

Legislative Council Panel on Commerce and Industry

Hong Kong/Shenzhen Co-operation Meeting

Purpose

This paper briefs Members on the outcome of the Hong Kong/Shenzhen Co-operation Meeting (the Meeting) held on 29 February 2016 in Hong Kong.

Background

2. The Chief Secretary for Administration (CS), Mrs. Carrie Lam, and the Mayor of the Shenzhen Municipal Government (the Mayor), Mr. Xu Qin co-chaired the Hong Kong/Shenzhen Co-operation Meeting on 29 February 2016 in Hong Kong. At the meeting, the two sides reviewed co-operation progress of the past year, and set the major directions for co-operation in the coming year.

3. The two sides also witnessed the signing of three co-operation agreements, namely "Co-operation Arrangement for Trial Implementation of Hong Kong Construction Model in Qianhai Shenzhen-Hong Kong Modern Service Industry Cooperation Zone of Shenzhen", "Agreement between the Hong Kong Special Administrative Region Government and the Shenzhen Municipal People's Government on Promoting Co-operation in Creative Industries" and "Co-operation Arrangement between the Agriculture, Fisheries and Conservation Department of Hong Kong Special Administrative Region Government and Shenzhen Entry-exit Inspection and Quarantine Bureau on Aquatic Animal Disease Laboratory Diagnosis". The text of the agreements (Chinese only) can be found at Annex.

4. After the meeting, CS and the Mayor held a press conference to brief the media on the outcome of the Meeting and a press release was also issued after the meeting. Key areas discussed at the Meeting are set out in the following paragraphs.

Innovation and Technology

5. In 2015, the HKSAR Government formally established the Innovation and Technology Bureau to co-ordinate, support and complement the development of Hong Kong's innovation and technology industry. Since the Karolinska Institutet of Sweden decided to establish its first overseas research facility in Hong Kong, the HKSAR Government, together with the Municipal Government of Shenzhen and Karolinska Institutet, has already commenced preparation for the establishment of a tripartite task force to explore concrete co-operation projects, so as to make full use of the strengths of Hong Kong and Sweden on regenerative medicine research, as well as the strong industrialisation capability of Shenzhen. It is hoped that the task force can open up a new mode of co-operation between Hong Kong and Shenzhen.

6. Exchanges between innovation and technology professionals of the two places have also become increasingly frequent. The Hong Kong Information Technology Joint Council and the Shenzhen Computer User Association signed the "Agreement on Exchange, Co-operation and Mutual Qualification Recognition of Shenzhen Hong-Kong ICT Talents" in March last year, and subsequently introduced the "Shenzhen/Hong Kong Chief Information Officer (CIO) Reciprocal Recognition Scheme" under the Agreement at the end of last year. Results of the Reciprocal Recognition will be announced in the first half of this year.

7. In the 2016 Policy Address, the Chief Executive announced that \$2 billion would be set aside for setting up an Innovation and Technology Venture Fund for co-investing with private venture capital funds on a matching basis. The HKSAR Government believes that the measure can attract more venture capital funds, including capital from Shenzhen, to establish a foothold in Hong Kong and invest in local innovation and technology start-ups.

Creative Industries

8. Shenzhen and Hong Kong have organised the Bi-City Biennale of Urbanism\Architecture at regular intervals while the second Hong Kong-Shenzhen Design Biennale will be staged in Hong Kong in September this year. The Commerce and Economic Development Bureau and the Shenzhen Municipal People's Government on Promoting Co-operation in Creative Industries have agreed to, on the basis of the existing co-operation, further deepen exchanges and collaboration of the two places in creative industries. In this connection, there will be strengthened co-operation of the two places in organising large-scale creative exchange programmes, and discussion on talent nurturing and exchange initiatives. Both sides have also agreed to explore the setting up of an exchange and collaboration platform in Qianhai, Shenzhen, with a view to furthering the co-operation in domains of creative industries such as design and architecture. After the meeting, both sides signed the "Agreement between the Hong Kong Special Administrative Region Government and the Shenzhen Municipal People's Government on Promoting Co-operation in Creative Industries". Both sides will have further discussion in the coming year on taking forward the initiatives in the Agreement.

Financial Services

9. The business of cross-boundary Renminbi (RMB) lending between Shenzhen and Hong Kong continued to grow in the past year. The latest figures indicate that cross-boundary RMB loans registered in Qianhai have reached RMB100 billion. Shenzhen Qianhai Financial Holdings Co Ltd, a company wholly owned by the Qianhai Management Authority, issued a "dim sum" bond of RMB1 billion in Hong Kong in April 2015, and entered into an agreement with Hang Seng Bank and HSBC in July and November 2015 respectively with a view to setting up in Qianhai under Supplement X of CEPA the first joint venture fund management company with a Hong Kong majority-owned shareholding and the first joint venture securities company with a Hong Kong majority-owned shareholding.

10. Regarding co-operation between the securities markets in Shenzhen and Hong Kong, the HKSAR Government has been in discussion

with relevant authorities of the Central Government on the implementation of the Shenzhen-Hong Kong Stock Connect, with a view to deepening the mutual access of Hong Kong and the Mainland to each other's capital markets.

11. Looking ahead, the HKSAR Government will continue to strengthen Hong Kong's offshore RMB business. In addition, to attract more multinational and Mainland enterprises, including those from Shenzhen, to establish corporate treasury centres in Hong Kong, the HKSAR Government has introduced a bill into the Legislative Council to allow, under specified conditions, interest deductions under profits tax for intra-group financing of corporations as well as the reduction of profits tax by 50 per cent for qualifying profits of eligible corporate treasury centres.

Professional Services

12. On Hong Kong-Mainland law firms operating in the form of partnership association, as at January this year, among the nine law firms operating in the form of partnership association approved in the three pilot areas, six were located in Qianhai. The Agreement on Trade in Services signed in November last year further extends the pilot areas of this policy, among which, the Qianhai pilot area will be expanded to cover the entire Shenzhen city with effect from 1 June 2016. This would enable law firms of the two places to jointly provide convenient one-stop cross-boundary legal services to their clients, through the means of partnership association.

Health Services

13. Hong Kong's Department of Health signed a service agreement with the University of Hong Kong-Shenzhen Hospital in October last year to jointly launch a pilot scheme to allow eligible Hong Kong elders to use elderly health care vouchers (vouchers) to settle the fees of primary care services at the hospital. The HKSAR Government will closely monitor the operation of the scheme, and examine the scope of expanding the use of the vouchers in the Mainland, taking into account the experience gained and the principle of prudent use of public money.

Education

14. In respect of education, the number of Hong Kong primary and secondary schools that have formed sister schools with counterparts in the Mainland is expected to gradually increase to about 600 in the coming three years, among which the number of Shenzhen-Hong Kong sister school pairs is expected to increase to around 190. On the other hand, the number of minban schools offering Hong Kong curriculum to Hong Kong students in Shenzhen has increased from nine in the 2014/15 school year to 11 in the 2015/16 school year, including two dedicated schools for Hong Kong children.

15. With the support and concerted effort of the Guangdong Provincial Government and the Shenzhen Municipal Government, the special quota for cross-boundary school coaches which helps facilitate the immigration clearance of cross-boundary students, has been increased to 220 in the 2015/16 school year, representing a 30 per cent increase over last year. To further enhance Hong Kong students' understanding of the Mainland, the quotas for subsidising students to join Mainland exchange programmes to Guangdong will be increased from around 43 000 in the 2014/15 school year to over 51 000 in the 2015/16 school year while that for Shenzhen will be correspondingly increased to about 7 100.

Youth Co-operation

16. On youth co-operation, the “Qianhai Shenzhen-Hong Kong Youth Innovation and Entrepreneur Hub” commenced operation in end-2014 and has so far attracted 52 Hong Kong start-ups, amounting to about half of the total start-ups in the Hub. Last year, the Shenzhen Municipal Government also provided 300 internship placements and 1 100 exchange opportunities for Hong Kong youths. The Home Affairs Bureau has started discussions with relevant non-government organisations and, through the Guangdong, Hong Kong and Macao Affairs Office, with the relevant authorities of Shenzhen, on the youth internship arrangements in 2016.

17. In order to promote youth development and assist young people in Hong Kong to start their own business, the HKSAR Government will set up a

\$300 million Youth Development Fund. The fund will provide financial assistance to young people through non-government organisations for them to set up their business and the fund will be allowed to be deployed for business activities outside Hong Kong (including Shenzhen).

Co-operation in Qianhai Development

18. In the past year, the Shenzhen Municipal Government and the Qianhai Management Authority have put forward many initiatives that are beneficial to Hong Kong enterprises, such as the "Ten Thousand, Thousand, Hundred and Ten" development target as set out in the "Work Plan for the Construction of the Shenzhen Qianhai Shekou Area" (Workplan) focusing on Hong Kong enterprises and individuals. The 13th National Five-Year Plan has also stipulated the expediting of the development of Guangdong-Hong Kong-Macao co-operation platforms with regard to Qianhai and other areas. In the coming year, the HKSAR Government will enhance exchanges with Shenzhen, Qianhai Shekou Area and the Qianhai Management Authority, to push forward the realisation of the "Ten Thousand, Thousand, Hundred and Ten" development target stipulated in the Work Plan, with a view to providing greater development opportunities for Hong Kong enterprises and individuals.

19. With regard to the construction and related engineering sector, many Hong Kong companies have already formed joint ventures with Mainland counterparts to participate in construction projects and provide real estate management services in the Qianhai Shenzhen-Hong Kong Modern Service Industry Co-operation Zone. To further assist Hong Kong companies and professionals break into the construction market at Qianhai, the Development Bureau and the Qianhai Management Authority have collaborated and formulated the measures for implementing the liberalization of construction and development services to Hong Kong service providers based on the content of the Co-operation Agreement they signed in September 2013. These measures include compiling a list of Hong Kong professional service providers and establishing a registration system for Hong Kong professionals. This aims to allow Hong Kong enterprises and professionals to provide professional services to construction and development projects in Qianhai that are wholly owned by Hong Kong business or with a Hong Kong majority share-holding. In this

connection, both sides have signed and announced after the meeting the co-operation arrangement for expanding the scope of services that are to be provided at Qianhai by companies and professionals of the Hong Kong engineering and construction sectors.

20. In addition, the Qianhai Management Authority is liaising with a Hong Kong conglomerate to use its development project in Qianhai as a pilot to introduce Hong Kong's project management system and in the different phases of the project further incorporating more Hong Kong elements such as engaging relevant Hong Kong professionals and companies to directly provide services.

21. Looking ahead, both sides will strive for the Qianhai Management Authority to implement as soon as possible the initiatives in the "Co-operation Arrangement for Trial Implementation of Hong Kong Construction Model in Qianhai Shenzhen-Hong Kong Modern Service Industry Cooperation Zone of Shenzhen" signed today. These include compiling a relevant list of professional service providers in the construction sector for providing service at Qianhai, establishing a registration system for Hong Kong professionals and expediting the trial implementation of adopting Hong Kong construction project management system for the pilot project. Qianhai may also consider identifying more pilot projects with a view to further opening up its construction market which is conducive to strengthening co-operation of relevant professional services of Hong Kong and Shenzhen. The HKSAR Government also hopes that similar liberalisation measures can be extended to other Mainland areas for the benefit of the Hong Kong construction sector.

Other Co-operation Areas

22. In addition to the above areas of co-operation, the two sides have also made steady progress in co-operation in respect of environmental protection, infrastructure development, customs clearance and livelihood issues.

Conclusion

23. In the past year, with the concerted efforts of both Hong Kong and Shenzhen, good progress has been made on different areas of co-operation. The two sides will further deepen co-operation in various areas in the coming year under the principles of complementarity, coordinated development and mutual benefits with a view to bringing benefits to the people of both Hong Kong and Shenzhen.

Constitutional and Mainland Affairs Bureau

April 2016

深圳市前海深港現代服務業合作區管理局

深圳市住房和建設局

香港特別行政區政府發展局

(共同發佈)

在深圳市前海深港現代服務業合作區

試行香港工程建設模式合作安排

為落實《深圳市前海深港現代服務業合作區管理局、香港特別行政區政府發展局合作意向書》中第六、七、八條中“進一步探索研究規劃、工程諮詢、設計、測量和建造等領域取得香港執業資格的專業人士在前海直接執業和開設工程技術服務有關企業的方式，並制定配套管理辦法。亦探索兩地在建築市場管理、信譽等方面的互動互聯機制。”等內容，借鑒香港工程建設領域服務業發展之先進經驗，發揮前海合作區先行先試之政策優勢，打造全市、全省乃至全國之建築市場綜合改革試驗區，經各方認真研究，對深圳市前海深港現代服務業合作區（以下簡稱“前海合作區”）面向香港工程建設領域服務業擴大開放問題達成了新的共識，現共同發佈下列安排（以下簡稱“安排”）。

第一條 [試行香港工程建設模式] 為深化深港兩地工程建設領域合作，加強深港兩地專業人士互動交流，各方一致同意，在前海合作區範圍內的港商獨資或控股之開發建設項目試行香港工程建設模式，即港商獨資或控股之開發建設項目可選聘香港工程建設領域服務業專業機構及專業人士為其提供工程建設領域服務，前海管理局參照香港工程建設模式對港商獨資或控股之開發建設項目進行管理。

第二條 [定義] 本安排所稱香港工程建設模式是指在香港

建設同類工程項目所採用的管理程序和方式，包括但不限於行政審批流程、管理構架、管理制度、接受委託專業人士執業範圍、專業機構從業許可範圍等。

本安排所稱香港工程建設領域服務業專業機構包括但不限於建築師事務所、測量師事務所、工程建設顧問公司等在香港提供相關服務的專業機構。本安排所稱香港工程建設領域服務業專業人士包括但不僅限於規劃師、建築師、測量師、工程師、園境師等經香港政府註冊管理或學會管理的專業人士。

第三條[名冊編訂]香港發展局將根據香港建築署管理之建築及有關顧問公司遴選委員會顧問公司名單內有關建築類別、屋宇裝備類別、工料測量類別和結構工程類別的第一組別及第二組別公司制定名單（以下簡稱“《名單》”），交予前海管理局對《名單》登記備案，並編訂專業機構《名冊》（以下簡稱“《名冊》”）。採用香港工程建設模式的建設單位在雙方簽訂合同期間亦可提名其他具備等同資歷的專業機構向前海管理局申請加入《名冊》。

第四條[專業人士備案]香港工程建設領域專業人士在前海合作區提供服務之前，可向前海管理局申請登記備案。在前海合作區提供等同於一級建造師或監理工程師服務的香港專業人士，其申請人須為香港《建築物條例》下的認可人士或註

冊結構工程師。而其他服務提供者的申請人，須證明其為香港工程建設領域服務業專業人士。備案時需出示有效註冊記錄或有效學會登記記錄，及能證明其可在香港從事同類工作的相關核准材料。

第五條[服務範圍]《名冊》內的專業機構及已在前海管理局登記備案的專業人士可在前海合作區範圍內提供與其在香港註冊備案並從事服務的範圍相同（除勘察、測繪活動）的工程建設領域服務。

第六條[名冊管理]香港發展局應根據香港相關管理機構的規定，制定《名單》，適時對《名單》進行動態更新，交由前海管理局登記備案，以更新《名冊》。

第七條[委託備案]採用香港工程建設模式的建設單位可在《名冊》之中選擇專業機構、及在已登記備案的專業人士中選擇專業人士。採用香港工程建設模式的建設單位亦可提名其他具備等同資歷的專業機構，根據第三條款申請加入《名冊》，在雙方簽訂聘用合同後應在前海管理局登記備案。

第八條[非法人分支機構]登記備案的專業機構應在前海合作區設立非法人分支機構以辦理稅務和報送統計數據等事

項。

第九條[行政服務]前海管理局應結合建築市場綜合改革的目標舉措，參考香港工程建設管理模式，簡化、優化行政服務流程，並制定相應的工程建設行政服務指南。

第十條[本地法規]香港工程建設領域專業機構及專業人士在前海合作區內進行經營活動和從事專業服務時，須遵守中華人民共和國大陸地區的除行業准入以外的相關法律法規、技術標準和規範。

第十一條[爭議仲裁]香港工程建設領域專業機構及專業人士在前海合作區內進行經營活動和從事專業服務時，建議合同締約雙方於合同條款中約定採用仲裁方式解決因合同所引起的或與之相關的任何爭議、糾紛、分歧或索賠，合同締約雙方自行約定仲裁機構和仲裁規則。

第十二條[市場聯動]在前海合作區內從業的香港工程建設領域專業機構及專業人士若違反內地法律法規，或在履約和誠信方面存在不良行為，前海管理局可將相關情況報送深圳市住房和建設局的同時，經香港發展局反饋給香港有關機構。香港有關機構可根據相關規定對其進行跟進。

第十三條 [逐步推廣] 根據港商獨資或控股項目在前海合作區工程建設領域服務業的合作情況，可逐步將香港工程建設模式推廣到前海合作區內其他投資來源的項目。

第十四條 [專業人士交流] 鼓勵香港工程建設領域相關專業學會在前海設立辦事機構，深化深港兩地工程建設領域合作，加強深港兩地專業人士互動交流，提升專業人士質素和職業操守。

第十五條 [聯繫機制] 前海管理局、深圳市住房和建設局及香港發展局應繼續共同研究制定具體實施方案，協調解決推行香港建設管理模式、開展建築市場綜合改革的遇到的有關問題，分析並化解因兩地差異帶來的政策、法規、技術標準、管理等風險。

第十六條 本安排自發佈之日起生效。

深圳市前海深港現代
服務業合作區管理局

香港特別行政區政府
發 展 局

深圳市住房和建設局

二〇一六年二月二十九日

香港特別行政區政府與深圳市人民政府

關於促進創意產業合作的協議

為進一步推動香港特別行政區與深圳市在創意產業的發展，深化兩地在創意產業的交流與合作，發揮兩地優勢互補，互惠互利的合作精神，經協商後共同簽署本合作協議：

- (一) 本合作協議所涵蓋的創意產業範圍包括設計、建築，以及雙方透過另行協商確認同意加入的其他界別。
- (二) 雙方同意推動相關業界就以下第(三)至(六)條所載項目，共同開展或繼續加強有關合作。雙方並同意在合適範圍內向各自的相關業界提供適切的支援及協助。
- (三) 雙方同意加強在兩地舉辦大型創意交流活動的協作，包括：
 - 1. 鼓勵兩地設計行業協會、機構及相關民間組織繼續輪流主辦「深港設計雙年展」；
 - 2. 鼓勵兩地建築行業協會、機構及相關民間組織繼續舉辦兩年一度的「港深城市\建築雙城雙年展」；
 - 3. 參考上述兩項活動的規模和形式，鼓勵兩地創意產業

行業協會、機構及相關民間組織開展、共同舉辦、或協辦類似活動，以鼓勵及促進兩地創意產業在資訊、商務網絡等方面的交流與互通，推動兩地企業善用設計、努力創新，為產品和服務增值。

- (四) 雙方共同探討在人才培育方面的合作，推動行業協會、機構及相關民間組織開展或繼續進行兩地建築、設計及其他相關創意產業界青年從業員互換到兩地機構進行短期的實習與交流活動。
- (五) 雙方同意探討在深圳前海成立交流合作平台以推動兩地在設計及建築等創意產業領域的進一步合作，內容可包括展覽、沙龍、培訓、講座等活動，以及為兩地設計及建築界從業人員提供商務配對及相關服務等。
- (六) 雙方同意未來尋求在前海開展創意領域的交流合作，豐富深港合作的內容，進一步提升前海作為深港現代服務業合作示範區的功能。
- (七) 雙方同意本合作協議涉及的項目實施方案和財務安排等由雙方自行安排，逐項商定。
- (八) 本合作協議對雙方均不具有法律約束力。

- (九) 香港特別行政區政府商務及經濟發展局通訊及創意產業科及深圳市設計之都推廣辦公室分別獲港方和深圳方授權簽署本協議，並負責執行本協議的合作內容。
- (十) 本合作協議自雙方代表簽署之日起生效，為期十年。以中文書就，一式兩份，兩份文本同等有效。
- (十一) 本合作協議在二零一六年二月二十九日在香港簽署生效。

香港代表：

香港特別行政區政府
商務及經濟發展局
副局長梁敬國

深圳代表：

深圳市設計之都推廣辦公室
主任韓望喜

深圳出入境檢驗檢疫局與香港特別行政區政府漁農自然護理署

關於水生動物疫病檢測的合作安排

為了加強深港兩地水生動物疫病檢測的合作與交流，促進兩地動物貿易的健康發展，深圳出入境檢驗檢疫局與香港特別行政區政府漁農自然護理署（以下簡稱“雙方”）本著平等互利，真誠合作的原則，經友好協商就水生動物疫病檢測議題作如下合作安排：

第一條 合作安排的內容

一、建立檢測部門定期技術交流機制

1. 雙方每年至少一次輪流開展實驗室檢測技術交流和實驗室間檢測比對活動，促進檢測技術水準的共同提升。具體交流和比對內容由雙方檢測技術部門協商確定；
2. 雙方同意下可派專家共同參與水生動物疫病科研攻關，共同開展科研項目合作研究；
3. 雙方同意下可互派專家進行技術指導，互派人員到對方實驗室進行技術培訓學習；

二、在水生動物疫病檢測方面的具體合作內容有：

- 1、共同開展國際交流與合作：全球範圍內水生動物新發重要疫病流行病學和檢測技術的交流，雙方合作共同在亞太區域水生動物安全和疫病檢測技術領域發揮作用，通過香港動物檢疫工作坊，為國內外水生動物安全及疫病檢疫領域的專家學者提供交流平臺，對雙方共同感興趣的議題進行專題交流，並探索國際合作的

議題和合作方式；

2、海水魚類疾病診斷和檢測技術的交流；

3、觀賞魚類疾病診斷和檢測技術的交流，重點開展觀賞魚中耐藥菌株的監測、風險分析及相關技術的研究，共同申請深港創新圈項目；

4、共同編寫《魚類疾病的說明、診斷和防治》指導手冊；（註：深圳負責中文部分，香港負責英文部分。）；

5、香港出口觀賞魚疫病的委託檢測服務（註：香港出口觀賞魚委託深圳局動植中心進行檢測，香港獸醫官根據深圳局實驗室檢測結果出具衛生證書。深圳局協助解決香港官方封樣的觀賞魚快速進入深圳入境通道。）。

第二條 費用安排

三、除非另行商定，實施本合作安排中任何活動所產生的食宿和交通費用由雙方各自承擔。

四、技術交流和比對所需的儀器、試劑和實驗耗材等，雙方實驗室均免費為對方人員提供。

五、派出學習人員的交通和食宿費用由派出方承擔，接收方實驗室免費進行培訓。

第三條 附則

六、本合作安排一式四份(繁體版及簡體版各兩份)，簽署雙方各持兩份(繁體版及簡體版各一份)，自簽署之日起生效，有效期三年。

七、執行過程中，如一方想調整合作內容或終止合作安排，可以以書面形式提出，正式通知對方，雙方協商後解決。

八、本合作安排有效期結束前 3 個月，雙方須決定是否延續合作安排及檢討修訂有關協議細則。雙方如未能在本合作有效期結束前達成延續的協定，本合作

安排將自動終止。

九、合作交流研究之測試結果及其發現將為雙方共同擁有。除非得到雙方的同意，任何有關檢測的直接或衍生樣本，均不得用作該指定檢測事項以外的用途，而有關檢測的資料、結果及其發現，也不得對任何第三者透漏或公佈。

十、雙方需各自承擔因本合作安排而可能導致其所屬一方人員在任何工作環境中發生之人身傷害或死亡的有關保險責任。雙方需確保其擁有的第三者責任保險或相關安排，足以保障因對方人員認為疏忽或失誤而引致的任何損失。

十一、本合作安排未盡事宜，由雙方友好協商。

深圳出入境檢驗檢疫局

局長：趙振拴局長

香港特別行政區政府漁農自然護理署

署長：梁肇輝博士

二〇一六年二月二十九日

二〇一六年二月二十九日