HP / November 09, 2009 07:14PM
Re: 簽訂 MOU 後銀行業在中國的實質規範：《商業周刊》與《今周刊》報導歧異的比較
有沒有人可以翻譯或解譯上面那段 WTO 的節錄？

第14點和第16點看得實在有點暈，不太確定條文之間的指涉為何。

問題的主要重點是在承人民幣業務，是否要經過「設辦事兩年」及「分行開三年」兩個階段。

我目前看起來覺得今周刊講得可能比較對。

HP / October 16, 2009 07:16PM
簽訂 MOU 後銀行業在中國的實質規範：《商業周刊》與《今周刊》報導歧異的比較
商業周刊的報導(引用賴士葆說法)：

MOU 和 ECFA
什麼關係，為何要放在一起談？賴士葆一言中的：簽了ECFA，就等於關起門來給好處。意思是說，
如果只簽了MOU，銀行辦事處只能升分行，還是不能在中國經營人民幣業務，如果按照國際間的遊戲規則，至少等三年是不可少的，還必須達到三年中有兩年獲利的條件；
但是如果兩岸簽ECFA，這是台灣與中國簽訂的，就不必理會國際規則，直接不用排隊，就可以經營人民幣業務，銀行業馬上就雞犬升天。
(引自：http://www1.businessweekly.com.tw/webarticle.php?id=38139&p=2)

今周刊669期的報導摘要：

因為兩岸都是 WTO 會員國，台灣業者進到中國市場，和其他外資一樣，須回到 WTO
架構底下，不僅討不了便宜，而且因為兩岸對 WTO 的承諾不同，還可能造成對台灣業者「不公平」的競爭模式。

以銀行業為例，台灣的承諾是「外資能不須設辦事處，就直接開分行或子行，而且，可以直接承做新台幣業務，一步就到位。但中國對外資銀行的態度，就高了大半截，
中國的承諾是，「外資要設辦事兩年，才能升格為分行，分行開三年，才能做人民幣業務。」

質言之，商業周刊與今周刊報導最大的差異是前者是至少需三年才能經驗人民幣業務，而後者的報導是需五年。

(此文編輯中)

中國在 WTO 的 trade policies by sector (Document Download)

第14點：

Only foreign commercial banks that have maintained a representative office in China for at least two years prior to the application, and have total assets of not less than US$10 billion at the end of the year preceding the application, can apply for the establishment of a wholly foreign-funded bank (subsidiary). The same asset requirement applies for the establishment of a Chinese-foreign joint-venture bank. A foreign bank wishing to establish a branch must have total assets of not less than US$20 billion at the end of the year preceding the application, and must have maintained a representative office in China for at least two years in the area where it applies to establish its first branch. It was not clear to the Secretariat why the minimum asset requirements are higher for the establishment of branches than for locally incorporated entities, taking into account that branches are not allowed to conduct retail business. In addition, foreign financial institutions wishing to establish any type of operational foreign-funded bank must have persistent profit-earning capacity and good reputation; have experience in international financial activities; have in place an effective anti-money-laundering system; and be subject to supervision – and have the application approved – by its home country regulator.

第16點：

Wholly foreign-funded and Chinese-foreign joint-venture banks may engage in the same business operations as domestic commercial banks, both in local and foreign currency. Nonetheless, branches of foreign banks cannot supply bank cards; they may only receive time deposits of not less than Y 1 million each from Chinese citizens within China. Operational foreign-funded banks wishing to engage in local-currency business must have had their business in China for at least three years, and have been profitable for two consecutive years, prior to the application.

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