

Construction and Related Engineering Services

CEPA I

Sectors or sub-sectors	3. Construction and related engineering services CPC511, 512, 513 ¹ , 514, 515, 516, 517, 518 ²
Specific commitments	<p>1. For construction enterprises set up in the Mainland by Macao service suppliers, the performance of both the enterprises in Macao and in the Mainland is taken into account in assessing the qualification of the construction enterprises in the Mainland. However, the number of managerial and technical staff in the construction enterprises in the Mainland will be the actual number of staff working there.</p> <p>2. To allow Macao service suppliers to wholly acquire construction enterprises in the Mainland.</p> <p>3. Construction enterprises in the Mainland set up with investment by Macao service suppliers are exempted from foreign investment restrictions when undertaking Chinese-foreign joint construction projects.</p> <p>4. Construction enterprises in the Mainland with investment by Macao service suppliers will follow the relevant laws and regulations in the Mainland for application of construction qualification certificates. Those which have acquired such certification are permitted in accordance with laws to bid for construction projects in all parts of the Mainland.</p>

¹ Including dredging services relating to infrastructure construction.

² Coverage is limited only to the rental and leasing services of construction and/or demolition machines (with operators), which are owned and used by foreign construction enterprises in the course of providing services.

CEPA II

Sectors or sub-sectors	3. Construction and related engineering services CPC511, 512, 513 ³ , 514, 515, 516, 517, 518 ⁴
Specific commitments	<p>1. For construction enterprises set up in the Mainland by Macao service suppliers, the construction contract performance of the enterprises both in the Mainland and outside the Mainland is taken into account in assessing the qualification of the construction enterprises in the Mainland. The total managerial and technical staff of the construction enterprises in the Mainland should be based on the actual employed staff in the Mainland for the purpose of proceeding qualification assessment.</p> <p>2. There will be no restriction on the proportion of Macao permanent residents being project managers approved by the qualification administration authorities for construction enterprises in the Mainland set up by Macao service suppliers.</p> <p>3. Macao service suppliers who have already obtained the certificate of approval for establishment of enterprises with investment of Taiwan, Hong Kong and Macao in the Mainland but have not yet obtained the construction enterprise qualification certificate may apply, before 1 July 2005, for a certificate for undertaking single construction project based on their signed construction contract and “Construction Qualification Certificate for Taiwan, Hong Kong and Macao Enterprise”. Subject to the preliminary vetting and agreement of construction administration department at provincial level, the application will be processed by the Ministry of Construction.</p> <p>4. The residency requirement is waived for Macao permanent residents employed as engineering technical staff and economic managerial staff in construction enterprises in the Mainland set up by Macao service suppliers.</p> <p>5. The commitments in relation to construction and related engineering services stated above shall be implemented from 1 November 2004.</p>

³ Including dredging services relating to infrastructure construction.

⁴ Coverage is limited only to the rental and leasing services of construction and/or demolition machines (with operators), which are owned and used by foreign construction enterprises in the course of providing services.