

Supplementary Provisions on the Administration of Foreign Investment in Road Transport Sector

Decree of the Ministry of Communications and the Ministry of Commerce [2003] No.12
Supplementary Provisions on the Administration of Foreign Investment in Road Transport Sector are hereby promulgated and shall be implemented as of January 1st, 2004.

Zhang Chunxian, Minister of the Ministry of Communications

Lv Fuyuan, Minister of the Ministry of Commerce

December 31st, 2003

With a view to promoting the establishment of a closer economic partnership between Hong Kong, Macao and the Mainland of China, and to encouraging Hong Kong service providers and Macao service providers to set up enterprises engaging in road services in the Mainland of China, the following supplementary provisions are hereby promulgated with respect to the Provisions on the Administration of Foreign Investment in the Road Transport Sector, and in accordance with the Mainland-Hong Kong Closer Economic and Trade Partnership Arrangement and Mainland-Macao Closer Economic and Trade Partnership Arrangement approved by the State Council:

1. As of January 1st, 2004, service providers from Hong Kong or Macao shall be allowed to set up solely funded enterprises to provide road passenger transport services in the western areas of the Mainland of China.
2. As of January 1st, 2004, service providers from Hong Kong or Macao shall be allowed to set up solely funded enterprises to provide road cargo transport services in the Mainland of China.
3. As of January 1st, 2004, service providers from Hong Kong or Macao shall be allowed to provide "non-stop" cargo transport services from Hong Kong, Macao to the provinces, municipalities, and autonomous regions of the Mainland of China.
4. To provide "non-stop" freight services in the Mainland of China, service providers from Hong Kong or Macao must set up solely-funded, joint-venture or cooperative enterprises in the Mainland and must obtain the license for road transport.
5. The "Hong Kong service providers" and "Macao service providers" as mentioned herein shall respectively meet the definition of "service providers" and the relevant provisions in the Mainland-Hong Kong Closer Economic and Trade Partnership Arrangement and the Mainland-Macao Closer Economic Partnership Arrangement.
6. Except the above-mentioned clauses, other matters shall be implemented in accordance with the Provisions on the Administration of Foreign Investment in the Road Transport Sector.

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7. The responsibility to interpret the present Supplementary Provisions shall remain with the Ministry of Communications and the Ministry of Commerce.

8. The present Supplementary Provisions shall be implemented as of January 1st, 2004.



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