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Committee on Market Access

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RECTIFICATIONS AND MODIFICATIONS OF SCHEDULES

SCHEDULE LXXXII - HONG KONG, CHINA

The following communication, dated 8 April 2020, is being circulated at the request of the delegation of Hong Kong, China.

Pursuant to the procedures for modification and rectification of schedules of tariff concessions contained in the Decision of 26 March 1980 (BISD 27S/25), Hong Kong, China hereby notifies WTO Members of the draft technical rectifications to Schedule LXXXII set out in the Annexes¹.

In the course of verifying the Harmonized System 2012 (HS2012) transposition files prepared by the Secretariat, Hong Kong, China noted some inconsistencies between its Harmonized System 2002 (HS2002) certified schedule, its Harmonized System 2007 (HS2007) certified schedule, its domestic Tariff Schedules, and the HS2012 transposition files. The draft rectifications serve to correct the errors identified or eliminate the inconsistencies. The rectifications required are contained in the following two legal instruments:

- (a) WT/Let/584 which contains HS2002 changes introduced to Hong Kong, China's WTO schedule of concessions; and
- (b) WT/Let/1010 which contains HS2007 changes introduced to Hong Kong, China's WTO schedule of concessions.

The corrections are of technical nature with a view to more precisely reflecting the commitments undertaken by Hong Kong, China.

Detailed explanatory notes and tables with the draft rectifications are contained in Annex 1, whereas the draft rectification is contained in Annex 2¹.

If no objection is notified to the Secretariat within three months from the date of this document, the rectifications and modifications to Schedule LXXXII - Hong Kong, China will be deemed to be approved and will be formally certified.

¹ In English only.

ANNEX 1 – EXPLANATORY NOTE

In the course of verifying the HS2012 transposition files prepared by the Secretariat, some inconsistencies between the HS2002 and HS2007 certified schedules of Hong Kong, China; Hong Kong, China's domestic Tariff Schedules; as well as the HS2012 transposition files were identified. Pursuant to the Secretariat's recommendation, Hong Kong, China proposes to rectify the relevant discrepancies as set out below.

(i) WT/Let/584

- To implement our commitment under Attachment A, Section 2 to the Annex to the Ministerial Declaration on Trade in Information Technology Products ("ITA"; WT/MIN(96)/16), Hong Kong, China has bound "chemical vapor deposition apparatus for semiconductor production" classified as part ("ex") of HS 8419.8900 and such commitment is correctly certified in WT/Let/160¹. Subsequently, Hong Kong, China has bound the whole tariff line HS 8419.8900 (including the non-ITA part) in WT/Let/584 which contains the HS2002 changes introduced to Hong Kong, China's schedule of concessions and which is in excess of the binding commitments. To accurately reflect Hong Kong, China's ITA commitments, the following rectification is proposed:

WT/Let/584		
Existing HS02 code	Existing Product Description	Final Bound Rate
8419.8900	-- Other	Free

Proposed Rectification		
Proposed HS02 code	Proposed Product Description	Final Bound Rate
8419.89	-- Other	Free
8419.8910	--- Chemical vapor deposition apparatus for semiconductor production	
8419.8990	--- Other	U

* Bold represents the revision.

As a result, document WT/Let/1010 which contains the HS2007 changes should be rectified accordingly.

¹ This legal instrument (which is effective since 17 July 1997) contains the modifications introduced to Hong Kong, China's WTO schedule of concessions arising from the implementation of the ITA concluded in December 1996.

(ii) **WT/Let/1010**

2. Arising from annual changes in tariff classification, Hong Kong, China has replaced a number of bound / partially bound / unbound lines under HS 8469 with HS 8469.0000 (viz. "typewriters other than printers of heading 8443; word-processing machines") and bound this new tariff line for simplicity since 2007. As a result, HS 8469.00 (comprising HS 8469.0010, 8469.0020 and 8469.0090) should have been fully bound in WT/Let/1010. To accurately reflect Hong Kong, China's commitments, the following rectification is proposed:

WT/Let/1010		
Existing HS07 code	Existing Product Description	Final Bound Rate
8469.00	Typewriters other than printers of heading 84.43; word-processing machines	
8469.0010	- Word-processing machines	Free
8469.0020	- Electric typerwriters, other than weighting not more than 12 kg, excluding case	Free
8469.0090	- Other	U

Proposed rectification		
Proposed HS07 code	Proposed Product Description	Final Bound Rate
8469.0000	Typewriters other than printers of heading 84.43; word-processing machines	Free

* Bold represents the revision.

3. Arising from annual changes in tariff classification, Hong Kong, China has fully bound all tariff lines under HS 8528.72 since their creation in 2007. As a result, the whole HS 8528.72 (comprising HS 8528.7210 and 8528.7290), instead of only HS 8528.7210, should have been bound in WT/Let/1010. The following rectification should be made to accurately reflect Hong Kong, China's commitments:

WT/Let/1010		
Existing HS07 code	Existing Product Description	Final Bound Rate
8528.7	- Reception apparatus for television, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus:	
8528.72	-- Other, colour	
8528.7210	--- Incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus only	Free
8528.7290	--- Other	U

Proposed rectification		
Proposed HS07 code	Proposed Product Description	Final Bound Rate
8528.7	- Reception apparatus for television, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus:	
8528.7200	-- Other, colour	Free

* Bold represents the revision.

4. Arising from annual changes in tariff classification, Hong Kong, China merged parts of a number of bound and unbound tariff lines to form a new tariff line HS 8536.7000 (viz. "connectors for optical fibres, optical fibre bundles or cables") in 2007. Hong Kong, China has fully bound this new tariff line for simplicity since then. As a result, the whole HS 8536.70 (comprising HS 8536.7010 and 8536.7090), instead of only HS 8536.7010, should have been bound in WT/Let/1010. The following rectification should be made to accurately reflect Hong Kong, China's commitments:

WT/Let/1010		
Existing HS07 code	Existing Product Description	Final Bound Rate
8536.70	- Connectors for optical fibres, optical fibre bundles or cables	
8536.7010	-- Of copper	Free
8536.7090	-- Other	U

Proposed rectification		
Proposed HS07 code	Proposed Product Description	Final Bound Rate
8536.7000	- Connectors for optical fibres, optical fibre bundles or cables	Free

* Bold represents the revision.

5. During the introduction of HS2007 changes to Hong Kong, China's WTO schedule of concessions, the tariff line HS 9503.0060 (viz. "puzzles of all kinds"), which was created by merging a number of unbound tariff lines (under HS 9503.60 in HS2002), was inadvertently bound. Hence, this tariff line should not have been bound in WT/Let/1010. The following rectification is therefore proposed:

WT/Let/1010		
Existing HS07 code	Existing Product Description	Final Bound Rate
9503.0060	- Puzzles	Free

Proposed rectification		
Proposed HS07 code	Proposed Product Description	Final Bound Rate
9503.0060	- Puzzles	U

* Bold represents the revision.

ANNEX 2 – DRAFT RECTIFICATION

SCHEDULE LXXXII - HONG KONG, CHINA

This schedule is authentic only in the English language

PART I - MOST-FAVOURED-NATION TARIFF
SECTION II – OTHER PRODUCTS

Tariff item no. (HS 2012)	Description of products	Base rate of duty		Bound rate of duty		Implementation period		Initial negotiating right	Other duties and charges	Other terms and conditions
		Ad val. (%)	Other	Ad val. (%)	Other	From	To			
1	2	3A	3B	4A	4B	5A	5B	6	7	8
8419	Machinery, plant or laboratory equipment, whether or not electrically heated (excluding furnaces, ovens and other equipment of heading 85.14), for the treatment of materials by a process involving a change of temperature such as heating, cooking, roasting, distilling, rectifying, sterilising, pasteurising, steaming, drying, evaporating, vaporising, condensing or cooling, other than machinery or plant of a kind used for domestic purposes; instantaneous or storage water heaters, non-electric.									
8419.8	- Other machinery, plant and equipment :									
8419.89	-- Other									
8419.8910	--- Chemical vapor deposition apparatus for semiconductor production			Free					0	
8419.8990	--- Other			U						
8469.0000	Typewriters other than printers of heading 84.43; word-processing machines			Free					0	
8528	Monitors and projectors, not incorporating television reception apparatus; reception apparatus for television, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus.									
8528.7	- Reception apparatus for television, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus:									
8528.7200	-- Other, colour			Free					0	

Tariff item no. (HS 2012)	Description of products	Base rate of duty		Bound rate of duty		Implementation period		Initial negotiating right	Other duties and charges	Other terms and conditions
		Ad val. (%)	Other	Ad val. (%)	Other	From	To			
1	2	3A	3B	4A	4B	5A	5B	6	7	8
8536	Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, surge suppressors, plugs, sockets, lamp-holders and other connectors, junction boxes), for a voltage not exceeding 1,000 volts; connectors for optical fibres, optical fibre bundles or cables.									
8536.7000	- Connectors for optical fibres, optical fibre bundles or cables			Free					0	
9503.00	Tricycles, scooters, pedal cars and similar wheeled toys; dolls' carriages; dolls; other toys; reduced-size ("scale") models and similar recreational models, working or not; puzzles of all kinds.									
9503.0060	- Puzzles			U						