
34. Intellectual Property Department

35. Invest Hong Kong
36. Joint Secretariat for the Advisory Bodies on Civil Service and Judicial Salaries and Conditions of Service
37. Judiciary
38. Labour Department
39. Land Registry
40. Lands Department
41. Legal Aid Department
42. Leisure and Cultural Services Department
43. Marine Department
44. Office of the Telecommunications Authority
45. Official Receiver's Office
46. Planning Department
47. Post Office
48. Public Service Commission
49. Radio Television Hong Kong
50. Rating and Valuation Department
51. Registration and Electoral Office
52. Social Welfare Department
53. Student Financial Assistance Agency
54. Television and Entertainment Licensing Authority
55. Trade and Industry Department
56. Transport Department
57. Treasury
58. University Grants Committee Secretariat
59. Water Supplies Department

Section B: Covered Goods and Services

Goods

Chapter 12 (Government Procurement) applies to all goods procured by the entities listed in Section A.

Services (other than construction services)

The following services, classified according to the United Nations Central Product Classification Provisional Code on Goods and Services (CPC), are covered:

CPC

1. *Computer and Related Services*
 - Data base and processing services 843+844
 - Maintenance and repair service of office machinery and equipment including computers 845
 - Other Computer Services 849
2. *Rental/Leasing Services Without Operators*
 - Relating to ships 83103
 - Relating to aircraft 83104
 - Relating to other transport equipment 83101+83102+83105
 - Relating to other machinery and equipment 83106+83109
3. *Other Business Services*
 - Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) 633+8861 - 8866
 - Market Research & Public Opinion Polling Services 864
 - Security Services 87304
 - Building-Cleaning Services 874
 - Advertising Services 871
4. *Courier Services* 7512

5. *Telecommunications Services*

- Value-added telecommunications services 7523, 843
- Basic telecommunications services 7521, 7529
- Telecommunications-related services 754

6. *Environmental Services*

- Sewage services 9401
- Refuse disposal services 9402

7. *Financial Services* ex 81
(exceptions are set out in Paragraph 3 of "Notes to Sections A and B")

- All Insurance and Insurance-Related Services
- Banking and other financial services

8. *Transport Services*

- Air transportation services 731, 732, 734
(excluding transportation of mail)
- Road transport services 712, 6112, 8867

Construction Services

The following construction services in the sense of Division 51 of the CPC are covered:

- All services of Division 51 of the CPC

A construction services contract is a contract which has as its objective the realisation by whatever means of civil or building works, in the sense of Division 51 of the CPC.

Notes to Sections A and B:

1. Notwithstanding anything in Sections A and B, Chapter 12 (Government Procurement) shall not apply to:
 - (a) all consultancy and franchise arrangements, including build-operate-transfer contracts and public works concession contracts;
 - (b) transportation of mail by air;
 - (c) statutory insurances including third party liability in respect of vehicles and vessels and employer's liability insurance in respect of employees; and
 - (d) purchase of office or residential accommodation by the Government Property Agency.

2. Suppliers of telecommunications services may require licensing under the Telecommunications Ordinance, Chapter 106. Suppliers applying for the licences are required to be established in Hong Kong under the Companies Ordinance, Chapter 32.

3. The following services are excluded from Financial Services under Section B:
 - (a) *CPC 81402*
Insurance and pension consultancy services

 - (b) *CPC 81339*
Money broking

 - (c) *CPC 8119+81323*
Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial depository and trust services.

(d) *CPC 81339 or 81319*

Settlement and clearing services for financial assets, including securities, derivative products, and other negotiable instruments.

(e) *CPC 8131 or 8133*

Advisory and other auxiliary financial services on all the activities listed in subparagraphs 5(a)(v) to (xvi) in the Annex on Financial Services to the GATS, including credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy.

(f) *CPC 81339+81333+81321*

Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:

- (i) money market instruments (cheques, bills, certificate of deposits, etc.);
- (ii) foreign exchange;
- (iii) derivative products, including, futures and options;
- (iv) exchange rate and interest rate instruments, including products such as swaps, forward rate agreement, etc.;
- (v) transferable securities; and
- (vi) other negotiable instruments and financial assets, including bullion.