

Hong Kong

Overview

Hong Kong's policy, in accordance with the World Trade Organization (WTO) Agreement on Technical Barriers to Trade, is to adhere to international standards to the maximum extent possible.

The following sixteen areas have special regulations, standards, and conformity assessment mechanisms: animals and plants (sanitary and phytosanitary), boilers and pressure vessels, building materials and construction, chemicals (pesticides), consumer goods, drugs and medical devices, electrical products, energy, environment, food, information and communications technology equipment and systems, lifts and escalators, radioactive substances and irradiating apparatus, shipping safety, toys and children's products, and transport equipment.

Please visit the following website for more specific product regulations and standards: www.itc.gov.hk/en/quality/psis/srca/db.htm

Standards Organizations

Hong Kong and Macau do not have central standards bodies that develop and issue domestic standards. The Hong Kong Product Standards Information Bureau (PSIB), the Hong Kong Accreditation Service (HKAS) and the Standards and Calibration Laboratory (SCL) of the Innovation and Technology Commission (ITC) actively participate in standards and conformity assessment related international and regional activities.

PSIB represents Hong Kong in the Asia Pacific Economic Cooperation (APEC) Sub-Committee on Standards and Conformance (SCSC); the International Organization for Standardization (ISO); and the Pacific Area Standards Congress (PASC). HKAS actively participates in the Pacific Accreditation Cooperation (PAC); Asia Pacific Laboratory Accreditation Cooperation (APLAC); the International Accreditation Forum (IAF); and the International Laboratory Accreditation Cooperation (ILAC) meetings. SCL is a full member of the Asia Pacific Metrology Programme (APMP) and represents Hong Kong, China, as an Associate of the General Conference on Weights and Measures (CGPM) of the Metre Convention.

In addition, the Customs and Excise Department is a Correspondent Member of the International Organization of Legal Metrology (OIML) and a Member of the Asia Pacific Legal Metrology Forum (APLMF). The Office of the Telecommunications Authority also attends meetings of the International Telecommunications Union (ITU).

NIST Notify U.S. Service

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. **Notify U.S.** is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect your access to international markets. Register online at Internet URL: www.nist.gov/notifyus/

Conformity Assessment

A comprehensive range of conformity assessment services including testing, calibration, certification, and inspection, are available in Hong Kong. The majority of such services are provided by the private sector. Examples of Conformity Assessment Bodies (CABs) include:

- Intertek Testing Services Hong Kong Ltd.
- Calibration & Testing Laboratory / Sun Creation Engineering Ltd.
- The Hong Kong Standards and Testing Centre Ltd.
- CMA Industrial Development Foundation Ltd.
- TUV Rheinland Hong Kong Ltd.
- Bureau Veritas Hong Kong Ltd.

Conformity is demonstrated through third party accreditation. HKAS provides accreditation for laboratories, certification bodies, and inspection bodies.

Product Certification

The certification system in Hong Kong is administered to facilitate Hong Kong's export to foreign markets. The system establishes the origin of goods that Hong Kong exports to meet the requirements of overseas importing authorities. The legal basis for Hong Kong's origin system is based on the Export (Certificates of Origin) Regulations of the Import and Export Ordinance (Cap. 60), which provide the Director-General of the Hong Kong Trade and Industry Department (TID) with the power to run the certification system. The regulations also provide penalties for certification offences.

Certificates of Origin issued by the Government Approved Certification Organizations (GACOs) are governed by the Protection of Non-government

Certificates of Origin Ordinance (Cap. 324 of the law of Hong Kong). These Certificates of Origin have the same legal status as those issued by the TID. Accreditation for construction product certification and consumer product certification services is provided by HKAS. The accreditation criteria include HKAS 002, ISO/IEC Guide 65: 1996, the relevant HKAS supplementary criteria, Hong Kong Certification Body Accreditation Scheme (HKCAS, see below more information) Supplementary Criteria No. 2 (for construction product certification), and Hong Kong Certification Body Accreditation Scheme (HKCAS, see below) Supplementary Criteria No. 3 (for consumer product certification).

Construction Products

For accreditation of construction product certification, the scope of accreditation service is given in HKCAS Supplementary Criteria No. 2. Certification bodies interested in seeking accreditation for construction product certification may contact the TID for further details.

Consumer Products

Application for accreditation is open to any certification body which operates a third-party product certification system of type 1b, 2, 3, 4 or 5 as described in ISO/IEC Guide 67: 2004 for specific types of consumer products in one of the following product groups:

- Electrical and electronic products
- Food containers
- Furniture
- Telecommunications equipment
- Textiles, garments, and footwear
- Toys and children's products

Accreditation

The Hong Kong Accreditation Service (HKAS), a government organization, provides accreditation for laboratories, certification bodies and inspection bodies. HKAS operates three accreditation schemes: Hong Kong Laboratory Accreditation Scheme (HOKLAS), Hong Kong Certification Body Accreditation Scheme (HKCAS), and Hong Kong Inspection Body Accreditation Scheme (HKIAS). HOKLAS was launched in 1985, HKCAS in 1998, and HKIAS in 1999. Participation in these schemes is voluntary. HKAS participates in a number of mutual recognition arrangements.

HKAS is advised by the Accreditation Advisory Board (AAB) on matters relating to accreditation. The Chairman and members of AAB are appointed by the Secretary for Commerce and Economic Development under the delegated authority of the Chief Executive. Working Parties and Task Forces are established under AAB to undertake specific tasks. HKAS has established a cadre of assessors and technical experts for carrying out assessments for each of the accreditation scheme.

Contact information for HKAS:
Hong Kong Accreditation Service
Quality Services Division
Innovation and Technology Commission
Address: 36/F, Immigration Tower
7 Gloucester Road, Wanchai, Hong Kong
Tel: (852) 2829-4840
Fax: (852) 2824-1302
Email: hkas@itc.gov.hk
Website: www.itc.gov.hk/en/quality/hkas/about.htm

Publication of Technical Regulations [Return to top](#)

Technical regulations are proposed and passed by relevant government departments. There may or may not be public consultation before each regulation is passed.

Hong Kong's technical regulations cover the following areas: Electrical Products Safety, Air Pollution Control, Antibiotics, Boilers and Pressure Vessels, Buildings, Consumer Goods Safety, Dangerous Drugs, Electricity, Environmental Impact Assessment, Food and Drug (Composition and Labeling), Gas Safety, Merchant Shipping Safety, Noise Control, Ozone Layer Protection, Pesticides, Pharmacy and Poisons, Plant (Importation and Pest Control), Public Health (Animals and Birds), Public Health and Municipal Services, Radiation, Road Traffic, Telecommunications, Toys and Children's Products Safety, Waste Disposal, and Water Pollution Control.

More information on Hong Kong's technical regulations can be obtained from the following website: www.itc.gov.hk/en/quality/psis/regulations.htm.

Technical regulations are published in the *Government of the Hong Kong Special Administrative Region Gazette*.

For information about a subscription to the Government of the Hong Kong Special Administrative Region Gazette, contact:

Information Officer, Publications Sales Section

Information Services Department

Email: puborder@isd.gov.hk

Website: www.isd.gov.hk/eng/publication.htm#gaze

Labeling and Marking [Return to top](#)

Refer to "Labeling and Marking Requirements" in this chapter.

Contacts

The designated central contact for standards issues in Hong Kong is listed below:

Innovation and Technology Commission

Product Standards Information Bureau

36/F, Immigration Tower

7 Gloucester Road

Wan Chai, Hong Kong

Tel: (852) 2829-4820

Fax: (852) 2824-1302

Email: psib@itc.gov.hk

Website: www.itc.gov.hk/psib

For regulatory contacts, please refer to the following website:

www.itc.gov.hk/en/quality/psis/index.htm

U. S. Commercial Service in Hong Kong

Contact: Ms. Olevia Yim
Tel: (852) 2521-1467
Fax: (852) 2845-9800
Email: olevia.yim@trade.gov

Trade Agreements

Hong Kong

Hong Kong is a founding member of the World Trade Organization (WTO) as well as a member of the Asia-Pacific Economic Cooperation (APEC).

Despite mainland China's accession to the WTO, Hong Kong is well positioned to play a key role for U.S. firms wishing to expand exports to China, one of the world's fastestgrowing markets. Hong Kong is a trading hub for mainland China and the region; its trading firms are experts at promoting imported products and services in mainland China. Similarities in linguistic and cultural traditions have enabled Hong Kong traders to maximize opportunities for U.S. firms, and in particular for small and medium-sized enterprises and first-time exporters.

Hong Kong has a free trade agreement with mainland China, called the Closer Economic Partnership Arrangement (CEPA), which provides tariff-free export to mainland China of Hong Kong-origin goods and preferential access for specific services sectors. Signed in 2003, CEPA has gradually expanded every year thereafter. Following the eighth phase, announced in December 2011, service providers in 47 sectors (e.g., logistics, distribution) now enjoy preferential treatment on the mainland. U.S. and other foreign firms engaged in substantive business operations in Hong Kong over the past three to five years are eligible to take advantage of most CEPA concessions to enter the mainland market. The HKG plans to achieve "basic" liberalization for all mainland service sectors by the end of the Chinese National 12th Five-Year Plan period in 2015.

In order to qualify as a Hong Kong company under CEPA, the company (including a subsidiary of a foreign company) must incorporate in Hong Kong, have been engaged in substantial business operations here for more than three years, and employ at least half of its staff in Hong Kong. In addition, foreign companies that have acquired or merged with a Hong Kong company on or after June 29, 2003, qualify after one year of operation as a Hong Kong company. For more information on CEPA, please visit: www.tid.gov.hk/english/cepa.

With the January 1, 2005 elimination of all remaining quotas on textile and apparel imports from WTO members, Hong Kong textile and apparel exports are no longer subject to quantitative restrictions.

In 2010, Hong Kong signed its first-ever free-trade agreement (FTA) with a foreign economy (New Zealand). In June 2011, Hong Kong and the member states of the European Free Trade Association (Iceland, Liechtenstein, Norway and Switzerland) signed a FTA covering trade in services and goods as well as investment, and other trade-related issues such as protection of intellectual property. Both agreements are fully consistent with the provisions of the World Trade Organization. In additional, Hong

Kong and Chile have agreed to start negotiations on a FTA in early 2012. Finally, Hong Kong is an Asia-Pacific Economic Co-operation (APEC) member economy and a participant in the APEC Business Travel Card (ABTC) Scheme, which grants qualified business travelers streamlined immigration clearance.

Macau

A separate and roughly equivalent Closer Economic Partnership Arrangement was signed between mainland China and Macau in 2003. While not as expansive as that of Hong Kong, it includes a number of industry areas where Macau-based firms are granted preferential access to the mainland market. More information on this CEPA agreement can be found at: www.cepta.gov.mo/ceptaweb/front/eng/index_en.htm.

Web Resources [Return to top](#)

Hong Kong Accreditation Service: www.itc.gov.hk/en/quality/hkas/about.htm

Hong Kong Customs and Excise Department: www.customs.gov.hk

Hong Kong Trade and Industry Department: www.tid.gov.hk

Macau Government CEPA site: www.cepta.gov.mo/ceptaweb/front/eng/index_en.htm

Macau Customs Service: www.customs.gov.mo