

# 2021

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## ***Editor's Note:***

**The** Investment Dispute Mediation Mechanism has been officially launched under the CEPA Investment Agreement since 12 December 2018. An investor of one side who is in an investment dispute with authorities or institutions of the other side may seek to resolve the dispute by means of mediation by following the principles and conditions detailed in the Mechanism. To complement the launch of the Mechanism, the Economic and Technological Development Bureau (DSED) offers investment dispute mediation assistance, helping Mainland investors by referring their mediation requests to the disputing sides and mediation institutions. On the

closer Economic Partnership Arrangement

basis of the list, mediation rules and panel of mediators of Mainland mediation institutions and the list of Macao mediation institutions, which have already been made public, the updated panel of mediators of the Macau Lawyers Association Mediation and Conciliation Centre has now been published.

To further implement the liberalization of trade in services between Guangdong and Macao and promote complementary development between the service industries of the two places, the 2021 working meeting of the Guangdong-Macao Services Expert Group was successfully convened on 31 March at the DSED. The meeting was jointly chaired by Acting Director of the DSED Chan Tze Wai and Deputy Director-General of the Department of Commerce of Guangdong Province Ren Shao, who led the Guangdong side along with Deputy Director-General of the Department of Science and Technology of Guangdong Province Lao Zhihong.

Following the first meeting on 5 November last year, Guangdong and Macao convened the second working meeting on Single Window on 8 March, which was jointly chaired by Deputy Director-General of the Department of Commerce (Office of Port of Entry and Exit) of Guangdong Province Fu Yongge and Deputy Director of the DSED Chan Tze Wai. The Guangdong side included the Department of Commerce (Office of Port of Entry and Exit) of Guangdong Province, Hong Kong and Macao Affairs Office of Guangdong Province, Guangdong Sub-Administration of the General Administration of Customs of China, Gongbei Customs District, Bureau of Port of Entry and Exit of Zhuhai, Guangdong E-Port Company and Zhuhai E-Port Company; the Macao side included representatives of the DSED, Macao Customs Service and Transferência Electrónica de Dados - Macau EDI VAN, S.A.. The two sides reiterated the importance that they attach to the development of Single Window between Guangdong and Macao, which is a major task in 2021.

## 1. Panel of Mediators of the Macau Lawyers Association Mediation and Conciliation Centre under the CEPA Investment Agreement Mediation Mechanism for Investment Disputes

The Investment Dispute Mediation Mechanism has been officially launched under the CEPA Investment Agreement since 12 December 2018. An investor of one side who is in an investment dispute with authorities or institutions of the other side may seek to resolve the dispute by means of mediation by following the principles and conditions detailed in the Mechanism. To complement the launch of the Mechanism, the Economic and Technological

Development Bureau (DSED) offers investment dispute mediation assistance, helping Mainland investors by referring their mediation requests to the disputing sides and mediation institutions. On the basis of the list, mediation rules and panel of mediators of Mainland mediation institutions and the list of Macao mediation institutions, which have already been made public, the updated panel of mediators of the Macau Lawyers Association Media-

tion and Conciliation Centre has now been published. For details, please access the DSED website>External Economic & Trade Rela-

tions>CEPA>Investment>Investment Dispute Mediation Mechanism.

## 2. 2021 working meeting of the Guangdong-Macao Services Expert Group held in Macao

To further implement the liberalization of trade in services between Guangdong and Macao and promote complementary development between the service industries of the two places, the 2021 working meeting of the Guangdong-Macao Services Expert Group was successfully convened on 31 March at the Economic and Technological Development Bureau (DSED). Jointly chaired by Acting Director of the DSED Chan Tze Wai and Deputy Director-General of the Department of Commerce of Guangdong Province Ren Shao, the meeting saw the two sides sum up the outcome of the work on the cooperation of service industries between Guangdong and Macao last year and discuss the direction and plan for the cooperation this year.

On the basis of the positive outcome achieved from the cooperation last year, the cooperation on small and medium enterprises and on technology will continue to be promoted as a priority this year through the Guangdong-Macao Services Expert Group. Study visits and exchange activities have been planned for assisting the business sector to explore business opportunities and enhancing the linkage of resources, cooperation and exchanges among the industry, academic and research sectors.

The Guangdong-Macao Services Expert Group, which is under the Guangdong-Macao cooperation framework, is led by the Department of Commerce of Guangdong Province and Economic and Technological Development Bureau of the Macao SAR Government. The two sides take turns every year to host a meeting to jointly formulate the plan of service industry cooperation for the year. The Expert Group has achieved positive results in promoting the cooperation of logistic industries and of food and beverage industries between the two places, as well as organizing activities for promoting trade policies and e-commerce.

Representatives of the Macao side who attended this meeting included the DSED's Acting Director Chan Tze Wai, Head of Technology Department Che Weng Keong, Acting Head of Foreign Trade and Economic Cooperation Department Mai Pang, among others; representatives of the Guangdong side who attended included Deputy Director-General of the Department of Commerce of Guangdong Province Ren Shao, Deputy Director-General of the Department of Science and Technology of Guangdong Province Lao Zhihong and Director of Trade in Services and Commercial Services Industry Division Zhao Shangqun, among others.





The 2021 working meeting of the Guangdong-Macao Services Expert Group is successfully held

### 3. Guangdong and Macao convene working meeting on Single Window in Zhuhai

Following the first meeting on 5 November last year, Guangdong and Macao convened the second working meeting on Single Window on 8 March, which was jointly chaired by Deputy Director-General of the Department of Commerce (Office of Port of Entry and Exit) of Guangdong Province Fu Yongge and Deputy Director of the Economic and Technological Development Bureau (DSED) Chan Tze Wai. The Guangdong side included the Department of Commerce (Office of Port of Entry and Exit) of Guangdong Province, Hong Kong and Macao Affairs Office of Guangdong Province, Guangdong Sub-Administration of the General Administration of Customs of China, Gongbei Customs District, Bureau of Port of Entry and Exit of Zhuhai, Guangdong E-Port Company and Zhuhai E-Port Company; the Macao side included representatives of the DSED, Macao Customs Service and Transferência Electrónica de Dados - Macau EDI VAN, S.A.. The two sides reiterated the importance that they attach to the development of Single Window between Guangdong and Macao, which is a major task in 2021. During the meeting, the two sides

discussed and explored in-depth at the directional and technical level. They also agreed to establish a communication mechanism. In addition to setting up a working group that involves leaders and business- and technical-level liaison officers, the two sides determined to convene at least one working meeting every month to actively advance the progress of development of Single Window between Guangdong and Macao.



The second working meeting on Single Window between Guangdong and Macao is held in Zhuhai

#### 4. Macao and Zhuhai collaborate to protect Macao's buyers of Mainland real estate by setting up joint safeguard mechanism

The Economic and Technological Development Bureau (DSED) and the Consumer Council (CC) visited Zhuhai on 11 January this year to have meetings with, among others, the Administration for Market Regulation, Consumer Council and Real Estate Section of the Municipal Housing and Urban-Rural Development Bureau of Zhuhai, as well as the Administration Committee, Macao Affairs Bureau, Construction and Environmental Protection Bureau, Integrated Law Enforcement Bureau, Administration for Industry and Commerce and Consumer Association of the Zhuhai Hengqin New Area to communicate on the policies and requirements of the Mainland related to the regulation of real estate sales and real estate advertisements and discuss on further strengthening the cooperation, information sharing and suppression of violation of rights, as well as establishing a long-standing cooperation mechanism to jointly protect the legal rights of Macao consumers purchasing real estate in Zhuhai.

At the meeting, Macao and Zhuhai reached a consensus on establishing a joint safeguard mechanism and drew up a detailed implementation plan:

1. To set up a joint safeguard mechanism concerning real estate advertisements between Macao and Zhuhai and between Macao and Hengqin to strengthen communication and jointly suppress illegal promotion activities by regulating at the root through

meeting with Mainland developers, real estate agencies and advertising agencies;

2. A mechanism for verifying the information in the "Five Permits" was established for confirming the authenticity of the "Five Permits" in order to strengthen the protection of consumer rights. Provision of false information will be dealt with seriously and reported to the judiciary. The offender shall assume the related criminal liability;

3. The CC has set up the "Mainland Real Estate Purchase Information" page in its website. The page has a link to the Zhuhai Real Estate Transaction Regulation Platform, where consumers can check the permit number, use of real estate and other information contained in the Permit for the Pre-sale of Commodity Property, which is one of the "Five Permits" .



Macao and Zhuhai collaborate to protect Macao's buyers of Mainland real estate

## 5. Notice of the Shenzhen Tax Service of the State Taxation Administration on publishing the Interim Measures for Managing the Practice of Hong Kong and Macao Tax-related Professionals in the Shenzhen Qianhai-Shekou Area of the China (Guangdong) Pilot Free Trade Zone

The Shenzhen Tax Service of the State Taxation Administration published the Interim Measures for Managing the Practice of Hong Kong and Macao Tax-related Professionals in the Shenzhen Qianhai-Shekou Area of the China (Guangdong) Pilot Free Trade Zone ( "the Measures" ) on 19 January 2021. The Measures are mainly for fostering closer trade in tax-related professional services between Shenzhen and the Hong Kong Special Administrative Region and between Shenzhen and the Macao Special Administrative Region, with a view to supporting the development of the Guangdong-Hong Kong-Macao Greater Bay Area with the creation of a market-based, law-based and internationalized business environment.

The Hong Kong and Macao tax-related professionals stated in the Measures refer to Hong Kong and Macao permanent residents who have been qualified as tax agents in Hong Kong, or as auditors/accountants in Macao. The persons stated above are allowed to prac-

tise in the Shenzhen Qianhai-Shekou Area, provided that they comply with the legislation of China; accept the self-regulation by the Taxation Institute of Hong Kong/Taxation Association of Macao; have been qualified as Hong Kong tax agents or Macao auditors/accountants for three years and have been engaging in tax-related professional services for three consecutive years; and have not been subject to any administrative penalty or disciplinary measure for professional misconduct by the competent authority in their areas in the last three years. Only registration is required prior to practice instead of qualification examinations.

The Measures also remove the restrictions that the number of partners from Hong Kong tax agents or Macao auditors/accountants shall not exceed 35% of the total number of partners in a tax agent firm and that they shall practise in the partnership tax agent firm for at least 180 days every year since its establishment.

## 6. Parties work together to strengthen supervision of cross-boundary Wealth Management Connect

The People's Bank of China, China Banking and Insurance Regulatory Commission, China Securities Regulatory Commission, State Administration of Foreign Exchange, Hong Kong Monetary Authority, Securities and Futures Commission of Hong Kong and Monetary Authority of Macao have signed a memorandum of understanding (MoU), under which

they agreed to exercise supervision and work with each other on the cross-boundary Wealth Management Connect Pilot Scheme within their own scope of duties.

The MoU on the Launch of the Cross-Boundary Wealth Management Connect Pilot Scheme in the Guangdong-Hong Kong-Macao Greater Bay Area covers areas

such as exchange of supervisory information, enforcement cooperation, investor protection, liaison consultation mechanism, and others. Its signing is of major significance to implementing the strategic planning of China on the development of the Guangdong-Hong

Kong-Macao Greater Bay Area, strengthening the supervisory cooperation on the cross-boundary Wealth Management Connect Pilot Scheme and deepening the financial cooperation between Guangdong, Hong Kong and Macao.

## 7. Department of Natural Resources of Guangdong Province issues the Notice on Matters Concerning the Notification of Hong Kong and Macao Registered Urban Planning Professionals to Practise in Guangdong Province

On 19 February 2021, the Department of Natural Resources of Guangdong Province issued the Notice on Matters Concerning the Notification of Hong Kong and Macao Registered Urban Planning Professionals to Practise in Guangdong Province, which states clearly that Hong Kong and Macao professionals who have been qualified as registered professional planners in Hong Kong or urban planners in Macao and fulfil the criteria for filing notifica-

tion provided in this notice may file notification in person to the Department of Natural Resources of Guangdong Province. Registered urban planners of Hong Kong and Macao who have filed a notification are allowed to provide professional planning services in Guangdong Province. The scope of practice covers non-statutory planning such as strategic planning, conceptual planning and urban research and design.