

6TH MEETING OF CHINA-CHILE FTA COMMISSION AND 1ST WORKING GROUP MEETING OF ENHANCEMENT JOINT STUDY

9-10 July 2015, Beijing

AGREED MINUTES

The 6th Meeting of China-Chile FTA Commission and the 1st Working Group Meeting of Enhancement Joint Study were held in Beijing from 9th July to 10th July, 2015. The Chinese delegation was led by Mr. Yao Wenliang, Deputy Director General of the Department of International Trade and Economic Affairs of the Ministry of Commerce. The Chilean delegation was led by Mr. Pablo Urria, Director for Bilateral Economic Affairs of the Ministry of Foreign Affairs. The Name lists of both delegations are in Annex 1.

Heads of both delegations delivered opening remarks. They expressed the satisfaction for successful implementation of China-Chile FTA and agreed to expeditiously undertake the joint study on the enhancement of China-Chile FTA in light of the consensus reached by the leaders of our two countries during Premier LI Keqiang's official visit to Chile in May, 2015.

1. FTA Enhancement Joint Study

The Chinese Side introduced the internal procedures of FTA enhancement. Both sides exchanged information on the possible areas of the FTA Enhancement Joint Study which are, among others, customs procedures and trade facilitation, environment, competition policy, e-commerce and economic and technical cooperation from the Chinese side and market access, e-commerce and telecommunication from the Chilean side.

Both sides adopted the Terms of Reference of the Working Group of Joint Study on the Enhancement of China-Chile FTA as Annex 2.

To conduct the Joint Study efficiently, both side agreed that:

1.1 Preparing the position paper on the areas that both sides would pay attention to

respectively after the meeting;

1.2 Exchange the position paper within one month;

1.3 The 2nd working group meeting of FTA Enhancement Joint Study will be held in Chile on the 27th and 28th of October 2015.

2. FTA Commission

Both sides evaluated the implementation effect of China-Chile FTA and exchanged views on Tariff Schedule Transposition, Institutional Arrangements, Intellectual Property, Trade in Services and Investment and issues relating to the Customs, SPS and TBT.

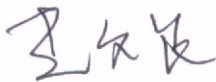
- **Tariff Schedule Transposition.** Both sides agreed to exchange the Customs Tariff Schedule of 2015 after this meeting and the Chinese side confirmed to provide with the co-relation table of Tariff Schedule transposition from 2002-2007 and 2007-2012. Both parties will make best efforts in completing the process by December 2015.
- **Institutional Arrangements.** The Chinese side shall study on the proposal presented by Chile internally and communicate with the Chilean side after the meeting. The Chinese side suggested incorporating this issue to the FTA enhancement. The Chilean side will consider this suggestion.
- **Intellectual Property.** The Chilean side briefly introduced the case about the problems regarding deceitful trademark inscriptions, and asked the related laws and the legal solutions. The Chinese side expressed the opinion that the specific laws were under discussion, and suggested the Chilean enterprises resort to the judicial approach case by case.
- **Temporary entry.** Both sides discussed the possibility of convening a VDC meeting of the Working Group established by Annex 1 of the China Chile Supplementary Agreement on Services. In this context, Chile committed to send a consolidated list of concerns regarding the issuance of visas for business persons and working proposal within 15 days of the meeting for China's consideration. China will initiate consultations with relevant authorities on the matter and respond with comments within 45 days.
- **Investment.** The Chinese side provided general information about the newly drafted Foreign Investment Law. Chile appreciated the information transmitted

and looks forward to the final draft of the law.

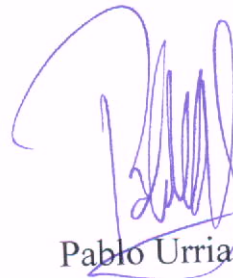
- **Modifications to Article 30, 31 and 35.** Chile will forward a draft reversal note in 30 days for China's consideration on the modification of 30, 31 and 35 of Chapter V Rules of Origin, and the overleaf note of the certificate of origin Form F. China will provide comments by no later than September, 2015.

The Committee on Trade in Goods discussed issues relating to rules of origin and customs procedures (Minutes as Annex 3). Furthermore, new meetings of the Committees on SPS and TBT were conducted (Minutes as Annex 4).

Both sides agreed that the 7th meeting of China-Chile FTA Commission will be held in Chile in 2016, the date will be decided at working level.



Yao Wenliang
Deputy Director General
Department of International Trade
and Economic Affairs
Ministry of Commerce
The People's Republic of China



Pablo Urria
Director for Bilateral
Economic Affairs
DIRECON
Ministry of Foreign Affairs
The Republic of Chile

Annex 1

Chinese Delegation

1	Mr. Yao Wenliang	Deputy Director General, Department of International Trade and Economic Affairs (DITEA), MOFCOM
2	Mr. Chen Zhiyang	Division Director, DITEA, MOFCOM
3	Mr. Kang Pingjian	Division Director, DITEA, MOFCOM
4	Ms. Zhang Bo	Officer, DITEA, MOFCOM
5	Ms. Lyu Yan	Officer, DITEA, MOFCOM
6	Ms. Xu Dan	Officer, DITEA, MOFCOM
7	Mr. Zhu Zhongliang	Division Director of Price Monitoring Department, NDRC
8	Ms. Tian Min	Officer, Economic and Trade Department, NDRC
9	Ms. Liu Xili	Officer, Department of Finance, MIIT
10	Mr. Wang Shouye	Officer, Department of Customs, Ministry of Finance
11	Ms. Liu Yizhuo	Officer, International Cooperation Department, Ministry of Agriculture
12	Ms. Yang Jing	Officer, International Cooperation Department, Ministry of Agriculture
13	Mr. Liu Tang	Deputy Division Director, Customs Duties Collection and Control Department, GAOc
14	Mr. Liu Hui	Officer, Customs Duties Collection and Control Department, GAOc
15	Ms. Mao Jue	Officer, Customs Duties Collection and Control Department, GAOc
16	Ms. Liu Ze	Officer, Department of International Cooperation, GAOc
17	Mr. Bi Zhonglin	Division Director, International Cooperation Department, AQSIQ
18	Mr. Cai Ming	Officer, International Cooperation Department, AQSIQ
19	Mr. He Feng	Officer, Customs Clearance Department, AQSIQ
20	Ms. Zhou Ningjing	Officer, Trade Mark Office, SAIC
21	Ms. Wang Pengjing	Officer, SAIC
22	Ms. He Yan	Officer, International Cooperation Department, SAIC
23	Ms. Zhang Huiling	Deputy Division Director, Department of Treaty and Law, MOFCOM

24	Mr. Fang Xiao	Officer, Department of Treaty and Law, MOFCOM
25	Mr. Yang Mingfang	Officer, Anti-monopoly Bureau, MOFCOM
26	Mr. Yang Yue	Officer, Department of Outward Investment and Economic Cooperation, MOFCOM
27	Mr. Lu Yuzhong	Division Director, Department of American and Oceanian Affairs, MOFCOM
28	Ms. Shentu Xiaoqi	Division Director, Department of Ecommerce, MOFCOM

Chilean Delegation

	General Directorate for International Economic Affairs (DIRECON), Ministry of Foreign Affairs	
1	Mr. Pablo Urria	Director for Bilateral Economic Affairs – DIRECON
2	Mrs. Constanza Alegría	Head, Market Access Department - DIRECON
3	Mrs. Carmen Gloria Vivanco	Customs Procedures, Market Access Department - DIRECON
4	Mr. Diego Torres	Head, Asia and Oceania Department - DIRECON
5	Mr. Salvador Bonilla	Advisor, Asia and Oceania Department - DIRECON
6	Mrs. Marcela Rubio	Certification Department - DIRECON
7	Mrs. Tania Pierotic	Advisor, Services, Investment and Air Transport Department - DIRECON
8	Mr. Fernando Acuña	Advisor, Regulatory Department – DIRECON
	National Agricultural and Livestock Service	
9	Mrs. Alejandra Guerra	Advisor, Technical Department – National Agricultural and Livestock Service
	Embassy of Chile	
10	Mr. Jorge Heine	Ambassador of Chile
11	Mr. Andreas Pierotic	Minister Counselor for Economic and Commercial Affairs, Head Economic Department
12	Mr. Carlos Parra	Minister Counselor, Head Agriculture Office
13	Mr. Eduardo Silva	Consul of Chile in Beijing
14	Ms. Echo Yao	Assistant of the Economic Department
15	Ms. Claudia You	Assistant of the Agriculture Office
16	Ms. Lidia Liu	Assistant of the Agriculture Office
17	Ms. Ma Li	Staffer of the Economic Department
18	Mr. Carlos Villegas	Staffer of the Economic Department
19	Mr. Osvaldo Lagos	Staffer of the Economic Department

TERMS OF REFERENCE
OF THE WORKING GROUP OF JOINT STUDY
ON THE ENHANCEMENT OF CHINA-CHILE FTA
(Proposal from China)

Objective

1. China and Chile will undertake a joint study on the enhancement of China-Chile Free Trade Agreement (FTA).
2. The Working Group will study and identify the possible benefits and potential areas for the enhancement of China-Chile FTA. It will prepare a joint study report which will include its recommendations.

Composition

3. The Working Group will be composed of officials of relevant government organizations from both sides.

Chairmanship

4. The Working Group would be co-chaired by high level officials (Deputy Director General level or above) from both sides.

Scope of Work

5. The joint study on the enhancement of China-Chile FTA would include (but not limited to):
 - Trade in Goods;
 - Trade in Services;
 - Economic and Technical Cooperation in identified sectors; and
 - Trade related rules.

Timetable and Venue

6. It is generally understood that the joint study should be expeditious and efficient.

7. It is expected that the Working Group will complete the joint study by the end of January, 2016.

8. The Working Group meeting will be held alternately in China and Chile on a rotational basis.

Secretariat Support

9. The host country would prepare the draft agenda and other secretariat assistance of Working Group meetings.

Language and Working Texts

10. Meetings and written texts concerned shall be conducted in English.

11. Working texts shall be treated as restricted documents.



Minutes of the Trade in Goods Committee of China-Chile Free Trade Agreement

9-10th July, 2015

Beijing, China

1. Invoice Information in Box 13 of Certificate of Origin Form F

Both sides agreed that either the exporter's invoice information or the Non-Party Operator's invoice information could be stated in Box 13 of the Certificate of Origin Form F.

2. Regarding the Article 35 of China-Chile FTA

Both sides agreed to modify the Article 35 of China-Chile FTA. In case a good to be traded is invoiced by a non-Party operation, the data (name, address and country) of the producer in the originating Party do not need to be filled in the title "Remarks" of the respective Certificate of Origin.

3. Regarding the applicant of the Certificate of Origin Form F

Both sides agreed to extend the scope of the applicant of the Certificate of Origin Form F, to the producer. In this regard, Chile side will submit a preliminary proposal of Article 30 and relevant Box of the Certificate of Origin Form F under China-Chile FTA in 30 days.

4. Both Parties exchanged views on the filling of box 3 of the Certificate of Origin. In case the exporter has no knowledge of the consignee's information including its name, address and country at the time of issuance of certificate of the certificate of origin, the box could be filled with "to order". In that case, the importing customs authority reserves the right to request more information in order to decide whether accept the Certificate of Origin Form F or not.

5. Direct Consignment

China Side shared that China Customs will publish a new announcement on the Direct Consignment to further define the documentation requirements in one or two months. China Customs will provide a copy of such announcement to Chile Embassy in Beijing for reference.

6. Electronic Data Exchange System on Origin (including Electronic Certification of Origin)

Both Sides agreed to establish a working group to develop Electronic Data Exchange System, and the details will be communicated through the contact points of both sides.

China Side:

Mr. Liu Hui, 86-10-65194044, 5729(fax), origin.division@customs.gov.cn

Ms. Mao Jue, 86-755-84398356, 8357(fax), szroo@customs.gov.cn

Chile Side:

Ms. Nathaly Ramirez, 56228275100, ncramirez@direcon.gob.cl

Ms. Marcela Rubio, 56228275100, mrubio@direcon.gob.cl

7. Regarding the HS Code used in the Certificate of Origin Form F

Both Parties confirmed the HS Code used in the Certificate of Origin Form F is based on HS 2012.

8. Both sides exchanged contact points for Rules of Origin, Custom Procedures and Custom Cooperation and Trade Facilitation, as follows

Chile

DIRECON	National Customs Service
Certification and Verification of Origin And Electronic Certification of origin	Cooperation
Ms. Nathaly Ramirez Escobar Head of Certification and Verification Department Phone : (56)228275128 Email : ncramirez@direcon.gob.cl	Mr. Fabian Villarroel Head of International Affairs Department National Customs Service Mail: fvillarroel@aduana.cl Phone number: +56 32 2134508 Ms. Daniela Veas Head of Origin Division National Customs Service Mail: dveas@aduana.cl Phone number: +56 32 2134528
Rules of Origin and Customs Procedures	
Ms. Constanza Alegria Pacull Head of Market Access Department Phone: 56-2-28275533 Email: calegria@direcon.gob.cl	

China

GACC	
Rules of Origin	Customs Cooperation and Trade Facilitation

Mr. Liu Hui, 86-10-65194044, 5729(fax),
origin.division@customs.gov.cn

Ms. Mao Jue, 86-755-84398356, 8357(fax),
szroo@customs.gov.cn

Ms. Liu Ze, 86-10-65194351,
liuze@customs.gov.cn



Minutes of the 5th Meeting of the SPS/TBT Committee of China-Chile Free Trade Agreement

10th July, 2015
Beijing, China

The SPS/TBT Committee of China-Chile Free Trade Agreement met on July 10th, 2015 in Beijing. The Chinese delegation was led by Mr. Bi Zhonglin, Director, Department of International Cooperation, General Administration of Quality Supervision, Inspection and Quarantine and the Chilean delegation was led by Mr. Fernando Acuna Ramirez, Advisor, Regulatory Department, Ministry of foreign affairs. The list of participants is attached.

Both Parties recognized the good relations between China and Chile, highlighted the fruitful cooperation between their competent authorities, and agreed to the importance of continuing to work closely in the future.

The issues discussed are the following:

SPS issues

1. Protocol of Avocados

Regarding the draft protocol of Avocados from Chile, Chile stressed the sense of urgency of coming to a satisfactory result before the beginning of the harvest season in August. China confirmed that have received the comments. The China side is currently evaluating the comments and will feedback to Chile side after the evaluation.

2. Fruit Fly

Chile presents its appreciation to China's cooperation and will provide a formal agenda of an on-site inspection after this meeting. Chile has proposed 29th July for the inspection on this issue. China will feedback to the agenda after receiving it.

3. Pomegranate from China to Chile

China presents its appreciation to Chile's cooperation and will provide the required technical materials to Chile as soon as possible.

4. Shelled walnuts from Chile to PR China

Chile presents its appreciation to China's cooperation and inquires the progress regarding the risk analysis. China will send a formal letter to Chile after the experts done the research work comparing the requirements for nuts with or without shells.

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5. Pig casings from Chile to China

Chile will deliver the certificate samples, list of relevant establishments and other relevant materials to China via Chile Embassy in the beginning of next week.

China explained that casing is the byproducts of the hog, and meat application forms from the establishment are also necessary for registration before export to China. (website: www.cnca.gov.cn)

6. Fish meal and fish oil for animal consumption

China side will send an official letter about the results of the audit in the near future and clarified the valid time of the registration and the approval list of the establishments. China also confirmed the reception of the materials of one establishment (No. 2013).

7. Fish oil for human consumption

China side have concluded the assessments on the technical materials and suggested to do on-site inspection in the near future. China side will provide relevant product standards before the on-site inspection.

8. Contact point for exchange of information on issues related to safety of feed for aquaculture

China side will provide the information of the contact point after receiving the Chile's contact information.

9. Update on the list for authorized fish products from Chile

China side clarified the procedure and required materials to update the list for authorized fish products.

10. Other issues

Both sides exchange information on the frozen fruits, live bovine and leathers of bovine. And Chile will send information to improve regulations on live bovine for China consideration.

TBT issues

1. Mutual Recognition Joint Feasibility Study

China side suggested to strengthen the cooperation of certification and accreditation in FTA framework. China wish to start joint feasibility study on Certification and Accreditation mutual recognition agreement. China side suggested to build a cooperation mechanism under the TBT Committee. Chile side welcome the suggestion and will convey this suggestion to the relevant department. Chile will provide the contact information of such relevant department.

Chile will provide updated contact information on TBT and SPS Committee after the meeting.