

**MEMORANDUM OF UNDERSTANDING
ON CO-OPERATION IN
INFORMATION AND COMMUNICATIONS TECHNOLOGY
BETWEEN
THE COMMERCE, INDUSTRY AND TECHNOLOGY BUREAU
OF THE GOVERNMENT OF THE HONG KONG SPECIAL
ADMINISTRATIVE REGION
OF THE PEOPLE'S REPUBLIC OF CHINA
AND
THE MINISTRY OF TRANSPORT AND COMMUNICATIONS
OF THE GOVERNMENT OF THE REPUBLIC OF FINLAND**

The Commerce, Industry and Technology Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China and the Ministry of Transport and Communications of the Government of the Republic of Finland, hereinafter referred to as the "Participants",

RECOGNISING the interest of both the Hong Kong Special Administrative Region of the People's Republic of China and Finland in furthering the development of their respective information and communications technology industries, and in supporting the expansion of domestic, regional and international markets for their products, services and technologies,

GUIDED by the mutual interest and benefit of both Participants in encouraging and supporting partnerships, investment co-operation, commercial ventures, research and development in the areas of information and communications technology,

HAVE REACHED THE FOLLOWING UNDERSTANDING:

1. Focus of Co-operation

Acting within the framework of their powers and responsibilities, the Participants will develop co-operation and conduct exchanges in the field of information and communications technology.

2. Areas of Common Interest

Recognising the rapid change of technological development in the areas of information and communications technology industries, the Participants have identified the areas of common interest in information and communications technology, including, but not limited to, the following items -

- (A) delivery of government services on-line;
- (B) multimedia and software applications and products;
- (C) electronic commerce;
- (D) broadband networks and applications;
- (E) Internet applications;
- (F) wireless and mobile applications;
- (G) digital broadcasting; and
- (H) IT manpower development.

3. Areas of Co-operation

Having identified the areas of mutual interest, this Memorandum of Understanding will focus on the following areas of co-operation :

- (A) encouraging investment and technology partnerships;
- (B) accelerating commercial and industrial exchanges;
- (C) encouraging business partnerships and joint ventures between enterprises of the Hong Kong Special Administrative Region of the People's Republic of China and Finland;
- (D) facilitating technology development efforts;
- (E) promoting educational and learning exchanges; and
- (F) encouraging the exchange of policy and regulatory information.

4. Forms of Co-operation

Co-operation in the field of information and communications technology between the Participants may take the following forms :

- (A) exchange of information and materials on information and communications technology, and establishment of channels for exchange of information as appropriate;
- (B) exchange of information and communications technology specialists, professionals, students, delegations and visits as appropriate;
- (C) encouragement of liaison and collaboration with other government agencies, and industrial, academic and professional organisations to promote the areas of interest and co-operation outlined in paragraph 2 and paragraph 3;
- (D) facilitation and organisation of joint programmes including investment and venture capital seminars, symposia, missions, conferences and exhibitions;
- (E) facilitation and promotion of joint trade events, activities and opportunities to encourage commercial ventures;
- (F) provision of opportunities for each Participant to become acquainted with the organisational structure, statutes, regulations, methods and procedures of the other Participant; and
- (G) other forms of co-operation arranged by the Participants.

5. Designated Representative

In order to co-ordinate co-operative activities, each Participant will designate a representative to be responsible for determining the particular directions of co-operation and for ensuring the effectiveness of all co-operation and exchange activities. The representatives of both Participants or co-ordinators designated by their representatives will consult with each other through the Government channel specified by each Participant to define activities and other related matters. When necessary and as mutually determined, the representatives or their designated co-ordinators may hold working meetings.

6. Funding and Resources

The co-operative activities carried out under this Memorandum of Understanding will be subject to the availability of funds and resources of the Participants. For those activities carried out under this Memorandum of Understanding, unless otherwise decided, each Participant will provide resources adequate to carry out its own responsibilities in relation to those activities.

7. Scope of Co-operation

The Participants will promote and support co-operation in all spheres of activity defined by this Memorandum of Understanding in order to derive maximum benefits for both the Hong Kong Special Administrative Region of the People's Republic of China and Finland.

8. Intellectual Property Rights

Should intellectual property rights arise out of the co-operative activities of the Participants to this Memorandum of Understanding, each Participant will determine the allocation of those rights within its jurisdiction and the Participants will jointly decide on the allocation of rights in third jurisdictions.

9. Treatment of Confidential Material

Neither Participant will disclose or distribute any information that is supplied in confidence or marked or stated to be confidential, by the originating Participant, except as, and to the extent authorised, by the originating Participant.

10. Commencement and Termination

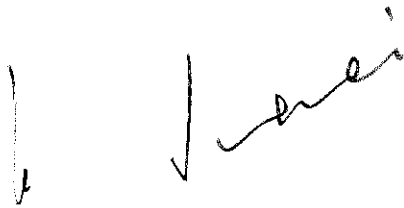
- (A) This Memorandum of Understanding came into effect on 14th January 2005 and will remain effective for a period of five years, unless terminated earlier by either Participant upon giving at least 90 days' written notice to the other Participant, or unless extended in writing by mutual consent of both Participants.
- (B) The termination of this Memorandum of Understanding will not affect the continuation until completion of those co-operative activities that are already in progress at the time of the termination of this Memorandum of Understanding.

11. Amendment

This Memorandum of Understanding may be amended at any time in writing by mutual consent of both Participants,

SIGNED in the Hong Kong Special Administrative Region, this 28th day of February 2005, in duplicate, in the English and Chinese languages, each version being equally authentic.

For the Commerce, Industry and
Technology Bureau of the Government of
the Hong Kong Special Administrative
Region of the People's Republic of China:



(Mr Francis Ho)
Permanent Secretary for Commerce,
Industry and Technology
(Communications and Technology)

For the Ministry of Transport and
Communications of the Government of
the Republic of Finland:



(Mr Pauli Mäkelä)
Consul General
Consulate General of Finland