

**For Information**

**Legislative Council Panel on Commerce and Industry**

**The 2011 Hong Kong/Shenzhen Co-operation Meeting**

**Purpose**

This paper briefs Members on the gist of the Hong Kong/Shenzhen Co-operation Meeting (the Meeting) held on 25 November 2011.

**Background**

2. The Chief Secretary for Administration (CS), Mr. Stephen Lam and the Mayor of the Shenzhen Municipal Government (the Mayor), Mr. Xu Qin co-chaired the 2011 Hong Kong/Shenzhen Co-operation Meeting on 25 November in Hong Kong this year. The meeting reviewed the progress of Hong Kong/Shenzhen co-operation in the past year and affirmed the major directions for co-operation in the coming year. The two sides agreed that the two places will maintain close partnership and continue to deepen co-operation at all fronts under the principles of “One Country, Two System” and “Complementarity”, in the interest of economic development and upgrading the quality of life of the people of the two places. The two sides also agreed to play more active roles in enhancing the industry structure of Pearl River Delta region.

3. At the agreement signing ceremony held before the Meeting, the two governments signed four agreements concerning the arrangement on legal matters, development of the Lok Ma Chau Loop, enhancement of safety of imported and exported food and numerical weather prediction technology. After the meeting, CS and the Mayor held a press conference to brief the media on the outcome of the Meeting. The two sides also issued press releases. Key areas discussed at the Meeting are set out in the following paragraphs.

## Co-operation on modern service industries in Qianhai

4. On Qianhai, the National 12th Five-Year Plan has affirmed the importance of Qianhai, as the “Hong Kong/Guangdong modern service industries co-operation exemplary zone”, in the national development strategy. Vice-Premier Li announced in August this year that the Central People’s Government would formulate supportive policies in the areas of taxation, land, labour protection and human resources to promote the development of modern service industries in Qianhai. Moreover, at the first meeting of the Inter-ministries Joint Conference on the Development of Qianhai into a Hong Kong/Shenzhen Modern Service Industries Co-operation Zone chaired by the National Development and Reform Commission in September this year, representatives from relevant central ministries and the Guangdong Provincial Government reaffirmed their support for the development of Qianhai. Also at the meeting, the Guangdong Provincial Government announced that foreign-invested services sector enterprises in Qianhai could serve the entire Guangdong Province, some of the provincial approval authorities in respect of the establishment and operation of enterprises would be delegated to the Qianhai authorities, Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA) early and pilot measures could be implemented in Qianhai, and the development of transport infrastructure connecting Qianhai and neighbouring areas would be accelerated. Building on the above progress, the two governments will, in the coming year, promptly formulate specific proposals for approval by the Central People's Government, so as to take full advantage of Qianhai’s geographical location and business friendly environment to attract Hong Kong enterprises and professional service providers to invest and set up business there.

## Legal and arbitration co-operation

5. Riding on the opportunities for the legal and arbitration professions of the two places arising from the “Overall Development Plan on Hong Kong/Shenzhen Co-operation on Modern Service Industries in Qianhai Area”, the two sides signed the “Co-operative Arrangement on Legal Matters between Shenzhen/Hong Kong” before the meeting. The Arrangement serves as a new platform and exchange mechanism for enhancing co-operation on legal matters

between the two places. Relevant parties of the two sides will commence discussion as soon as possible to strive for early implementation of relevant measures announced by Vice-Premier Li in August this year, including the identification of better modes of association of law firms of Hong Kong and the Mainland, fostering closer co-operation between the legal professions of the two places, and allowing Hong Kong arbitration institutions to provide service directly in Qianhai. These aim to establish a business-friendly legal environment for the development of modern service industries in Qianhai and promote the further development of legal and arbitration services in the Mainland as well as co-operation with their Hong Kong counterparts.

#### Development of the Lok Ma Chau Loop

6. The two sides agreed to jointly develop the Lok Ma Chau Loop under the principle of “One Country, Two Systems” with “co-development and mutual benefit” as the guideline. The two sides reached an initial consensus on various issues relating to development of the Loop, including development positioning, applicable laws, land administration and co-development mechanism. A co-operation agreement, which provided a framework for the co-development of the Loop, was signed before the meeting. In the coming year, the two sides will continue the efforts to push forward the co-development of the Loop with a view to commencing operation of part of the higher education facilities by 2020, thereby meeting to the target of development of higher education in the area as set out in the “Outline of the Plan for the Reform and Development of the Pearl River Delta Region”.

#### Cross-boundary infrastructure and facilitation of movements at boundary control points

7. The two sides have maintained close communication and co-operation on the development of cross-boundary infrastructure. The results of the International Design Ideas Competition for Liantang/Heung Yuen Wai Boundary Control Point (BCP) Passenger Terminal Building, jointly organised by the two sides, were announced in September this year. The two sides agreed to take forward the design of the passenger terminal building with reference to the winning entry, and to actively prepare for detailed design work.

Construction work for the BCP is scheduled to commence in 2013. The two sides will regularly review their implementation programmes with a view to commissioning the BCP no later than 2018.

8. In addition, preparation for improvement works for the Shenzhen River Stage 4 is making good progress. The improvement works will tie in with the construction of the Liantang/Heung Yuen Wai BCP.

9. To facilitate movement of Mainland visitors across the boundary, Mainland frequent visitors holding multiple-entry endorsement (including Shenzhen residents with household registrations holding one-year multiple-entry individual visit endorsement) will, after registration, be allowed to use the e-Channel service at Lo Wu and Lok Ma Chau Spur Line Control Points starting from January next year. The Immigration Department will accept registration at major control points for eligible Mainland visitors from early December this year. The measure will further enable Mainlanders to visit Hong Kong and enhance exchanges between the two places.

#### Finance, economic and trade co-operation

10. In the coming year, the two sides will actively promote financial co-operation, implement the package of financial measures announced by Vice-Premier Li in August this year to further enhance financial co-operation between Hong Kong and the Mainland, and assist Hong Kong's financial institutions to make use of the innovative financial services platform in Qianhai to tap into the Mainland market, while contributing to the orderly development of the Mainland's financial sector.

11. In addition, the two sides have been encouraging the issuers of electronic payment cards to study the feasibility of introducing cards that could be used for public transportation and retail purchases in the two places. Currently, the issuers are examining technical details and implementation schedule with a view to rolling out a "two-in-one card" as soon as possible.

12. Shenzhen is one of the second batch "model cities on CEPA implementation" designated by the Ministry of Commerce in the Mainland. In

the coming year, the two sides will enhance co-operation in promotion and implementation of CEPA, with a view to further deepening the implementation of CEPA in Shenzhen.

#### Education co-operation

13. As for education co-operation, the second batch of eligible Primary Six students studying in schools for Hong Kong children in Shenzhen has also been allocated Secondary One school places to study in Hong Kong in September this year, following the success of the first batch last year. In addition, the three Minban schools approved to operate classes for Hong Kong children in Shenzhen will take part in the 2011/2013 allocation cycle under the Hong Kong Secondary School Places Allocation System, and eligible students will be allocated Secondary One places in schools in Hong Kong. The fourth Minban school which has recently been approved to operate classes for Hong Kong children in Shenzhen will join the 2012/2014 allocation cycle under the Hong Kong Secondary School Places Allocation System the earliest. With the arrangement of the HKSAR Government, some schools in Hong Kong have become the sister schools of these Minban schools so as to enhance exchanges and co-operation and to facilitate smooth interface in curriculum. The two sides will also strengthen measures to facilitate and enhance safety of daily commuting cross-border students.

14. With regard to higher education, the HKSAR Government has all along been encouraging local institutions to collaborate with their Mainland counterparts in research and development and academic exchange, according to their own mission and development needs. With the support of Shenzhen Municipal Government, the Chinese University of Hong Kong (CUHK) and the Shenzhen University plan to establish CUHK (Shenzhen) in Shenzhen using an innovative model.

#### Environmental co-operation

15. The two sides have made good progress on the environmental co-operation front. The first review of the regional water quality control strategy for Mirs Bay was completed in September this year in accordance with the work

plan. The overall water quality of Mirs Bay was found to be satisfactory. The Cleaner Production Partnership Programme is also making satisfactory progress. As at October 2011, more than 370 applications for funding support from Hong Kong-owned factories in Shenzhen have been approved, representing 23 per cent of the total approved applications. To enhance synergies in raising energy efficiency and reducing emissions, the two sides organised more than 40 promotion activities with some 3,200 participants from enterprises of the two sides. In addition, the 2011 EcoExpo Asia was held in October this year in Hong Kong to promote the development of environmental industries. Shenzhen authorities arranged for local enterprises to exhibit at the fair to explore green business opportunities in the two places. Furthermore, Shenzhen's BYD Company Limited has set up an electric vehicle research and development centre in the Hong Kong Science Park, which is an important step forward in the joint promotion of green transportation.

#### Medical and health co-operation

16. On the medical and health front, the University of Hong Kong Shenzhen Hospital project has made good progress. The Hospital will start to operate in phases from early 2012 to provide outpatient, inpatient and other services. Since the first quarter of this year, health authorities of Hong Kong and Shenzhen have jointly introduced a pilot scheme for transfer of patient records of Hong Kong residents to facilitate direct communication between hospitals in the two places after the patients are transferred back to Hong Kong.

#### The 26th Universiade

17. The 26<sup>th</sup> Universiade was successfully held in Shenzhen in August this year. Over 12 000 athletes and sports officials from over 140 countries and regions participated in the games. Leveraging its role as a major aviation and transportation hub in the region, Hong Kong facilitated the smooth transfer of participants to and from Shenzhen via Hong Kong, under the guidance and co-ordination of a joint working group set up by the two governments. In addition, some 860 volunteers from Hong Kong provided supporting services to the 26<sup>th</sup> Universiade. The successful organisation of the 26<sup>th</sup> Universiade

demonstrated the strength of the co-operative relationship between the two places in organising large-scale events.

### Other co-operation areas

18. In addition to the above, the two sides have made steady progress in co-operation areas including tourism, creative industry, innovative technology, testing and certification, cultural exchange and civil servant exchange, etc.

### **Conclusion**

19. The scope and depth of Hong Kong/Shenzhen co-operations have been expanding since the two sides have signed the Memorandum on Closer Co-operation between Hong Kong and Shenzhen in 2004. In the future, HKSAR Government will fully leverage the opportunities brought by the National 12<sup>th</sup> Five Year Plan and the Framework Agreement on Hong Kong/Guangdong Co-operation to actively push forward the implementation of the Shenzhen related measures announced by Li Keqiang, Vice Premier of the State Council during his visit to Hong Kong in August this year, to enhance the overall competitiveness of the Pearl River Delta, and to make timely and effective contributions to the long term economic development of the nation.

Constitutional and Mainland Affairs Bureau  
December 2011

# 深圳市人民政府 香港特別行政區律政司 法律合作安排

鑒於《珠江三角洲地區改革發展規劃綱要（2008-2020年）》、《粵港合作框架協議》等文件強調粵港深化合作，發揮先行先試作用，並為加強兩地法律事務的溝通、聯繫和交流，促進深港合作和《內地與香港關於建立更緊密經貿安排》（CEPA）及其補充協議的相關措施有效落實，深圳市人民政府和香港律政司經協商一致，達成以下安排：

## 一、 合作主要目標和原則

雙方同意建立深港政府法律合作機制，為兩地政府部門及法律界人士提供交流的高層次平臺。在遵守《中華人民共和國憲法》、《香港特別行政區基本法》，遵循“一國兩制”方針的前提下，通過合作機制，促進政府法律事務及相關法律環境建設的合作和交流，建立互利共贏的合作關係，推動前海等區域發展法律及仲裁服務，以及鼓勵兩地法律及仲裁專業人員積極交流和合作。

## 二、 合作主要內容

（一）雙方就各自可能與對方有關的重大法律事務及時相互通報，並可視乎需要徵求對方意見。

（二）雙方在各自立法過程中需要瞭解或借鑒對方相關法



律的，可以請對方予以協助，提供必要的法律資料和案例。

（三）就深港合作項目尤其涉及促進前海地區發展現代服務業相關的法律問題，雙方及時溝通、交流，並可按需要共同研究、論證，就提出解決相關法律問題交換意見和建議。

（四）在各自法律資源許可的情況下，互派人員交流學習，為對方人員來己方考察和培訓創造條件。

### 三、合作主要形式

（一）建立深港法律合作聯席會議制度，雙方高層人員每年會晤一次，探討深港法律事務合作和前海地區法律環境建設等重要議題。

（二）按需要成立相應的深港法律合作有關專責小組，就涉及雙方合作的各項法律事務作交流和溝通。按情況所需，可以吸納內地及深港法律、仲裁或調解等界別的代表和專家參與，共同研究探討有關法律問題。

（三）在資源許可的情況下，可按需要共同舉辦法律合作論壇和座談會，邀請兩地法律、仲裁和調解等界別人士參加，致力提高兩地專業服務水平。

### 四、合作機制

為有利雙方就本安排及其合作項目及時溝通和聯繫，雙方同意分別由深圳市人民政府法制辦公室和香港律政司法律政策科為聯絡機構，各自指定聯絡人員負責聯絡工作，及時溝

通信息。

## 五、安排的修訂

如有需要，雙方經協商同意後可以書面形式修訂本安排的內容。

## 六、安排的期限

本安排為期五年，自安排生效之日起計算。安排屆滿時，經雙方協商同意後可以互換書信形式繼續生效。

## 七、安排的生效

本安排於二零一一年十一月二十五日在香港簽署。以中文書就，一式四份(繁體版，簡體版各兩份)，由簽署之日起生效。

深圳市人民政府  
副市長陳應春

香港特別行政區  
律政司司長黃仁龍

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香港特別行政區政府

及

深圳市人民政府

## 推進落馬洲河套地區共同開發工作的合作協議書

### 背景

落馬洲河套地區(以下簡稱“河套地區”)原位於深圳市行政區域，因深圳河治理工程完成被納入香港特別行政區行政區域範圍之內。港深雙方尊重上述歷史事實，並認為河套地區的特殊歷史背景為港深兩地深化合作提供了難得機遇。港深雙方同意在“一國兩制”大原則下，按“共同開發、共享成果”原則，合作推動河套地區發展。

為推動共同開發河套地區工作，港深兩地政府成立了“港深邊界區發展聯合專責小組”(以下簡稱“專責小組”)。自 2008 年 3 月“專責小組”開始正式運作以來，港深雙方共同探討了開發河套地區的可行性和有利於港深雙方的土地用途，取得了實質性工作進展，並達成一定共識和合作意向。

### (一) 發展定位

港深雙方同意把河套地區作為“港深特別合作

區域”，主要發展高等教育，輔以發展高新科技研發設施和文化創意產業。河套地區的發展規劃（包括土地使用規劃）應存有彈性，撥作此三項用途的土地可按日後實際需要作出調整。

## **(二) 適用法律及土地管理**

- (a) 河套地區適用香港特別行政區法律。
- (b) 河套地區的土地管理如規劃、批租、批租收益分配、轉讓及續期等事項經港深雙方本着“共同開發、共享成果”原則進行友好協商，務求達成一致意見後，按香港特別行政區的土地行政制度處理。

## **(三) 共同開發機制**

- (a) 港深雙方應按照“共同開發、共享成果”原則就河套地區的規劃、發展、開發模式及設立開發機構等重要事項進行友好協商，務求達成一致意見後實施。
- (b) 在上述基礎上，由香港特別行政區政府按照香港法律和相關土地行政制度以及本合作協議書，把河套地區的土地批租給一個或多個經港深雙方共同認可的開發機構進行發展。
- (c) 該區域土地地契年限到期後，在不損害上文

第（二）（b）段條文情況下，港深雙方政府就繼續合作的相關事宜另行商議，並務求達成一致意見後，按第（三）（b）條文實施。

#### （四）推進共同開發的下一步工作

港深雙方按照本協議書積極磋商，就河套地區開發模式選擇、開發機構設立及運作規則等有關工作進行細化，爭取儘快達成共識。其它本協議書未盡事宜，雙方繼續研究和磋商。

本合作協議書一式四份（繁體版、簡體版各兩份），具有同等效力，分別由香港特別行政區政府及深圳市人民政府保存。

香港特別行政區政府

深圳市人民政府

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發展局局長林鄭月娥

副市長陳應春

二零一一年十一月二十五日

**中華人民共和國深圳出入境檢驗檢疫局和  
香港特別行政區政府食物環境衛生署  
關於加強進出口食品安全的合作協議**

為進一步加強深港兩地進出口食品安全工作，增進交流與合作，及時、妥善解決進出口食品中出現的有關問題，中華人民共和國深圳出入境檢驗檢疫局與香港特別行政區政府食物環境衛生署（以下簡稱“雙方”）通過友好協商，達成以下共識：

一、雙方同意在遵守各自有關法律法規以及平等、友好、互惠的基礎上，開展進出口食品安全領域全方位的交流與合作。

二、雙方同意建立食品安全信息交流和通報平台，並在以下方面開展合作：

（一）雙方同意及時知會對方食品安全方面的法律法規、標準、檢驗程序和檢驗方法的最新變化，並開展深入交流。

（二）雙方同意及時交流共同關注的進出口食品安全及有毒有害物質殘留及其控制措施等信息，以及其他認為需要通報交流的信息。

（三）雙方同意出口方接到進口方有關食品安全的信息通報後，出口方應立即開展追溯性調查，採取相應的措施，

並在合理的期限內（如 20 個工作日或在有需要時更快），將調查結果、採取的措施反饋給進口方。

（四）雙方同意就食品生產過程監控、進出口食品監管等方面加強交流，進一步完善進出口食品監控體系。

（五）雙方同意預先交流應節食品的檢測計畫，並在發佈食品安全信息前儘早知會對方，以便及時採取跟進措施。

（六）雙方同意就食品檢測方法、國際標準及檢測技術規範等的協調性進行探討和交流。

（七）雙方同意建立雙方管理人員及技術專家的交流和互訪渠道，在實驗室管理、農獸藥殘留、生物化學等檢測技術方面加強交流合作，就共同關注的檢驗技術開展合作與研究。

三、為保證雙方合作交流得到落實，雙方各指定一個部門具體負責日常聯絡工作。深圳出入境檢驗檢疫局由食品檢驗監督處負責，聯繫人：劉志光 聯繫電話：0755-83886083 傳真：0755-83374540 郵箱：lzg@szciq.gov.cn；香港食物環境衛生署由食物安全中心負責，聯繫人：張慶昌 聯繫電話：852-28675530 傳真：852-25214784 電郵：hccheung@fehd.gov.hk。

四、本合作協議自簽字之日起生效，有效期 3 年。如雙方在合作協議有效期結束前 6 個月內未以書面方式通知另一方終止合作協議，合作協議將自動延期 3 年。

五、本協議未盡事宜，可由雙方共同協商解決。

六、任何一方認為需對本合作協議進行修訂，可以書面方式通知另一方。

七、合作協議的終止，將不影響根據本合作協議所開展的正在進行中的合作和交流。

本合作協議於 2011 年 11 月 25 日以中文簽署，一式四份，簽署雙方各持兩份。

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中華人民共和國  
深圳出入境檢驗檢疫局  
局長 劉勝利

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香港特別行政區政府  
食物環境衛生署  
署長 梁卓文



# 深圳市氣象局與香港天文台 數值天氣預報技術長期合作協議

在現有香港天文台與中國氣象局簽訂的《氣象科技長期合作安排》的框架下，深港多年來在大氣科學領域，包括天氣預報和警報、氣象通信、探測數據交換、氣象服務及人員培訓等方面進行了廣泛的交流和合作。這種合作在促進深港氣象事業的發展、氣象服務水平的提高，以及為防災減災，保護民眾生命財產等方面發揮了重要作用。同時也為兩地的經濟發展、社會和諧穩定作出了顯著的貢獻。雙方對以往合作的成效表示滿意。

近年深港兩地往來日益頻繁，跨境天氣同時影響兩地民眾生活。隨著高性能計算技術的不斷創新，數值天氣模式在氣象服務的應用亦得到了長足的發展。雙方認同，深圳與香港可通過運用各自專業知識和資源的合作以達致協同效應，在互惠互利的基礎上進一步加強兩地在數值天氣模式領域的交流，共同研究開發針對深港跨境人員和項目的區域性氣象服務。經協商後雙方達成以下共識：

## 一、合作範圍

透過利用國家超級計算深圳中心的計算資源開展深港中尺度分析及預報技術合作。深港雙方會利用高分辨率數值天氣模式，融合區內的氣象觀測數據，研究由中尺度強對流和熱帶氣旋等所引致的災害天氣過程，以開發和應用更先進的技術，提升深港兩地對災害天氣的監測及預報水平，以及面向兩地民眾的氣象服務。

## 二、雙方職責

在項目研發期間，港方會提供其高分辨率數值天氣模式技術、為深方培訓有關的技術研發人員，並提供港方特有的氣象觀測數據以供數值天氣模式同化之用。

深方則會提供國家超級計算深圳中心的計算資源及相關設備以支援數值天氣模式的開發、測試及運行，並提供深方特有的氣象觀測數據以供數值天氣模式同化之用。

## 三、合作實施

上述合作的具體方式、資源使用、地點和時間等由雙方視需要協商解決。

雙方將定期舉行由各自的項目管理人員參與的會議，對合作進程進行回顧，並制訂未來相應的技術發展規劃。會議會視需要在深圳或香港舉行。

本合作協議自簽字之日起生效，有效期兩年。如果雙方都未於本合作協議期滿前三個月要求終止，則本合作協議自動延長兩年，並依此法順延。

本合作協議於 2011 年 11 月 25 日在香港用中文簽署。

香港天文台代表 (岑智明)

深圳市氣象局代表 (王延青)