| **Individual Action Plan Update for [China] for [2020]** | | |
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| IAP Chapter (and Sub-Chapter and Section Heading, if any) | **Improvements made since [2018] IAP** | **Further Improvements Planned** | |
| Tariffs  附件1 | **Tariff Preferences (contents in red and with “” mean changes as of 2020 compared to 2018)**  According to Ministerial Declaration on the Expansion of Trade in Information Technology Products on 16th December 2015, China began to reduce MFN tariff rates of 201 products on 15th September, 2016. ~~On 1st July 2017, China implemented the second phase of tariff reduction.~~ On 1st July 2019, China has implemented the fourth phase of tariff reduction.  On Jan 1, 2020, China continued to apply the agreement tariff rates and special preferential tariff rates to the import goods originating in the economies and regions with which China has concluded a regional trade agreement that comprises preferential tariff clauses or with which China has concluded a trade agreement that comprises special preferential tariff clauses:  Under Asia Pacific Trade Agreement, 2323 products (HS 8-digit level) originated from Republic of Korea, India, Sri Lanka, Bangladesh and Laos have enjoyed the agreement tariff rates.  Under China-ASEAN Free Trade Agreement, the majority of the products originated from 10 ASEAN Member States have enjoyed the agreement tariff rates.  Under China-Chile Free Trade Agreement, 7570 tariff lines (HS 8-digit level) originated from Chile have enjoyed the agreement tariff rates.  Under China-Pakistan Free Trade Agreement, 7708 tariff lines (HS 8-digit level) originated from Pakistan have enjoyed the agreement tariff rates.  Under China-New Zealand Free Trade Agreement, 7609 tariff lines (HS 8-digit level) originated from New Zealand have enjoyed the agreement tariff rates.  Under China-Singapore Free Trade Agreement, 2913 tariff lines (HS 8-digit level) originated from Singapore have enjoyed the agreement tariff rates.  Under China-Peru Free Trade Agreement, 8023 tariff lines (HS 8-digit level) originated from Peru have enjoyed the agreement tariff rates.  Under China-Costa Rica Free Trade Agreement, 8279 tariff lines (HS 8-digit level) originated from Costa Rica have enjoyed the agreement tariff rates.  Under China-Switzerland Free Trade Agreement, 7991 tariff lines (HS 8-digit level) originated from Switzerland have enjoyed the agreement tariff rates.  Under China-Iceland Free Trade Agreement, 8210 tariff lines (HS 8-digit level) originated from Iceland have enjoyed the agreement tariff rates.  Under China-Georgia Free Trade Agreement, 8009 tariff lines (HS 8-digit level) originated from Georgia have enjoyed the agreement tariff rates.  Under China-Australia Free Trade Agreement, 8291 tariff lines (HS 8-digit level) originated from Australia have enjoyed the agreement tariff rates.  Under China-Korea Free Trade Agreement, 7855 tariff lines (HS 8-digit level) originated from Korea have enjoyed the agreement tariff rates.  Under Closer Economic Partnership Arrangement, the number of tariff lines of zero tariff rate (HS 8-digit level) provided by Chinese mainland rose to 7710 and 7709 for products originated from Hong Kong, China and Macao, China respectively.  Under Cross-Straits Economic Cooperation Framework Agreement, Chinese mainland applied the agreement tariff rates on 627 tariff lines (HS 8-digit level) originated from Chinese Taipei.  China provides unilateral special preferential tariff rates on certain products originated from 41 Least Developed Economies. | China will kick off the fifth phase of tariff reduction and exemption since July 1, 2020. | |
| Website for further information: | <http://fta.mofcom.gov.cn/english/index.shtml>  http://cs.mfa.gov.cn/zggmcg/apecshlxk/ |  | |
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| ***Non-Tariff Measures*** | China has carried out policies and actions that completely fulfilled its WTO commitments.   * In 2018, MOFCOM and GACC jointly issued the updated Administrative Catalogue of Dual-use Items and Technology for Import and Export Permission. (see MOFCOM-GACC Announcement No.104 of 2018 ) * In 2019, MOFCOM and GACC jointly issued the updated Administrative Catalogue of Dual-use Items and Technology for Import and Export Permission. (see MOFCOM-GACC Announcement No.68 of 2019 ) * Starting from January 1, 2019,China has suspended the export quota measures on phosphate ore and silver (see MOFCOM-GACC Announcement No.108 of 2018 ) * Starting from January 2, 2020, China has abolished the automatic import license administration on bauxite and alumina (see MOFCOM-GACC Announcement No.63 of 2019) * On December 31, 2019, the Ministry of Commerce and General Administration of Customs promulgated the "2020 Catalogue of Goods Subject to Export License Administration". 43 categories of goods were listed in the catalog. For details, please see the Ministry of Commerce Announcement No. 66 of 2019. * On December 31, 2019, the Ministry of Commerce, General Administration of Customs and General Administration of Quality Supervision, Inspection promulgated the 2020 Catalogue of Goods Subject to Import License Administration, containing 14 categories of goods. For details, please see the MOFCOM-GACC-AQSIO Announcement No. 65 of 2019. |  | |
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| ***Services*** | **Financial Services**  Since 2018, the China Securities Regulatory Commission (CSRC) released a series of new policy measures to accelerate the opening-up of the capital markets in China, such as broadening the market access of securities, fund and futures industries, lifting the shareholding limit on foreign investment, expanding the business scope for foreign-invested joint ventures, and providing trading facilities for foreign investors.  At the Boao Forum in April 2018, the Chinese government announced 12 financial opening-up policies, among which 5 items fall within the regulatory responsibility of the CSRC, including the measures to relax foreign shareholding limits in foreign-invested securities companies, fund management companies, and futures companies, to apply same requirements for domestic and foreign shareholders of joint-venture securities companies, to offer the same treatment to both domestic and foreign-invested securities companies in terms of business scopes to increase daily quota under the Mainland-Hong Kong Stock Connect schemes, and to launch the Shanghai-London Stock Connect.  The above-mentioned 5 measures have already been implemented. For example, the CSRC issued Measures for the Administration of Foreign-Invested Securities Companies on April 28th, 2018, and Measures for the Administration of Foreign-Invested Futures Companies on August 24th, 2018 in an effort to implement the policy of lifting foreign equity cap to 51%. Up until now, 3 absolute foreign controlled joint venture securities companies (foreign shareholders control more than 50%) and 1 relative foreign controlled joint venture (foreign shareholders control less than 50%, but as the major shareholder) fund management companies have been approved by the CSRC. In addition, the daily investment quota of Mainland-Hong Kong Stock Connect was quadrupled to RMB 52 billion yuan on May 1st, 2018, and the Shanghai-London Stock Connect was launched on June 17th, 2019.  In June 2019, the CSRC announced 9 policies and measures aiming at further opening up China's capital markets, among which the first 6 items have already been implemented with positive progress being made to the last 3 items:  1. Allowing foreign shareholders of foreign-invested securities companies and fund management companies to act as "controlling shareholder in one joint venture and minority shareholder in another" under the principle of unified requirements for domestic and foreign investments.  2. Setting appropriate net assets requirements for the controlling shareholder of foreign-controlled comprehensive securities companies under the principle of unified requirements for domestic and foreign investments.  3. Relaxing requirements for foreign banks to undertake custodian business for securities investment funds, taking into account the assets size and business expertise of the foreign banks' parent companies.  4. Extending the program of H-share full circulation reform on a wider scale to facilitate corporate development.  5. Expanding the list of designated futures contracts for foreign investors to further open up the futures market.  6. Relaxing restrictions for privately-offered investment products managed by foreign-owned private securities investment fund managers (PFMs) to engage in the southbound trading of the Mainland-Hong Kong Stock Connect.  7. Revising the QFII/RQFII rules to facilitate foreign participation in China's capital markets.  8. Diversifying the investment channels for foreign institutions into the exchange-traded bond market and expand market access.  9. Drafting the measures to administer Panda Bond on the exchange-traded bond market and facilitate issuance of Panda Bond by foreign institutions.  On July 20th 2019, the Office of Financial Stability and Development Committee under the State Council announced a series of policies to further expand financial opening-up, which include moving up the lifting of foreign ownership limits in foreign-invested securities companies, fund management firms, and futures companies to 2020, one year ahead of the original schedule.  After comprehensive and thorough deliberations, the CSRC sets up a clear timetable as below:  **Banking and Insurance Services**   * In December 2017, with the approval of the State Council, the China Banking and Insurance Regulatory Commission (CBIRC) eased caps on foreign ownership in Chinese banks (private banks excluded) and financial asset management companies and apply non-discriminatory ownership limit rules. Going forward, the CBRC is set to further open up the banking sector towards the following policy directions: * Allow for wider commercial presence choices of foreign banks to encourage a more diversified financial system. * Broaden the business scope of foreign banks, including removing the waiting period for conducting renminbi business, supporting foreign bank branches to engage in government bond-related businesses, loosening the renminbi retail deposit-taking requirement for foreign bank branches, supporting foreign banks to conduct financial market businesses, so as to boost the vitality of the financial system. * Refine regulatory rules, including adjusting supervisory requirements on working capital of foreign bank branches and supervisory evaluation approaches, to further unleash foreign banks’ potential. * To implement the above-mentioned policy measures, revisions of existing laws and regulations, along with improvements of prudential regulatory mechanisms and supportive measures, are needed beforehand. The CBRC is committed to pushing forward the opening up of the banking sector in an active and step-by-step manner. In the meantime, the CBRC will continue to improve regulation in order to maintain the safety and soundness of the financial system and defend the bottom-line of preventing systemic risk. * In April 2018, in order to boost financial opening-up and approves market entry applications of foreign banks and insurance enterprises, CBIRC release 15 opening measures. (see http://www.cbirc.gov.cn/en/view/pages/ItemDetail.html?docId=226563&itemId=980) * In May 2019, CBIRC released 12 more opening up measures. * (See http://www.cbirc.gov.cn/en/view/pages/ItemDetail.html?docId=226288&itemId=980) * In July 2019, CBIRC released 7 more opening up measures. * (See http://www.cbirc.gov.cn/en/view/pages/ItemDetail.html?docId=228249&itemId=980)   **Education Services**   1. Fully implementing the WTO Obligations and Rules concerning education service. 2. Revising regulations and catalogues concerning foreign investment, enabling foreign investors to invest in wholly foreign-owned non-academic vocational training institutes and non-academic language training institutes. 3. Promoting intra-APEC international student mobility. As of year 2018, there are 189248 international students from APEC economies studying in China (not including Hong Kong, China and Chinese Taipei), and 469883 Chinese students studying in APEC economies (not including Hong Kong, China and Chinese Taipei). 4. Publishing APEC Report on Education and Economic Growth for sharing of knowledge and best practices among APEC member economies to facilitate trade in education services.   **Construction and Engineering Service**   * In January 2020, Ministry of Housing & Urban and Rural Development (MOHURD)-MOFCOM jointly abolished the <*Regulations on Foreign Investment in Construction Enterprises>,* unifying scopes for domestic/foreign enterprises in contracting projects. At the same time, MOHURD issued <Notice on amendments on Qualification Management and Competency Standard of Construction Enterprises>, retaining opening measures to construction enterprises from Hong Kong, China and Macau, China.   **Real Estate Service**   * In March 2018, MOHURD abolished <Regulations on Qualifications of Housing Enterprises>. * In May 2019, MOHURD commenced experimental devolution of evaluating real estate appraiser to local governments, with Beijing, Shanghai, Tianjin, Chongqing, Jiangsu and Guangdong as the pilot areas.   **Architectural Designing Services**   * In October 2018, MOHURD issued <MOHURD-MOFCOM Decision on Abolishing Regulations on Foreign–Invested Urban Planning Enterprise>. In December, 2018, MOHURD issued < MOHURD-MOFCOM Decision on Abolishing Regulations on Foreign-Invested Construction and Engineering Design Enterprise >, and provided foreign-invested construction and engineering design enterprise with NT. * In January 2019, MOHURD issued <Notice on Related Issues on Foreign-Invested Enterprises Applying for Construction Engineering Survey Qualification>, promoting opening up of construction engineering survey markets, and the requirements for Foreign and domestic enterprises applying for construction engineering survey have been unified. * In December 2019, MOHURD and NDRC issued <Regulations on General Contracting of Housing Construction and Municipal Infrastructure Projects>, improved the management of general contracting and related regulatory framework.   **Health Related & Social Services**  No change.  **Transport Services-** **Aviation**   * In order to improve the framework of laws and regulations in the field of civil aviation, in 2018, China issued 20 revised civil aviation regulations and 1 newly formulated civil aviation regulation; In 2019, 4 revised civil aviation regulations were issued and 1 civil aviation regulation was abolished. The above regulations cover air traffic management, aviation safety, air transport economic management and aviation security, and further promote the safe, efficient and sustainable development of civil aviation in China. * Furthermore, by the end of 2019, China had signed 127 bilateral air transport service agreements with relevant economies worldwide. * The official website and information disclosure website of the Civil Aviation Administration of China are: www.caac.gov.cn.   **Transport Services-Maritime**   * Maritime Safety Administration of the People’s Republic of China (China MSA) issued the notice on issuance of electronic certificate to China registered ships engaged in international voyages on March 27th,2018, authorizing China Classification Society to issue relevant electronic statutory survey certificates. * China MSA issued a notice on class survey of China registered ships engaged in international voyages registered in Free Trade Zones (FTZ). Foreign classification societies, if meeting relevant requirements and qualifications, are permitted to provide class survey services to the above mentioned ships. * The Establishment of International Shipping Joint Boarding and Inspection Work Mechanism is undergone the amendment which is expected to be completed in the first half year of 2020. * Foreign investors are allowed to set up wholly owned companies in China to provide international shipping service in and out of the relevant Chinese ports, to provide the international shipping agent service, the international shipping management service and the handling service for international maritime cargo, the international maritime container depots and yards. * Foreign investors are allowed to set up wholly owned companies in China to provide domestic shipping agent service.   **Transport Services-Road Transport**   * From Nov.11, 2018, foreign investors would enjoy national treatment while investing road transport.   **Postal and Courier Service**   1. Interim Regulations on Express Delivery Servised was issued on March 2, 2018, and implemented on May 1, 2018. 2. Revised Regulation on Courier Business Licensing was issued and implemented on Nov 28, 2019.   (Please visit[*www.spb.gov.cn*](http://www.spb.gov.cn)for more information)  **Audio-visual services**   * According to <Decision on Cancellation of Certain Proof Materials Set in Regulations and Normative Documents> (Decree No.2 2018, China’s Radio and Television Administration of the People’s Republic of China), the photocopy of Radio & TV Program Production & Operation License is longer mandatory document in applications for China-Foreign TV Series co-production approval and import of foreign films and TV series (for the purpose of TV airing).   **Telecommunications Service**   * *Service Trade.* By the end of 2019, the Ministry of Industry and Information Technology (MIIT) had issued 321 Confirmations of foreign investment in telecommunications service, and 191 licenses or pilot permissions regarding foreign-invested enterprises’ telecommunications operation. * *Market Access.* Mainland China has opened all 10 value-added telecom services to Hong Kong and Macao capital, 6 of which have no limit on foreign equity, and opened 8 value-added telecom services in pilot free trade zones (PFTZs), 6 of which have no limit on foreign equity. Building on that, the Special Administrative Measures (Negative List) for Foreign Investment Access (2019) canceled the limits on foreign equity for 3 value-added telecom services (calling center, domestic multi-point communications and storage and forwarding). * *Transparency.* The application procedures, eligibility and required materials for foreign investment in telecom services are published on the MIIT website (http://www.miit.gov.cn).   **Manufacturing Service**   * The Special Administrative Measures (Negative List) for Foreign Investment Access (2018) abolished certain limits on foreign equity as regards aviation manufacturing and shipbuilding.   **Accounting Service**   * Measures for the Administration of Agency Book keeping (Decree No.98of Ministry of Finance) was promulgated on March 14,2019, which took effect from the date of promulgation. For details, please refer to http://www.mof.gov.cn. * Measures for the Licensing, Supervision and Administration of Accounting firms (Decree No.97 of Ministry of Finance) was promulgated on January 2, 2019，which took effect from the date of promulgation. For details, please refer to http://www.mof.gov.cn. * Measures for the Administration of Agency Bookkeeping (Decree No.80 of Ministry of Finance) was promulgated on February 16, 2016，which took effect on May 1, 2016. For details, please refer to <http://www.mof.gov.cn>.   **Legal Service**   * Since January 2018, 8 representative offices of foreign law firms in China have been newly established. So far, there are in total 226 representative offices of foreign law firms in China. 7 foreign law firms have formed joint ventures with Chinese law firms in Shanghai Pilot Free Trade Zone. 8 Chinese law firms have employed 9 foreign lawyers as foreign legal advisers. | **Financial Services**  1. Foreign ownership limits in futures companies will be removed nationwide as of January 1st, 2020.  2. Foreign ownership limits in fund management companies will be removed nationwide as of April 1st, 2020.  3. Foreign ownership limits in securities companies will be removed as of December 1st, 2020.  Furthermore, the CSRC has also made great progress in providing foreign investors with wider access to the securities and futures markets in China. On March 26th, 2018, the milestone launch of the crude oil futures on the Shanghai International Energy Exchange, as the first designated futures contract open to foreign investors, marked an important step forward in the opening up of the futures market. Since then, China has introduced foreign investors to trade in other designated futures contracts on iron ore, PTA and TSR20. The CSRC will be committed to further open up the commodity futures market and to grant foreign access to more futures contracts in the future.  On September 15th, 2018 the CSRC amended the Measures for the Administration of Securities Registration, Clearing and Settlement and the Measures for the Administration of Equity Incentive Schemes of Listed Companies, to allow foreign individual investors who work on the Chinese Mainland to open A-shares securities accounts, and to allow foreigners who work overseas for A-share listed companies to participate in the equity benefit plan, in addition to the foreigners who work on the Chinese Mainland. Such efforts will help to internationalize the capital markets of China by improving the convertibility of nonresidents for the purchase and sale of domestic shares or other securities under the capital account.  **Education Service**   1. Continue to promote student mobility and exchanges. 2. Continue to fully perform the obligations under the WTO regime and other bilateral and multilateral commitments concerning education service 3. Update APEC Education Baseline Report to provide information for educators and investors within APEC region.   **Health Related & Social Services**  Further liberalize healthcare services, reduce restrictions to foreign investment in the childcare and elderly nursing services.  **Transport Services-Maritime**  Advance to formulate regulations permitting foreign classification societies( if meeting relevant requirements and qualifications) to provide statutory survey services to for the regulation-formulating related to China registered ships engaged in international voyages registered in Pilot Free Trade Zones(PFTZ). | |
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| ***Investment*** | **Investment**  On June 15, 2018, Chinese government released <State Council’s Notice Measures on Further Utilizing Foreign Investment to Promote High Quality Economic Growth>. These newly launched measures include, investment liberalization, facilitation, promotion, protection, optimizing regional opening-up layout and promoting innovations in National Development Zones.  In June 2018, Chinese government released 2018 versions of <Special Administrative Measures for Foreign Investment Access (Overall Negative List) > and <Special Administrative Measures for Foreign Investment Access to the Pilot Free Trade Zones (PFTZ Negative List) > (which have come into effect on 28th July and 30th July, 2018 respectively). The Overall Negative List gave out opening-up policies in 22 sectors including Finance, Transportation, Cultural Industries, Automobile, Vessel, Airplane, Agriculture, Energy and Resources, lifting restrictions measures to more than 25%. The PFTZ Negative List further conduct opening-up stress testing in sectors of Cultural Industries, Resources, Seeds, Telecommunication.  On March 15, 2019, China adopted its new <Foreign Investment Law>, a landmark legislation that will provide a better business environment for foreign investments. The law will take effect on Jan. 1, 2020, and will replace the three existing laws on Chinese-foreign equity joint ventures, wholly foreign-owned enterprises and Chinese-foreign contractual joint ventures. This fundamental law would help to further expand the scope of opening-up, and to build a more stable, transparent, predictable market environment of fair competition.  On June 30, 2019, Chinese government released 2019 versions of <Special Administrative Measures for Foreign Investment Access (Overall Negative List) > and <Special Administrative Measures for Foreign Investment Access to the Pilot Free Trade Zones (PFTZ Negative List) > (both have come into effect on 30th July, 2019). After being reform, the restriction measures listed in Overall Negative List have been greatly reduced to 40, with 37 left in PFTZ Negative List.  On June 30, 2019, Chinese government released 2019 version of <the Catalog of encouraged Industries for Foreign investment > (came into effect on July 30, 2019). The new Catalog provided overall articles of 1108, which registered a 10% increase compared with 2017 version.  On November 7, 2019, Chinese government released <State Council’s Opinions on measures to further utilize Foreign Investment>. The Opinions gave out 20 policies and measures stabilizing foreign investment from expanding opening-up, scaling up investment promotion efforts, reforming investment facilitation measures and strengthening foreign investment protection etc.  On December 31, 2019, China issued the <Regulation on Implementation of the Foreign Investment Law>, which took effect on Jan. 1, 2020.  **Pilot Free Trade Zone (PFTZ)**  In September 2018, the state council approved the establishment of Hainan PFTZ and issued the overall plan. In July 2019, Lin-gang Area was newly incorporated into Shanghai PFTZ. In August 2019, the State Council approved the establishment of six PFTZs in Shandong, Jiangsu, Hebei, Yunnan, Heilongjiang provinces and Guangxi Autonomous regions, and issued the overall plans respectively.  18 PFTZs have been established since 2013, where pilot reform measures are implemented to promote trade and investment liberalization and facilitation, financial innovation, etc, A great number of experiences and good practices developed and proven to work in these PFTZs have been practices developed and proven to work in these PFTZs have been applied nationwide, further improving business environment of the whole economy,  In June 2018, NDRC and MOFCOM jointly issued the <Special Administrative Measures for Foreign Investment Access to the Pilot Free Trade Zones (PFTZ Negative List) >, and then issued the 2019 negative list one year later, further lifting restrictions on foreign investment in all PFTZs. | **Investment**  Continue to relax the foreign capital access, further open up the service sector.  Deepen the reform of the foreign-funded management system and further simplify the management procedures.  Promote construction of high-quality PFTZs, to further promote the good experiences.  **Pilot Free Trade Zone (PFTZ)**  Promote development of high-quality PFTZs, further shorten the PFTZs negative list for foreign investment access, and duly apply the good experience from investment-related innovation nationwide. | |
| Website for further information: | www.mofcom.gov.cn |  | |
| Contact point for further details: |  |  | |
| ***Standards and Conformance*** | **Reform of China Compulsory Certification (CCC)**  Measures adopted include:  1. Market oriented adjustments.  1.1 abolishing the unified pricing for CCC certification and testing;  1.2 opening the CCC certification and testing market gradually and increasing the number of designated certification bodies and laboratories.  2. Optimizing CCC certification procedure.  2.1 introducing classification management of manufacturers, simplifying certification procedure and reducing the post-certification supervision frequency for manufacturers with good quality control;  2.2 simplifying certification procedure and removing the requirement for initial factory inspection for products with fast update rate, such as electronics  3. Simplifying the procedure of exemption from CCC for small amount importation and the CCC certification requirements for cars which are parallel imported through domestic free trade zones.  By implementing these measures, certification costs and time have been reduced significantly, and import of CCC catalogued products have been facilitated.   1. CCC catalogue    1. The products in CCC catalogue have been reduced. Dozens of industrial products such as anti-fire products are no longer implemented by CCC certification.    2. SDoC assessment method to meet the requirement of CCC rules has been added. There are 27 kinds of products that can use the SDoC in CCC catalogue.    3. Some products managed under industrial license before have been added to CCC catalogue, such as explosion proof products and gas appliance.    4. There are 119 kinds of products in CCC catalogue now.   **The Standardization Law of the People’s Republic of China**  On November 4, 2017, China promulgated new *The Standardization Law of the People’s Republic of China*, and came into force on January 1, 2018.  China shall promote participation in international standardization activities, engagement in international cooperation and exchanges on standardization, participation in the development of international standards, adoption of international standards in the Chinese context, and harmonization of Chinese and foreign standards.  China shall encourage enterprises, social organizations, educational institutions, research institutes and other organizations to participate in international standardization activities.  Measures for Management of Mandatory National Standards were adopted by the State Administration for Market Regulation of the People’s Republic of China on December 13, 2019 and shall come into force on June 1, 2020.  **Updated information on international standardization work**  Up to the end of the 2019, China has taken part in 875 ISO/IEC TCs/SCs as P members and assumed 88 secretariats and 73 chairmen and vice chairmen of TCs/SCs. |  | |
| Website for further information: | http://www.zhb.gov.cn/ |  | |
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| ***Customs Procedures*** | **Trade Facilitation Agreement**   * China ratified the Trade Facilitation Agreement in September 2015. On March 27, 2016, the State Council of China approved the establishment of an inter-ministerial joint meeting institution on trade facilitation led by state council leader. * China has implemented all the Category B measures ahead of the previous definitive date of implementation (22 February 2020). On 19 July 2019, Article 10.4 (single window) was fully implemented. On 30 December 2019, Article 12.2 (exchange of information) and Article 12.6.1 (provision of information) were fully implemented. On 12 January 2020, Article 7.6 (establishment and publication of average release times) was fully implemented. The implementation of those measures has been notified to WTO and China’s rate of implementation has been 100%. * China Customs adopted the advance ruling system since February 1, 2018. Customs across the country issued 900 decision letters of advance ruling in 2018, 1873 decision letters in 2019. | **Greater Public Availability of Information**  More information will be translated into English and uploaded onto the web.  To further improve the functions of customs hotline 12360 and the customs website, and strengthen their mutual supplementary role to each other. | |
| Website for further information: | www.customs.gov.cn |  | |
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| ***Intellectual Property Rights*** | **Patent**  The China National Intellectual Property Administration （CNIPA）actively promotes the amendment to the patent law of China ，The "Patent Law Amendment (Draft)" has been reviewed for the first time by the Standing Committee of the National People's Congress on December 23-29, 2018, the draft puts forward a number of proposals for improving intellectual property protection, promoting the implementation and utilization of patents, and improving the patent authorization system.  **Trademark**  On April 23, 2019, the Standing Committee of the National People’s Congress passed the decision on Amending the Trademark Law, which revised in two aspects: regulating malicious application, hoarding registration and increasing punishment for infringement of the exclusive right to use trademarks. The amended terms came into force on November 1, 2019. In order to further implement and refine the latest amendment of the Trademark Law, CNIPA has drafted administrative rules < Rules on Regulating applications for Registration of Trademarks > , which came into force on December 1, 2019.  **Geographical Indication**  In 2019, a unified geographical indication sign was released. By the end of 2019, 2385 geographical indication products have been approved, 5324 geographical indication trademarks have been registered. | **Patent**  CNIPA will continue to coordinate with the legislature to further accelerate the amendment to the patent law of China. CNIPA will continue the research study on the amendments to the Regulation for the Implementation of the Patent Law of China.  CNIPA will continue to improve the quality and efficiency of patent examination, and improve models for centralized examination, priority examination, PPH, and deferred examination.  **Trademark**  CNIPA will continue to improve the quality and efficiency of trademark examination，improve the quality management of trademark examination，strictly strike on trademark malicious application, hoarding registration and other behaviors, strengthen the protection of exclusive right of trademark.  **Geographical Indication**  CNIPA will further improve the geographical indication protection system. | |
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| ***Competition Policy*** | **Institutional Reform of the enforcement agency**  In 2018, according to the Decision on the Plan for the Institutional Reform of the State Council adopted by the 1st session of the 13th National People’s Congress, the State Administration for Market Regulation of China(SAMR) was formed, which consolidates the duties of the former SAIC, the former General Administration of Quality Supervision, Inspection and Quarantine and the former China Food and Drug Administration as well as the duties of the NDRC regarding price related supervision and inspection and anti-monopoly enforcement, the duties of the MOFCOM regarding anti-monopoly review of concentrations of undertakings and the duties of the Office of the Anti-Monopoly Commission under the State Council, and is responsible for a uniform anti-monopoly enforcement. The state council established the new anti-monopoly committee of the state council SAMR issued the notice on authorization of anti-monopoly law enforcement, and improved the system of authorization of local market regulators to enforce anti-monopoly laws.  **Anti-monopoly Legislation**  In 2019, SAMR formulated the interim provisions on the prohibition of monopoly agreements, interim provisions on the prohibition of abuse of dominant market position and interim provisions on prohibition of abuse of administrative power and elimination the act of restricting competition.  **Enforcement of Anti-monopoly Law**  In 2018, the anti-monopoly law enforcement agency of China imposed administrative penalties on 11 monopoly agreement cases and 5 cases of abuse of dominant market position. The enforcement agency was notified of 513 cases of concentration of undertakings, initiated 468 cases and concluded 468 cases. Among the cases concluded, 4 were cleared with conditions. The enforcement agency imposed administrative penalty on 15 cases of concentration of undertakings involving failure to notify in accordance with the law, and handled 57 administrative monopoly cases.  In 2019, the anti-monopoly law enforcement agency of China imposed administrative penalties on 16 cases of monopoly agreements and abuse of dominant market position. The enforcement agency was notified of 503 cases of concentration of undertakings, initiated 462 cases and concluded 465 cases. Among the cases concluded, 5 were cleared with conditions. The enforcement agency imposed administrative penalty on 16 cases of concentration of undertakings involving failure to notify in accordance with the law and handled 57 administrative monopoly cases.  **Fair competition review**  In 2018, the Chinese government systematically reviewed 820,000 documents in stock nationwide and abolished or revised more than 20,000 documents involving designated transactions, local protection and market barriers.  In 2019, the Chinese government made the review of fair competition available to all governments at the central, provincial, municipal and county levels. SAMR improved the rules for the review of fair competition, issued guidelines for third-party evaluation of the review of fair competition, and released to the public 30 typical cases of violations of the standards of fair competition examination.  **International Cooperation**  In 2018, the anti-monopoly law enforcement agency of China held the 4th China-US senior anti-monopoly dialogue, carried out exchanges with anti-monopoly law enforcement agencies of Russia, Canada and other jurisdictions, and carried out cooperation with the European Union, the United States, Russia, South Africa, Canada and other anti-monopoly law enforcement agencies on cases of concentration of undertakings, such as Bayer's acquisition of Monsanto, Linde group's merger with Praxair. The enforcement agency carried out negotiations on the competition chapters of FTA agreements between China and Singapore, panama, Norway and Mauritius. The enforcement agency of China took part in international anti-monopoly conferences organized by multilateral organizations such as UNCTAD.  In 2019, the anti-monopoly law enforcement agency of China signed 13 memorandum of understanding on anti-monopoly cooperation with the EU, Japan, Korea and other anti-monopoly agencies, held the 12th China-EU competition policy dialogue, and participated in the 6th BRICKS competition conference. The enforcement agency of China carried out negotiations on the competition chapters of the bilateral FTA agreements with Singapore, Peru, Norway and Israel, as well as the China, Japan and Korea FTA agreements. The enforcement agency of China took part in international anti-monopoly conferences organized by multilateral organizations such as UNCTAD, OECD and APEC. |  | |
| Website for further information: | www.samr.gov.cn |  | |
| Contact point for further details: | caijunfeng@samr.gov.cn |  | |
| ***Government Procurement*** | **Transparency**  1. Government procurement has basically realized whole-process information disclosure with complete elements and timely release. Disclosed information includes procurement notices, procurement documentations, procurement budgets, procurement results, procurement contracts, as well as supervision and punishment information. In 2018, a total of 2.17 million government procurement information was published.  2. The local sub website of China Government procurement Website has achieved full-coverage of its jurisdiction, forming a centralized and unified information release platform on the basis of China Government Procurement Website.  3. Revising and enacting Measure for the Release of Government Procurement Information to further regulate the release of government procurement information.  4. Conducting government procurement transparency assessment by the third party since 2017 and urging all regions to further improve the information disclosure mechanism.  **Value for Money**  1. Strengthening government procurement needs management and highlighting the body responsibility of procuring entities.  2. Strictly regulating the bid evaluation process.  **Open and Effective Competition**  Encouraging competition in government procurement. Procurement methods and processes are designed to encourage competition. Open tendering is the major procurement method in China, which accounted for 70.5% of the overall procurement scale in 2018.  **Fair Dealing**  1. Chinese government procurement is based on the competition, which ensures transparent and impartial procurement process and avoids conflicts of interest and corrupt practices.  2. Regulation on optimizing business environment issued in Oct. 2019 provides that government procurement shall be open, transparent, fair and impartial. Market players of all kinds of ownership and from different regions should be treated equally according to law and cannot be restricted or excluded by unreasonable requirements or origin of products.  3. Circular on promoting fair competition and optimizing business environment in government procurement issued in July 2019 provides that all local governments and departments shall strictly implement the requirements of Government Procurement Law and relevant laws and regulations, comprehensively clean up the provisions and practices that hinder fair competition in government procurement, and guarantee the equal rights of all kind of market players to participate in government procurement activities. More than 2000 specific problems were cleaned up and rectified, and the order of government procurement market was further regulated.  **Accountability and Due Process**  Establishing and improving administrative adjudication mechanism of government procurement  **Non-discrimination**  1.Chinese government submitted its 7th offer to access to GPA on Oct.20, 2019  2. Foreign Investment Law issued in March 2019 provides that the State ensures that foreign-invested enterprises have equal access to government procurement through fair competition in accordance with the law. Products and services produced and provided by foreign-invested enterprises within the territory of China are equally treated in government procurement in accordance with law. | **Transparency**  Promoting the disclosure of government procurement intention in order to facilitate market players to know government procurement information in advance. Continuing to carry out tran manner so that market players could obtain government procurement information conveniently, timely, freely and without distinction sparency assessment of government procurement, and urging procuring entities and procuring agencies to release all kinds of government procurement information in a timely.  **Value for Money**  Amending Measure for the Administration of Tendering and Bidding for Government Procurement of Goods and Services, and Measures for the Administration of Government Procurement by Non-bidding Procurement Methods. Improving transaction rules of procurement items.  **Open and Effective Competition**  Establishing transaction rules in line with market rules and procuring practices. Guiding the procuring entities to reasonably choose the procurement methods and evaluation methods according to the characteristics of various procuring objects, and promoting the utilization efficiency of fiscal funds. Further strengthening the management of performance acceptance.  **Fair Dealing**  Further streamlining the material requirements for suppliers to participate in government procurement activities, and exploring the establishment of an access management system of “commitment + credit management” for suppliers in order to further improving the convenience of suppliers to participate in government procurement activities.  **Accountability and Due Process**  Unblocking relief channels, dealing with violations of laws and regulations in accordance with the laws and regulations, and preserving fair competition in government procurement field  **Non-discrimination**  1. Actively promoting China’s accession negotiation to WTO GPA.  2. Implementing fair competition review mechanism and strengthening supervision and administration. Ensuring equal treatment to products and services produced and provided by foreign-invested enterprises within the territory of China during the improvement of government procurement system and procurement implementation. | |
| Website for further information: | www.mof.gov.cn |  | |
| Contact point for further details: |  |  | |
| ***Deregulation/Regulatory Review*** |  |  | |
| Website for further information: |  |  | |
| Contact point for further details: |  |  | |
| ***Implementation of WTO Obligations/ROOs*** | TFA implementation as mentioned above in the “Customs Procedures” section |  | |
| Website for further information: |  |  | |
| Contact point for further details: |  |  | |
| ***Dispute Mediation*** | **Dispute Settlement Practice**  Chinese government，through WTO dispute settlement mechanism, seeks the resolution of disputes with other WTO members. Since 2018, China has initiated 6 cases under dispute settlement mechanism.  **Dispute Settlement Chapter or Provisions in FTAs**  China-Georgia FTA comes into force on 1 January 2018. At present, China has 15 FTAs in effect and under implementation, involving 23 economies and regions. Most of these FTAs, including China-Georgia FTA, contain dispute settlement chapter or provisions which provide approach of dispute settlement under FTA for both parties.  The private entities are entitled to submit claims against the administrative actions of governments to the competent administrative tribunals of courts, in accordance with the Administrative Procedural Law.  Up to December 2019, China has signed Bilateral Investment Treaties (“BITs”) with 134 economies. Investors of the contracting parties are entitled to submit their disputes with the specific actions of the invested contracting party to international arbitration in accordance with the provisions of BIT | Chinese government will continue to seek the resolution of ongoing disputes under WTO dispute settlement mechanism.  Chapter or provisions of dispute settlement will continue to be an important part of future FTA negotiations. | |
| Website for further information: |  |  | |
| Contact point for further details: |  |  | |
| *Mobility of Business People* | * China keeps improving its foreign application processing by reviewing regulations and improving related procedures to ensure efficiency. * In 2019 and 2020, China issued 38359 ABCTs, registering an increase of 9.7% compared with the sum of 2016 and 2017. * In 2018 and 2019,over 700252 person times in total from other APEC economies（excluding Hong Kong, China and Chinese Taipei）entered China with ABTC, showing an increase of 28.8% compared with 2016 and 2017. * In 2019, China has introduced a series of rules and regulations making clear requests to the eligibility of domestic applicants and enterprises, propelling those enterprises to give greater attention to applicants among their own employees and strengthening surveillance to the use of ABTC. China is also taking steps to streamline application procedures, enable more business people to get access to ABTC scheme and provide better service experience to potential cardholders. * To facilitate APEC Business Travel Card（ABTC） holders, China Immigration Inspection allows all ABTC holder to use the special lanes for border check upon arrival and departure. For valid passport holders who have lost their ABTCs after entry into China, exit is allowed with registration, after their legal entry records with ABTC being confirmed. | China is going to continue to improve client service, including further updating the online lodgment system, and to better regulate home application. | |
| *Website for further information:* | http://cs.mfa.gov.cn/zggmcg/apecshlxk/ |  | |
| *Contact point for further details:* | abtc@mfa.gov.cn |  | |
| *Official websites that gather economies’ information* |  |  | |
| Website for further information: |  |  | |
| Contact point for further details: |  |  | |
| ***Transparency*** |  |  | |
| Website for further information: |  |  | |
| Contact point for further details: |  |  | |

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| **RTAs/FTAs** | | | |
| ***-*** ***Description of current agreements*** | | ***China-Georgia FTA***  The agreement was signed on May 13, 2017 and entered into force on January 1, 2018.  ***The Asia-Pacific Trade Agreement (APTA) Second Amendment***  The agreement was signed in 2017 and entered into force on July 1, 2018.  ***China-Chile Upgrade FTA***  The agreement was signed on November 11, 2017 and entered into force on March 31, 2019  ***Protocol to Amend China-Pakistan FTA***  The protocol was signed on April 28, 2019 and entered into force on December 1, 2019  ***China-Singapore Upgrade FTA***  The agreement was signed on November 12, 2018 and entered into force on January 1, 2020.  ***China-Mauritius FTA***  The agreement was signed on October 17, 2019 and is going through respective domestic procedures for entering into force.  ***Agreement on Economic and Trade Cooperation between China and Eurasian Economic Union.***  The agreement was signed on May 2018, and entered into force on October 25, 2019.  More information is available at website: [http://fta.mofcom.gov.cn](http://fta.mofcom.gov.cn/) |
| ***- Agreements under negotiation*** | |  |
|  | ***Agreement #1*** | ***RCEP*** |
| ***Agreement #2*** | ***Upgrading China-Peru FTA*** |
| ***Agreement #3*** | ***China-Japan-Korea FTA*** |
| ***Agreement #4*** | ***Upgrading China -Korea FTA*** |
| ***Agreement #5*** | ***China-Sri Lanka FTA*** |
| ***Agreement #6*** | ***China- GCC(Gulf Co-operation Council) FTA*** |
| ***Agreement #7*** | ***China-Israel FTA*** |
| ***Agreement #8*** | ***China -*** ***Palestine FTA*** |
| ***Agreement #9*** | ***China - Norway FTA*** |
| ***Agreement #10*** | ***China -*** ***Panama FTA*** |
| ***Agreement #11*** | ***China-New Zealand Upgrade FTA*** |
| ***Agreement #12*** | ***China- Cambodia FTA*** |
| ***Agreement #13*** | ***China-Moldova FTA*** |