China-Macao Closer Economic Partnership Arrangement Supplement X

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Supplement X to the Mainland and Macao Closer Economic Partnership Arrangement

To further enhance the level of economic and trade exchanges, as well as cooperation between the Mainland[®] and the Macao Special Administrative Region (hereinafter referred to as "Macao"), and pursuant to:

- the Mainland and Macao Closer Economic Partnership Arrangement (hereinafter referred to as "CEPA") signed on 17 October 2003,
- the Supplement to the "CEPA" signed on 29 October 2004,
- the Supplement II to the "CEPA" signed on 21 October 2005,
- the Supplement III to the "CEPA" signed on 26 June 2006,
- the Supplement IV to the "CEPA" signed on 2 July 2007,
- the Supplement V to the "CEPA" signed on 30 July 2008,
- the Supplement VI to the "CEPA" signed on 11 May 2009,
- the Supplement VII to the "CEPA" signed on 28 May 2010,
- the Supplement VIII to the "CEPA" signed on 14 December 2011, and
- the Supplement IX to the "CEPA" signed on 2 July 2012.

the two sides agreed to sign this Supplement X on further liberalization of trade in services in the Mainland for Macao, and strengthening cooperation in the areas of finance, and trade and investment facilitation.

[®] In "CEPA", the "Mainland" refers to the entire customs territory of the People's Republic of China.

I. Trade in Services

- 1. From 1 January 2014, the Mainland shall further relax the market access conditions in 28 areas, namely, legal, construction, computer and related services, real estate, market research, technical testing and analysis services, placement and supply services of personnel, building-cleaning, photographic, printing, convention and exhibition, translation and interpretation services, telecommunications, audiovisual, distribution, environmental, banking, securities, hospital services, social services, tourism, cultural and recreational, sporting, maritime transport, air transport, road transport, freight forwarding agency and trade mark agency etc., on the basis of the commitments on liberalization of trade in services under "CEPA", "Supplement to the CEPA", "Supplement II to the CEPA", "Supplement III to the CEPA", "Supplement VI to the CEPA", "Supplement VI to the CEPA", and "Supplement IX to the CEPA", and to introduce liberalization measures in duplicating services and after-death facilities services. The specific contents are detailed in the Annex of this Supplement X.
- The Annex of this Supplement X is a supplement and amendment to Table 1 of Annex 4 of "The Mainland's Specific Commitments on Liberalization of Trade in Services for Macao" of "CEPA", Annex 3 "Supplements and Amendments to the Mainland's Specific Commitments on Liberalization of Trade in Services for Macao" of the Supplement to "CEPA", Annex 2 "Supplements and Amendments II to the Mainland's Specific Commitments on Liberalization of Trade in Services for Macao" of the Supplement II to "CEPA", Annex "Supplements and Amendments III to the Mainland's Specific Commitments on Liberalization of Trade in Services for Macao" of the Supplement III to "CEPA", Annex "Supplements and Amendments IV to the Mainland's Specific Commitments on Liberalization of Trade in Services for Macao" of the Supplement IV to "CEPA", Annex "Supplements and Amendments V to the Mainland's Specific Commitments on Liberalization of Trade in Services for Macao" of the Supplement V to "CEPA", Annex "Supplements and Amendments VI to the Mainland's Specific Commitments on Liberalization of Trade in Services for Macao" of the Supplement VI to "CEPA", Annex "Supplements and Amendments VII to the Mainland's Specific Commitments on Liberalization of Trade in Services for Macao" of the Supplement VII to "CEPA", Annex "Supplements and Amendments VIII to the Mainland's Specific Commitments on Liberalization of Trade in Services for Macao" of the Supplement VIII to "CEPA", and Annex "Supplements and Amendments IX to

the Mainland's Specific Commitments on Liberalization of Trade in Services for Macao" of the Supplement IX to "CEPA". In the event of conflict with the provisions of the above ten instruments, the provisions of the Annex of this Supplement X shall prevail.

- 3. "Service supplier" as referred to in the Annex of this Supplement X shall meet the relevant requirements of Annex 5 "Definition of "Service Supplier" and Related Requirements" of "CEPA".
- 4. The "contractual service provider", as specified in the Annex of this Supplement X refers to a natural person who holds a Macao Special Administrative Region identity document and enters the Mainland to provide temporary service for the performance of the service contract(s) secured in the Mainland by his/her employer. His/her employer should be a Macao service supplier without commercial presence in the Mainland. The remuneration of a contractual service provider during his/her stay in the Mainland will be borne by the employer. The contractual service provider should possess academic qualification and technical (professional) qualification relevant to the services provided. During his/her stay in the Mainland, the contractual service provider cannot involve in any service activities irrelevant to the contract.

II. Financial Cooperation

To actively support qualified Macao insurers to take part in compulsory traffic accident liability insurance business in the Mainland. Applications made by Macao insurers will be actively considered and facilitation will be provided in accordance with relevant rules and regulations.

III. Trade and Investment Facilitation

1. The two sides agreed to further strengthen cooperation in the areas of commodities inspection, inspection and quarantine of animals and plants, food safety, sanitary quarantine, certification, accreditation and standardization management. Accordingly, the following is added to Article 5.2.4 of Annex 6 to "CEPA" - Certification, accreditation and standardization Management:

- "(1) promote Guangdong and Macao mutual recognition of testing and certification results in respect of third-party testing and certification services;
- (2) in accordance with specific certification requirements, promote Guangdong and Macao mutual recognition of testing and certification results in respect of voluntary certification;
- (3) with regard to promoting mutual recognition of testing and certification results under the China Compulsory Certification (CCC) System, the two sides agree to observe the relevant requirements of the related national laws, rules, regulations and treaties, including the Regulations on Certification and Accreditation of the People's Republic of China and CEPA.
- (4) promote efficiency of the supply chain of the commodity trade between Guangdong and Macao by opening up the commodity information platform to members of the commodity bar code system of the Macao Special Administrative Region to enjoy the same services as those system members in the Mainland.
- (5) strengthen the sharing of commodity information resources between Guangdong and Macao with a view to achieve bilateral verification and inspection of commodity information circulated between the two places by employing the global uniqueness of commodity barcoding and to jointly combat counterfeit commodities so to optimize the business environment."
- 2. The two sides will adopt the following measures to further strengthen cooperation in the area of intellectual property protection:

To support studying the joint promotion of intellectual property trading and financing by Guangdong and Macao, and to explore the feasibility of developing businesses such as mutual recognition of intellectual property valuation through cooperation between Guangdong and Macao.

IV. Annex

The Annex to this Supplement X forms an integral part of this Supplement X.

V. Coming Into Effect

This Supplement X shall come into effect on the day of signature by the representatives of the two sides.

Signed in duplicate in Macao, this 30^{th} day of August, 2013 in the Chinese language.

Vice Minister of Commerce People's Republic of China Secretary for Economy and Finance
Macao Special Administrative Region of
the People's Republic of China

Courtesy Translation

Annex

Supplements and Amendments X to the Mainland's Specific Commitments on Liberalization of Trade in Services for Macao $^{\odot}$

Sectors or sub-sectors	1. Business services
	A. Professional services
	a. Legal services (CPC861)
Specific commitments	As a pilot measure in Guangdong Province, to allow Macao law firms and Guangdong law firms to enter into agreement under which Guangdong law firms may second Mainland lawyers to work as consultants on Mainland law in representative offices set up by Macao law firms in Guangdong Province.

[©] Sectoral classification is based on WTO's GATS Services Sectoral Classification List (GNS/W/120). For the contents of the sectors, reference is made to the relevant CPC, United Nations Provisional Central Product Classification.

d. Architectural services (CPC8671) e. Engineering services (CPC8672) f. Integrated engineering services (CPC8673) 1. For construction and engineering design enterprises set up
e. Engineering services (CPC8672) f. Integrated engineering services (CPC8673)
For construction and engineering design enterprises set up
e Mainland by Macao service suppliers, serving key technical onnel who are natural persons holding Macao identity ment are exempted from the requirement of residing in the pland for a cumulative period of no less than six months in a complete the mainland of the continuing education of the Mainland's registered architects have to attend, Macao
ce suppliers are allowed to complete elective courses in Macao be taught by Mainland teachers in Macao. The arrangement onducting elective courses of the continuing education must be gnized by the Mainland authorities. To allow contractual service providers employed by an service suppliers, in the mode of movement of natural ons, to provide services under this sector or sub-sector in the hland.

Sectors or sub-sectors	1. Business services
	B. Computer and related services
	b. Software implementation services (CPC842)
Specific commitments	To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	1. Business services
	D. Real estate services
	b. Real estate services on a fee or contract basis (CPC822)
Specific commitments	To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	1. Business services
	F. Other business services
	b. Market research services (CPC86401**, confined to market analysis, analysis of consumer attitudes and preference)
Specific commitments	To allow Macao service suppliers to set up contractual joint venture enterprises in the Mainland to provide market research services.

Sectors or sub-sectors	1. Business services
	F. Other business services
	e. Technical testing and analysis services (CPC8676) and freight inspection (CPC749), excluding statutory inspection services for freight inspection services
Specific commitments	1. To expand, on a pilot basis in Guangdong Province, the scope of testing services for the purpose of certification that can be undertaken by Macao testing organizations from food stuff to other areas of voluntary product certification.
	2. To accord to certification bodies, inspection bodies and laboratories jointly or solely set up in the Mainland by Macao service suppliers, when participating in testing and certification activities, the same treatment as is accorded to Mainland certification bodies, inspection bodies and laboratories.
	3. On the basis of mutual trust and mutual benefit, to allow testing and certification organizations in Macao to cooperate with the Mainland testing and certification organizations in respect of acceptance of testing data (results). Specific cooperation arrangements are subject to further discussion.
	4. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	1. Business services
	F. Other business services
	k. Placement and supply services of personnel (CPC872)
Specific commitments	To remove the restriction on the year of experience required for Macao service suppliers to set up job intermediaries in Guangdong Province.

Sectors or sub-sectors	1. Business services
	F. Other business services
	o. Building-cleaning services (CPC 874)
Specific commitments	To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	1. Business services
	F. Other business services
	p. Photographic services (CPC875)
Specific commitments	To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	1. Business services
	F. Other business services
	r. Printing and its auxiliary services (CPC88442**)
Specific commitments	To allow Macao service suppliers to establish enterprises on a contractual joint venture basis in the Mainland to engage in the printing of publications and other printed matters. The Mainland investors should hold dominant position in these enterprises. 2. To simplify the approval procedures for importing Macao
	books and to establish a Green Passage for importing Macao books. 3. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	1. Business services
	F. Other business services
	s. Convention services and exhibition services (CPC 87909**)
Specific commitments	To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	1. Business services
	F. Other business services
	t. Other - duplicating services (CPC87904)
Specific commitments	1. To allow Macao service suppliers to establish enterprises on an equity joint venture, contractual joint venture or wholly-owned basis in the Mainland to provide duplicating services.
	2. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	1. Business services
	F. Other business services
	t. Other - translation and interpretation services (CPC 87905)
Specific commitments	To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	2. Communications services
	C. Telecommunications services
	Valued-added services, including:
	internet access services
	call centre
	offshore call centre
	online data processing and transaction processing (confine to e-commerce business websites only)
Specific commitments	1. To allow Macao service suppliers to set up joint venture enterprises in Guangdong Province to provide online data processing and transaction processing services. Macao service suppliers' shareholding should not exceed 55%.
	2. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	2. Communications services
	D. Audiovisual services
	Motion picture or video tape production services (CPC96112)
Specific commitments	1. To allow Mainland motion pictures and motion pictures co-produced by Macao and the Mainland to be processed in Macao.
	2. To allow motion pictures produced by Macao to screen the original sound track of the dialects spoken in the motion pictures when it is contextually required, on the condition that standard Chinese subtitles are provided on screen.
	3. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under the specific liberalization commitments of this sector or sub-sector in the Mainland.

Sectors or sub-sectors	2. Communications services
	D. Audiovisual services
	Motion picture or video tape distribution services, including entertainment software and sound recording products distribution services (CPC83202)
Specific commitments	1. To allow the dialect version of motion pictures co-produced by Macao and the Mainland to be distributed and screened in the Mainland, after obtaining the approval of the relevant authorities in the Mainland, on the condition that standard Chinese subtitles are provided on screen.
	2. To allow the dialect version of motion pictures produced by Macao and solely imported by the Film Import and Export Corporation of the China Film Group Corporation to be distributed and screened in the Mainland, after being examined by and obtaining the approval of the relevant authorities in the Mainland, on the condition that standard Chinese subtitles are provided on screen.
	3. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under the specific liberalization commitments of this sector or sub-sector in the Mainland.

Sectors or sub-sectors	3. Construction and related engineering services
	CPC511, 512, 513 [©] , 514, 515, 516, 517, 518 [©]
Specific commitments	To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

[©] Including dredging services relating to infrastructure construction.
[®] The coverage is limited only to the rental and leasing services of construction and/or demolition machines (with operators) which are owned and used by HK construction enterprises in the course of providing services.

Sectors or sub-sectors	4. Distribution services
	B. Wholesale trade services (CPC622, excluding salt and tobacco)
	C. Retailing services (CPC631,632,6111,6113,6121, excluding tobacco)
Specific commitments	To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	6. Environmental services (excluding environmental quality monitoring and pollution source investigation)
	A. Sewage services (CPC 9401)
	B. Refuse disposal services (CPC 9402)
	C. Cleaning services of exhaust gases (CPC 9404)
	D. Noise abatement services (CPC 9405)
	E. Nature and landscape protection services (CPC 9406)
	F. Other environmental protection services (CPC 9409)
	G. Sanitation services (CPC 9403)
Specific commitments	1. The substantive business engaged by Macao service suppliers in the operation of environmental pollution control facilities in both Macao and the Mainland can be taken into account in assessing their applications for the qualification in the operation of environmental pollution control facilities in the Mainland.
	2. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

7. Financial services
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B. Banking and other financial services
(excluding insurance and securities)
a. Acceptance of deposits and other repayable funds from the public
 b. Lending of all types, including consumer credit, mortgage credit, factoring and financing of commercial transactions
c. Financial leasing
d. All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts (including import and export settlement)
e. Guarantees and commitments
f. Trading for own account or for account of customers: foreign exchange
h. Money brokers
Macao bank's operating institution in the Mainland, after obtaining approval to conduct RMB business for serving Macao enterprises, may provide service to enterprises in the Mainland that are recognized as owned by Macao investors in accordance with relevant rules and regulations, despite investors of those enterprises are based in a place other than Macao.

Sectors or sub-sectors	7. Financial services
	B. Banking and other financial services
	Securities
	Futures
Specific commitments	1. To further facilitate the application of Macao-funded securities companies to become Qualified Foreign Institutional Investors (QFII) in the Mainland. To allow Macao-funded securities companies to make reference to the securities assets being managed by the respective group when applying for QFII status.
	2. To allow qualified Macao-funded financial institutions to set up joint venture fund management companies in the Mainland in accordance with relevant Mainland requirements. The shareholding percentage of these Macao-funded institutions could exceed 50%.
	3. To allow Macao-funded financial institutions which satisfy the requirements for establishing foreign-invested securities companies to set up one full-licensed joint venture securities company each in Shanghai, Guangdong Province and Shenzhen in accordance with relevant Mainland requirements. The maximum percentage of aggregate shareholding of the Macao-funded institutions is 51%. The Mainland shareholders are not restricted to securities companies.
	4. To allow Macao-funded financial institutions which satisfy the requirements for establishing foreign-invested securities companies to set up one new full-licensed joint venture securities company in accordance with relevant Mainland requirements each in certain reform experiment zones for "piloting financial reforms" as approved by the Mainland. The Mainland shareholders are not restricted to securities companies. The percentage of aggregate shareholding of the Macao-funded financial institutions in the joint venture should not exceed 49%, and the requirement for a single Mainland shareholder to hold 49% of shareholding in the joint venture is removed.

Sectors or sub-sectors	8. Health related services and social services(excluding those listed in the professional services)
	A. Hospital services
Specific commitments	1. To allow Macao service suppliers to provide, in the mode of cross-border supply, services classified under this sector or sub-sector in the Mainland.
	2. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	8. Health related services and social services(excluding those listed in the professional services)
	C. Social services
	Welfare services delivered through residential institutions to old persons and the handicapped (CPC93311)
	Welfare services not delivered through residential institutions (CPC93323)
Specific commitments	1. To allow Macao service suppliers to operate elderly service agencies in the mode of wholly-owned private non-enterprises units to provide home care services for the elderly in Guangdong Province.
	2. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	9. Tourism and travel related services
	B. Travel agency and tour operator services (CPC 7471)
Specific commitments	1. No restriction with regard to annual business turnover will be imposed on travel agencies in the Mainland which are set up and invested by Macao service suppliers.
	2. The requirements with respect to business premises, business facilities and minimum capital requirement for registration of travel agencies in the Mainland set up by Macao service suppliers will be the same as those for Mainland enterprises.
	3. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	10. Recreational, cultural and sporting services
	A. Cultural services (excluding audiovisual services) (CPC9619**)
Specific commitments	To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	10. Recreational, cultural and sporting services
	D. Sporting and other recreational services (CPC 964)
	Sporting services (CPC 96411, 96412, 96413)
Specific commitments	1. To allow Macao service suppliers to provide, in the mode of cross-border supply, services classified under this sector or sub-sector in the Mainland.
	2. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

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Sectors or sub-sectors	11. Transport services
	A. Maritime transport services
	Cargo handling services (CPC741)
	Container station and depot services
Specific commitments	1. For Macao service suppliers investing in the construction of port facilities and operating port cargo handling, yards and warehousing, the requested capital amounts and the criteria for establishing branches will be the same as those for Mainland enterprises.
	2. The registration of Macao service suppliers for the establishment of foreign-invested enterprises engaging in international maritime container station, container yard services, and international cargo warehousing services in Guangdong Province is delegated to the transport authorities of prefecture-level or above in Guangdong Province.
	3. To delegate to the transport authorities of Guangdong Province to approve applications for general water cargo transportation between Macao and Guangdong Province, as well as applications of shipping liners engaging in waterborne transportation between Macao and Guangdong Province for changing relevant records of ships.
	4. The registration of foreign-invested enterprises operating international ship management services established by Macao service suppliers in Guangdong Province is delegated to the transport authorities of Guangdong Province.
	5. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	C. Air Transport services
	Sales and marketing services for air transport [®] (limited to air transport sales agencies)
Specific commitments	1. To allow Macao service suppliers to provide, in the mode of cross-border supply, sales agency services for international flights or regional flights between Hong Kong, Macao and Taiwan for the Mainland.
	2. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland, except that providers not eligible for the statutory operating body qualification shall not engage in such services activities.

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 $^{^{\}oplus}$ The definition in "Annex on Air Transport Services of the General Agreement on Trade in Services" of WTO applies.

Sectors or sub-sectors	11. Transport services
	F. Road transport services
	b. Freight transportation by road in trucks or cars (CPC7123)
Specific commitments	1. To delegate to the transport authorities of Fujian Province to examine or approve applications of investors engaging in manufacturing activities for the establishment and modification of business in respect of providing road freight transport services in Fujian Province.
	2. To remove the project establishment requirement for Macao service suppliers in respect of their investment in the road freight transport and motor vehicle repair services in Guangdong Province. Such applications would be processed and approved in accordance with the existing national laws and regulations.
	3. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	11. Transport services
	F. Road transport services
	Interurban regular passenger transportation (CPC 71213)
	Road passenger and freight transport station (depot)
Specific commitments	1. To allow Macao service suppliers to set up road passenger transport stations (depots) in the form of equity joint ventures (of which the percentage of shareholding of Macao capital not exceeding 49%) or contractual joint ventures. To delegate the transport authorities of Fujian Province to examine or approve applications for the establishment and modification of business in respect of setting up road passenger and freight transport stations (depots) in Fujian Province. 2. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	11. Transport services
	H. Services auxiliary to all modes of transport
	c. Freight forwarding agency services (CPC748, 749, excluding freight inspection)
Specific commitments	To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.

Sectors or sub-sectors	Service sectors (sectors not elsewhere classified in GNS/W/120)
	Trade mark agency
Specific commitments	To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland within the scope allowed by the relevant Mainland rules and regulations.

Sectors or sub-sectors	Service sectors (sectors not elsewhere classified in GNS/W/120)
	After-death services facilities
Specific commitments	1. To allow Macao service suppliers on a wholly-owned or equity joint venture basis to invest in and operate funeral facilities (excluding crematorium) and human ashes storage facilities in the Mainland.
	2. To allow contractual service providers employed by Macao service suppliers, in the mode of movement of natural persons, to provide services under this sector or sub-sector in the Mainland.